

# Williamson County Board of Education

**Adopted Date:**

6/17/02

Rev. 6/20/05;6/19/06;

11/19/07;5/19/08;

8/17/09;Editorial 6/19/14

6.309

**ZERO TOLERANCE: DRUGS, DRUG  
PARAPHERNALIA, ALCOHOL, WEAPONS  
AND ASSAULT**

Page 1 of 3

1 I. ZERO TOLERANCE OFFENSES

2 State Law and/or the Williamson County Board of Education has classified certain offenses as  
3 requiring a mandatory one calendar year suspension upon a determination by the Principal that  
4 a student has committed one of these offenses commonly referred to as zero tolerance  
5 offenses. The following are offenses that automatically result in a suspension of one calendar  
6 year, except as otherwise prohibited by federal law for students with disabilities. On a case by  
7 case basis the Superintendent of Schools may modify the one year suspension for:  
8

9 a) DRUGS. Students shall not unlawfully possess, handle, transmit, use, be under the  
10 influence of, share, or sell drugs or any controlled substances in any way in school  
11 buildings, on school grounds, or on other grounds used for school purposes, (including  
12 parking lots or athletic facilities), on school buses, or at any school sponsored activity.  
13 "Drug" means any controlled substance, marijuana, legend drug or any other substance  
14 whose possession or use is regulated in any manner by any governmental authority.  
15 Exception: Use of tobacco products is not a zero tolerance offense. See policy 1.803  
16 (Tobacco/Free Schools).  
17

18 b) DRUG PARAPHERNALIA. Students shall not possess, handle, transmit, use, share or sell  
19 drug paraphernalia in any way in school buildings, on school grounds, or on other grounds  
20 used for school purposes (including parking lots or athletic facilities), on school buses, or at  
21 any school sponsored activity. For purposes of this policy, "drug paraphernalia" shall be as  
22 defined in T.C.A. §49-6-4202(3).  
23

24 c) ALCOHOL. Students shall not possess, handle, transmit, use, be under the influence of,  
25 share or sell alcohol in school buildings, on school grounds, or other grounds used for  
26 school purposes (including parking lots or athletic facilities), school buses or at any school  
27 sponsored activity.  
28

29 d) WEAPONS. Students shall not possess, handle, transmit, use or attempt to use firearms or  
30 any dangerous weapon in school buildings or on school grounds, or on any grounds used  
31 for school purposes at any time, or in school vehicles and/or buses or off the school  
32 grounds at a school-sponsored activity, function or event.  
33

34 e) ASSAULT. Students shall not physically assault or verbally threaten to assault *any* school  
35 employee or school resource officer while on a school bus, on school property, or on other  
36 grounds used for school purposes, or while attending any school activity or event.  
37

38 II. "REASONED" JUDGEMENT OFFENSES

39 State law and the WCBOE have identified other zero tolerance offenses that, depending on the  
40 individual circumstances, may warrant "reasoned" judgment by the Principal in assigning  
41 punishment. These offenses may result in suspensions ranging from 20 days to one calendar  
42 year based upon the circumstances and other factors in each case.  
43

44 a) ASSAULT. Students shall not physically assault or verbally threaten to assault a student,  
45 school volunteer or any school visitor while on a school bus, on school property, or on other  
46 grounds used for school purposes, or while attending any school activity or event.  
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Page 2 of 3

- 1                   b) POSSESSION OF WEAPONS OTHER THAN FIREARMS. State law allows the school  
2 administrator to use 'reasoned' judgment when determining the punishment for the  
3 possession, use, handling and/or transmission of items that may be classified as weapons  
4 other than firearms. The definition of a weapon is a broad one since any object that could be  
5 used to inflict harm or injury to another falls into that category. In determining punishment,  
6 the Principal will consider the object determined to be the weapon, the circumstances  
7 surrounding the incident, and the intent of the student charged with the weapons offense  
8 when making his decision. The Principal may assign punishment, including suspension,  
9 based on these considerations of up to one calendar year.
- 10                   c) OTHER INSTRUMENTS AND SUBSTANCES. Students are further forbidden to be in  
11 possession of or use any instruments or substances, including but not limited to non-  
12 prescription drugs, chemicals, inhalants, pencils, scissors, razors or compasses, with the  
13 intent to do harm to self or others or in a manner which renders the item dangerous in school  
14 buildings or on school grounds, or on any grounds used for school purposes at any time, or  
15 in school vehicles and/or buses or off the school grounds at a school-sponsored activity,  
16 function or event.

