



Mingo County Schools

Policy 5600 Student Discipline

Policy 5500 Student Code of Conduct

WVDE Policy 4373: Expected Behavior
in Safe and Supportive Schools

Professional Learning

*Mingo
County
Board
of
Education*

Office of Student Services and Attendance
Drema J. Dempsey, Director
Title IX Coordinator



WVDE

Policy 4373

Expected Behavior in Safe and Supportive Schools

Mingo County Schools

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INAPPROPRIATE BEHAVIORS AND MEANINGFUL INTERVENTIONS AND CONSEQUENCES

The purpose of these regulations is to
***provide schools with policy that
creates and ensures
an orderly and safe environment
that is conducive to learning.***

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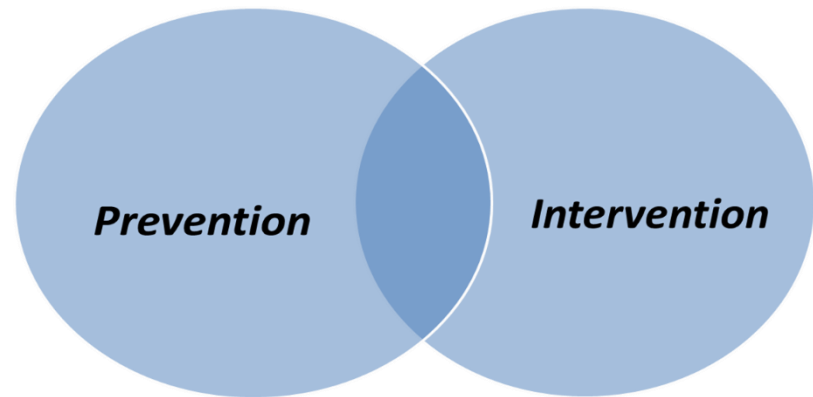


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Positive School Climate/Culture

Students, Staff and Parents Feel:

- ▶ Safe . . . emotionally, intellectually and physically
- ▶ Engaged
- ▶ Respected



Prevention is the process in which we teach students to choose acceptable behavior and help them develop an attitude of respect for oneself and others.

Intervention is the process in which we hold students responsible for their behavior and for the consequences of that behavior.



Student Rights and Responsibilities (continued)

▶ **Extra-curricular Activities**

- ✓ Students must meet attendance requirements
- ✓ Maintain 2.0 grade point average

▶ **Privacy Rights**

- ✓ School records
- ✓ Confidential medical information
- ✓ Directory information is not considered confidential



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Student Rights and Responsibilities (continued)

- ▶ **Protection from Unreasonable Searches and Seizures**
 - ✓ Constitution protects all citizens from unreasonable searches
 - ✓ “Reasonable Suspension”

- ▶ **Child Abuse Prevention**
 - ✓ WV Code requires school personnel to report suspected abuse to DHHR and Law Enforcement



Expected Behaviors

The expectations outlined in the policy apply in public schools in WV

- ▶ Classroom
- ▶ During education-sponsored events
- ▶ On school premises
- ▶ Buildings or other property
- ▶ School bus or other vehicle
- ▶ Bus stops

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**Expectations apply to:
students, staff and public guests**

Inappropriate Behavior

This policy requires
that all schools
respond **quickly** and **consistently**
to any behavior
that disrupts the learning environment
in a manner that
affirms respect for individuals.



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Level 1

Minimally Disruptive Behaviors- disrupt the educational process and the orderly operations of the school but do not pose direct danger to self or others.

Cheating
Deceit

Disruptive/Disrespectful Conduct

Falsifying identity

Inappropriate appearance

Inappropriate display of affection

Inappropriate Language

Possession of inappropriate
personal property

Failure to serve detention

Tardiness

Vehicle parking violation

Skiping class

Level 2

Disruptive and Potentially Harmful Behaviors-

disrupt the educational process and/or pose potential harm or danger to self and/or others. The behavior is committed willfully but not in a manner that is intended maliciously to cause harm or danger to self and/or others.

Gang-related activity

Habitual violation of school rules or policies

Insubordination

Leaving school without permission

Physical fight without injury

Possession of imitation weapon

Possession of knife not meeting “dangerous weapon definition”

Profane language/obscene gesture/indecent act toward employee or student

Technology misuse



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Interventions and Consequences

Level 1 and 2 Inappropriate Behaviors

- | | |
|---|---|
| <ul style="list-style-type: none">• Administrator/student conference or reprimand• Administrator and teacher-parent/guardian conference• Academic sanctions may be used to deny credit for work resulting from cheating; however, previously earned grades/credits may not be reduced.• Counseling referrals and conference to support staff or agencies• Behavioral contracts• Daily/weekly progress reports• Detention (lunch, before and/or after school | <ul style="list-style-type: none">• Denial of participation in class and/or school activities• Immediate exclusion by teacher from the classroom• In-school suspension• While out-of-school suspension is not recommended for Level 1 Behavior, if used at the discretion of the school administrator• Law enforcement notification if warranted. |
|---|---|



Level 3

Imminently Dangerous, Illegal and/or Aggressive Behaviors - are willfully committed and are known to be illegal and/or harmful to people and/or property.

