

PRELIMINARY DRAFT - PROPOSAL FOR NEW POLICY 5.1814

(FOR DISCUSSION ONLY)

6-A I recommend the Board discuss the preliminary proposed new Policy 5.1814, which may be entitled "Severest Consequences for Violent Acts."

◆ **Discussion Only**

- At the Expulsion workshop on July 22, the Board requested that the most severe consequences be imposed, via Policy, for the most violent acts of students.
- In preparation for future development of such a Policy, the Legal Department suggested obtaining the Board's preliminary comments about this preliminary proposed new Policy, based on State Board of Education Rule 6A-1.0404.
- The new Policy would be intended to supplement the current discipline matrix Policies, which are primarily *coding systems for schools*, rather than guidelines for the Board's expulsion process.
- The Board's discussion of this preliminary draft may be of assistance to the Legal Department in coordinating this proposal with revisions to the discipline matrix Policies before returning them to the Board for further development on August 19.

DISCUSSION ONLY

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SEVEREST CONSEQUENCES FOR VIOLENT ACTS

1 1. Pursuant to State Board of Education Rule 6A-1.0404(2), the School Board hereby
2 declares that students found to have committed the following offenses on school
3 property, school sponsored transportation, or during a school sponsored activity
4 shall receive the most severe consequences provided for by School Board Policy:

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6 a. homicide (murder, manslaughter);
7 b. sexual battery;
8 c. armed robbery;
9 d. aggravated battery;
10 e. battery or aggravated battery on a teacher or other school personnel;
11 f. kidnapping or abduction;
12 g. arson;
13 h. possession, use, or sale of any firearm; or
14 i. possession, use or sale of any explosive device.

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16 2. As used herein, the term "most severe consequences" shall refer to expulsion for
17 the remainder of the current school year and the entire next school year in
18 accordance with Fla. Stat. § 228.041(26), with no possibility of early reinstatement,
19 and with referral for criminal prosecution.

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21 3. The foregoing sections "shall not be construed to remove [the] school board's
22 discretion in cases where mitigating circumstances may affect decisions on
23 disciplinary action." SBER 6A-1.0404(3).

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26 STATUTORY AUTHORITY: §§ 230.22(2); 230.23(6); 230.23(22); 230.23005(1),

27 Fla. Stat.

28 LAWS IMPLEMENTED: §§ 230.23(6); 230.23005(1); 230.23015; 232.25(3); 232.26,

29 Fla. Stat.

30 STATE BOARD RULE SUPPLEMENTED: F.A.C. r. 6A-1.0404

31 HISTORY: Newly proposed: / /02