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18 NOTE: Graduating Seniors who commit a "reasoned" judgment offense that occurs with fewer than 30  
19 school days remaining in the school year shall be allowed to perform community service in the school,  
20 (five (5) hours equals one day), to be completed before August 1, to fulfill any remaining unserved  
21 suspension days.

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23 **III. ADMINISTRATIVE PROCESSING**

- 24                   1. If an investigation indicates that a student may have violated this policy, the Principal of  
25 the school shall notify the student's parent or guardian and the appropriate law  
26 enforcement officials as required by law.  
27                   2. The Principal shall recommend placement in the Alternative Learning Center.  
28                   3. The Principal shall notify the appropriate local law enforcement agency.  
29                   4. All contraband shall be given to the local law enforcement agency.  
30                   5. Hearing: the student and parent have access to an administrative hearing under the  
31 provisions of Section IV below. During the suspension period, the student shall not be  
32 permitted to attend or participate in extra-curricular activities.

33  
34 **IV. APPEAL**

- 35                   a. Within five (5) days of the date of the suspension an appeal must be requested in writing.  
36                   b. The Disciplinary Hearing Authority shall consist of three county administrators named by the  
37 Superintendent of Schools or designee from among the following: Directors or any  
38 Secondary School Principal. The student's Principal will not be a member of the hearing  
39 authority. The Disciplinary Hearing Authority must include the Student Support Services  
40 Director if the student has been verified as having a disabling condition. The Superintendent  
41 of Schools or designee will serve as the non-voting chairman of the hearing authority and will  
42 be responsible for scheduling the hearing, conducting the hearing and preparing the written  
43 findings of the Disciplinary Hearing Authority.  
44                   c. The hearing shall be held no later than ten (10) days after the beginning of the suspension.  
45 The notice of the time and place of this hearing shall be given in writing to the parent and  
46 Principal or assistant principal by the Superintendent of Schools or designee.  
47                   d. After the hearing, the Disciplinary Hearing Authority may:
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- 1) Affirm the decision of the Principal;
  - 2) Order removal of the suspension/expulsion unconditionally;
  - 3) Order removal of the suspension/expulsion upon such terms and conditions as it deems reasonable within the policies of the Board and State law;
  - 4) Recommend the student to the Alternative Learning Center; or
  - 5) Suspend/expel the student from any school or assign to ALC for a specified period of time.
- e. A written record of the proceedings, including a summary of the facts and the reasons supporting the decision, shall be made by the Disciplinary Hearing Authority.
- f. Only after exhausting appeal procedures, the Principal or the student (or his parents) may request review by the Board of Education. The appeal to the Board must be presented to the Superintendent of Schools in writing within five (5) days after the date of the Disciplinary Hearing Authority hearing. Absent a timely appeal, the decision shall be final.
- g. After a review of the record, the Board may:
- 1) Affirm the decision of the hearing authority,
  - 2) Modify the decision to a lesser penalty, or
  - 3) Grant or deny a hearing before the Board of Education. If a hearing is granted, the Board may:
    - a) Affirm the decision of the hearing authority, or
    - b) Modify the decision in any manner, including imposing a lesser or more severe penalty than that of the hearing authority.

The action of the Board of Education shall be final.

Note: Notwithstanding anything herein to the contrary, if the student is determined to have knowingly violated the zero tolerance prohibition against firearms, drugs, drug paraphernalia, or assault on a school employee or School Resource Officer and has been given fair due process procedures, only the Superintendent of Schools may modify the one calendar year suspension from school.

V. NOTICE. The Principal shall post a summary of this policy and related school discipline procedures within the school, include it in the school's student handbook and refer parents to the Williamson County Schools' on-line handbook.

Legal References:

TCA 39-17-1309; 18 U.S.C.921

TCA 49-6-4216 (Zero Tolerance)

TCA 49-6-4202. {"Definitions" (i.e., dangerous weapon, drugs, drug paraphernalia, etc.)}

TCA 49-6-3401: Suspension of Students

TCA 49-6-4209

TCA 49-6-3402

Cross References:

6.303 Interrogations & Searches

6.316 Student Expulsion/Suspension