

## Case Study: Zero Tolerance Policy

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Chapter 8: Ethical and Legal Foundations for School Social Work Practice

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Maria is a school social worker at a junior high school in a high-poverty town known for its gang violence and drug problems. With the election of a new school board, the district has adopted a “zero tolerance” policy for student violence or drug possession. Upon arriving at school, Maria learns that one of her students, Arthur, was found to be in possession of a miniature Swiss army knife while passing through the newly installed metal detectors. Arthur had just received the knife from his grandfather on his 12<sup>th</sup> birthday and wanted to show it to his friends because it contained a nail file, screwdriver, mini-scissors, plastic toothpick, and tweezers. He did not even think about the 1.75-inch blade. The principal has decided to send Arthur to a highly restrictive correctional school for 45 days. Maria is upset because Arthur has been diagnosed with a reading disability and ADHD. She is sure that he just brought the knife to school on an impulse and did not mean to hurt anyone. Arthur’s mother calls her frantically because both she and Arthur’s father work full-time and they said they do not want him “hanging out with the wrong crowd.” They are sick with worry. Because Maria knows this is her third male student of the same ethnicity to be removed this year, she decides to consult the principal, and he provides her with the following quote from the IDEA regulations (2006):

(g) Special circumstances. School personnel may remove a student to an interim alternative educational setting for not more than 45 school days *without regard to whether the behavior is determined to be a manifestation of the child’s disability*, if the child- (1) carries a weapon to or possesses a weapon at school, on school premises, or to or at a school function under the jurisdiction of an SEA or an LEA.

Maria is dissatisfied with the principal’s response and decides to consult a local attorney. The lawyer tells Maria that the principal’s quote is taken out of context. IDEA defers to another section of the US Code for its definition of a weapon:

USC 18:930(d)(2) The term “dangerous weapon” means a weapon, device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, except that the term does not include a pocket knife with a blade of less than 2 ½ inches in length.

### Discussion Questions:

1. What ethical values might be in conflict in this situation? Who is the primary client and who are the other stakeholders in this situation?
2. Who else should Maria consult before making a decision about what to do?
3. With this legal knowledge, what are the three different courses of action that Maria might take to help Arthur and other students like him?
4. What clinical issues need to be addressed with Arthur and his family?
5. How would you determine whether the result was a successful outcome for Arthur? What else might you do?