

<u>Section J:</u> Students	Knox County Board of Education Policy			
	Zero Tolerance Offenses	Descriptor Term:	Descriptor Code:	Issued:
			J-194	7/95
		Reviewed:	Revised:	
	10/23	12/23		

In order to ensure a safe and secure learning environment free of drugs, violence and dangerous weapons, any student who engages in the following behaviors shall be removed from the assigned school for a period of not less than one (1) calendar year.¹ And shall be offered an alternative placement to complete school work. The Director of Schools has the authority to modify this suspension requirement on a case-by-case basis.

Zero tolerance acts are as follows:

1. Any student who while at a school bus stop, on a school bus, on school property or while attending any school event or activity:
 - (a) unlawfully possesses a legend drug or any other controlled substance;¹ or
 - (b) knowingly possesses a firearm as defined in 18 U.S.C. § 921;² or
 - (c) commits aggravated assault or, commits assault and intentionally, knowingly or recklessly causes bodily injury, on a teacher, principal, a School Security Officer (SSO), a teaching assistant or any other employee of the school system, or a School Resource Officer (SRO);¹ or
 - (d) threatens mass violence on school property or at a school-related activity pursuant to T.C.A. § 39-16-517;¹ or
 - (e) is in possession of an explosive or incendiary device.

ALTERNATIVE SCHOOL PLACEMENT AND MODIFICATIONS

It is the Board's intent that the Director of Schools exercise his or her power to modify suspensions to ensure that no student shall be out of school for more than two full semesters for a zero tolerance offense. Students who are removed from their assigned school for a zero tolerance offense prior to Fall Break during the first semester or prior to Spring Break during the second semester will be considered to have been out of school for a full semester. Students who are removed following each of these breaks will not be considered to have been out of school for a full semester. Upon re-entry to the assigned school, a restorative conference shall be utilized to the extent practicable.

The Director of Schools, or his/her designee, shall consider each zero tolerance case for placement in the alternative school program; however, placement in the alternative school program is not mandatory for zero tolerance cases in grades seven through twelve (7-12).³

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DEFINITIONS

The following definitions apply to section 1(a) above:

- “Legend drug” – any item that federal law prohibits dispensing without a prescription from a licensed doctor, dentist, optometrist or veterinarian.⁴
- “Controlled substance” – a drug, substance, or immediate precursor listed in the drug schedules established by the federal government and the State of Tennessee based upon levels of danger and addiction. Examples include, but are not limited to, marijuana, heroin, cocaine, methamphetamine, ecstasy, etc.⁵

The following definitions apply to section 1(c) above:

- “Aggravated assault” - a student causes death or serious bodily injury to another, uses a deadly weapon (firearm or using another device to cause serious bodily injury), or attempts strangulation.⁶
- “Recklessly” - a student consciously disregards a substantial and unjustifiable risk; more than a mistake/negligence.⁶

Legal References:

1. T.C.A. § 49-6-3401(g).
2. 18 U.S.C. § 921.
3. T.C.A. § 49-6-3402.
4. T.C.A. § 53-10-101.
5. T.C.A. §§ 39-17-401 to 39-17-416.
6. T.C.A. § 39-11-106.

Approved as to Legal Form
By Knox County Law Director 10/16/2023
/Gary T. Dupler/Deputy Law Director