Battery against a student

False fire alarm

Gambling

Larceny

Sexual misconduct

Inhalant abuse

Imitation drugs

Substance containing
tobacco/nicotine

Defacing school property/vandalism

Fraud/forgery

Hazing

Trespassing

Harassment/bullying/intimidation

Threat of injury/assault against an
employee or student

Improper or negligent operation of a
motor vehicle

Interventions & Consequences

Level 3 Behaviors

Level 3 behaviors are:
criminal offenses and therefore warrant formal law enforcement intervention which may result in issuance of a criminal citation, ticket, or summons, filing a delinquency petition, referral to a probation officer or actual arrest.

- Administrator/student conference or reprimand
- Administrator and teacher-parent/guardian conference
- Referral to support staff
- Daily/weekly progress reports
- Detention
- Denial of participation in class and/or school activities
- Immediate exclusion by teacher
- In-school suspension
- **Notification of appropriate Health and Human Resources**
- **Out-of-school suspension for up to ten (10) days**
- **Placement in Alternative Education**
- **Expulsion**



Level 4

Safe School Act Behaviors –

West Virginia Codes §18A-5-1 and §18A-5-1a

- ▶ **Battery against a school employee**
- ▶ **Felony**
- ▶ **Illegal substance related behaviors**
- ▶ **Possession and/or use of dangerous weapon**



Level 4

Safe School Act Behaviors –

West Virginia Codes §18A-5-1 and §18A-5-1a

- ▶ require mandatory out-of-school ten (10) day suspension by the principal
- ▶ mandatory expulsion for a period of not less than twelve (12) consecutive months by the county board for possession of a deadly weapon, battery on school employee or sale of a narcotic.
- ▶ Superintendent may lessen the mandatory period of suspension if the circumstances warrant



Suspended or Expelled Students

Extracurricular Activities

**“any student suspended or expelled
from school
is also suspended
from extracurricular activities
for the duration of
the suspension or expulsion.”**

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Physical Punishment

West Virginia Code [§18A-5-1\(e\)](#) prohibits school employees from using corporal (bodily) punishment on any student.

**No physical punishment of any kind
can be inflicted upon a student.**

This includes:

- ✓ **hitting or striking** a student on their physical person;
- ✓ **requiring physical activity as a punishment** (this does not apply to physical activity within the structure and context of extracurricular activities);
- ✓ **use of noxious stimuli** (e.g. pepper spray), denial of food or water or other negative physical actions to control behavior; and
- ✓ **seclusion** - a removal in which a student is left unsupervised in a dark area or in any space as an intervention or consequence to inappropriate behavior.



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Restraint

Reasonable force may be used to restrain a student from hurting himself/herself or any other person or property. Restraint involves the use of physical force to significantly restrict the free movement of all or a portion of a student's body.

- ▶ School employees will be trained in the use of restraint.
- ▶ A core team of personnel in each school must be trained annually.



Alternative Education for Disruptive Students

West Virginia Code [§18-5-19](#) provides for the creation of Alternative Education programs for students whose disruptive behavior has caused them to be removed from the regular classroom/school setting.

- ▶ Alternative education programs for disruptive students encompass a range of program options such as:
 - in-school suspension;
 - a separate part-time or full-time alternative education classroom – on an alternative site;
 - a school-within a school;
 - a school on an alternative site;
 - an afterschool class/night school program; or
 - a combination academic/work-based program.

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Law Enforcement

Prevention Resource Officers (PRO):

PRO Officers are certified police officers, working as fulltime officers who have been assigned to **work fulltime within a public school** during the school year.

Police Conducting an Investigation in the School:

During a criminal investigation, if a student is to be questioned by the police, or by school officials in the presence of the police, the school administration should **cooperate with the police and help to ensure that the privacy of the student is protected**. The police officer is responsible to ensure that the student's constitutional rights are not violated.

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Chapter 3

Procedures for Addressing Allegations of Inappropriate Behaviors

Reporting Inappropriate Behavior

- ▶ Witnessed by school staff
- ▶ Observed by students
- ▶ Observed by public guests
- ▶ Victim of inappropriate behavior

Investigating Allegations / Inappropriate behavior

- ▶ Immediately undertake an investigation
- ▶ Personal interviews
- ▶ Determination if violation of policy has occurred



Chapter 4

Procedures for Taking Action on Substantiated Inappropriate Behaviors

Intervention and/or Consequence

- ✓ The surrounding circumstances
- ✓ The nature of the behavior
- ✓ Past incidents or patterns of behavior
- ✓ The relationships between the parties involved



Interventions and Consequences

Exclusion

- ▶ Excluded from a classroom
- ▶ Excluded from the bus

Out-of-School Suspension

- ▶ not a recommended consequence or intervention for Level 1 behaviors

In-School Suspension

- ▶ Temporarily removed from classroom but remains under direct supervision of school personnel



Out-of-School Suspension

“Out-of-school suspension strategies **should be used sparingly** and shall never deny a student access to instructional material and information necessary to maintain their academic progress.”

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Interventions and Consequences

Expulsion

- ▶ Expulsion Hearing
- ▶ Expulsion based on “preponderance of the evidence”
- ▶ Expulsion by the County Board of Education



Procedures for Reporting Action on Substantiated Incidents

Schools shall accurately track incidents of inappropriate behaviors as described in this policy. Behaviors shall be reported through:

WVEIS



Inappropriate Behavior



Administrative Disciplinary Actions

THANK YOU!



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