

TENNESSEE PUBLIC CHARTER SCHOOL COMMISSION		
ZERO TOLERANCE		6309
ADOPTED: April 9, 2021	REVISED: July 13, 2021	MONITORING: Review: Annually

Zero Tolerance.¹ Each authorized charter school shall adopt a zero-tolerance policy in accordance with state law to ensure the safety and security of all students and a learning environment that is free of drugs, violence, and firearms. “Zero tolerance policy” means that violations of the policy will not be tolerated, and that violators will receive certain, swift, and reasoned punishment. Reasoned punishment may include a spectrum of disciplinary measures designed to correct student misbehavior and promote student respect and compliance with codes of conduct and policies. The school’s policy shall specify the offenses which qualify as zero tolerance offenses and the corresponding punishment. A zero-tolerance violation may not necessarily result in a presumptive one (1)-calendar year expulsion, except for the following student misconduct:²

- 1) Bringing to school or being in unauthorized possession on school property of a firearm;^{3,4}
- 2) Commission of aggravated assault⁵ upon any teacher, principal, administrator, any other employee of an LEA, or school resource officer; or
- 3) Unlawfully possessing any drug including any controlled substance,⁶ controlled substance analogue,⁷ or legend drug.⁸

Modification and Appeals. The head of the charter school shall have the ability to modify zero tolerance disciplinary actions on a case-by-case basis.⁹ Commission LEA Policy 6317 outlines requirements for modification of zero tolerance expulsions and appeal procedures.

Notice of Policy. The school shall annually report their zero-tolerance policy and procedures to the Commission. The Commission will annually file each charter school’s zero tolerance policy and procedures with the Commissioner of Education. At the beginning of school each year, the school shall provide students and parents with written notification of the school’s policies and procedures and post a summary within each school.

Legal References:

- ¹ T.C.A. § 49-6-4216
- ² T.C.A. § 49-6-3401(g)
- ³ 18 U.S.C. § 921
- ⁴ 20 U.S.C. § 7961
- ⁵ T.C.A. § 39-13-102
- ⁶ T.C.A. §§ 39-17-403 – 415
- ⁷ T.C.A. § 39-17-454
- ⁸ T.C.A. § 53-10-101
- ⁹ T.C.A. § 49-6-3401(g)

Cross References:

- LEA Policy 6317 Required Remands and Student Disciplinary Hearing Authority
- LEA Policy 6313 Student Discipline
- Disciplinary Hearing Authority Procedures
- LEA Policy 1801 Special Education
- LEA Policy 1802 ADA and Section 504