

# Hardeman County Board of Education

Monitoring: <b>Review: Annually, in April</b>	Descriptor Term: <b>Zero Tolerance Offenses</b>	Descriptor Code: <b>6.309</b>	Issued Date: <b>07/25/13</b>
		Rescinds: <b>6.309</b>	Issued: <b>08/13/09</b>

1 In order to ensure a safe and secure learning environment, the following offenses will not be toler-  
2 ated:

## 3 **WEAPONS & DANGEROUS INSTRUMENTS**

4 Students shall not possess, handle, transmit, use or attempt to use any dangerous weapon in school build-  
5 ings or on school grounds at any time, or in school vehicles and/or buses or off the school grounds at  
6 a school-sponsored activity, function or event.<sup>1</sup>

7 Dangerous weapons for the purposes of this policy shall include, but are not limited to a firearm or  
8 anything manifestly designed, made or adapted for the purpose of inflicting death or serious bodily  
9 injury or anything that in the manner of its use or intended use is capable of causing death or serious  
10 bodily injury.<sup>2</sup>

11 Violators of this section shall be subject to suspension and/or expulsion from school.

## 12 **Firearms (as defined in 18 U.S.C. § 921)<sup>3</sup>**

13 In accordance with state law, any student who brings or possess a firearm on school property shall be  
14 expelled for a period of not less than one (1) calendar year. The director of schools shall have the au-  
15 thority to modify this expulsion requirement on a case-by-case basis.<sup>4</sup>

## 16 **DRUGS**

17 In accordance with state law, any student who unlawfully possesses any drug including any controlled  
18 substance or legend drug shall be expelled for a period of not less than one (1) calendar year. The  
19 director of schools shall have the authority to modify this expulsion requirement on a case-by-case ba-  
20 sis.<sup>5</sup> For the purposes of this policy, "expelled" means to be removed from the pupil's regular school  
21 program at the location where the violation occurred or removed from school attendance altogether, as  
22 determined by the school official. Nothing in this section shall be construed to prohibit the assignment  
23 of such students to an alternative school.<sup>7</sup>

## 24 **ASSAULT**

25 In accordance with state law, any student who commits aggravated assault as defined in § 39-13-102 upon  
26 any teacher, principal administrator, any other employee of the school or school resource officer shall be  
27 expelled for a period of not less than one (1) calendar year. The director of schools shall have the authority  
28 to modify this expulsion requirement on a case-by-case basis.<sup>5</sup>

**ELECTRONIC THREATS**

In accordance with state law, any student who transmits by an electronic device any communication containing a credible threat to cause bodily injury or death to another student or school employee and the transmission of such threat creates actual disruptive activity at the school that requires administrative intervention shall be expelled for a period of not less than one (1) calendar year. The director of schools shall have the authority to modify this expulsion requirement on a case-by-case basis.<sup>6</sup>

**NOTIFICATION**

When it is determined that a student has violated this policy, the principal of the school shall notify the student's parent or guardian and the criminal justice or juvenile delinquency system as required by law.<sup>6</sup>

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**Legal References:**

1. TCA 39-17-1309
2. TCA 39-11-106(a)(5)(A)(B)
3. 18 U.S.C. 921
4. 20 U.S.C. § 8921; TCA 49-6-4216(b); TCA 49-6-3401(g)
5. TCA 49-6-3401(g); TCA 49-6-4216(b)
6. TCA 49-6-4216(a)(2)(C)
7. TCA 49-6-4209; TCA 39-17-1312

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**Cross References:**

Discipline Procedures 6.313  
Suspension/Expulsion/Remand 6.316