

**FAQs for Policy 4373: Expected Behavior in Safe and Supportive Schools
October 11, 2011**

What is the timeline for revising the current policy?

- The proposed policy was placed on public comment for 60 days at the September 2011 WV Board of Education (BOE) meeting <http://wvde.state.wv.us/policies/onlinecomment.html?id=4373> . All appropriately placed comments will be considered in the development of final policy language which will be considered at the December 2011 BOE meeting.

What is the purpose of the policy?

- This proposed policy addresses behavior and school safety comprehensively and is based on three key strategies:
 - The approach starts with teaching and learning appropriate behaviors as a proactive strategy to promote safe and supportive learning conditions.
 - The second strategy involves varying levels of policy implementation responsibilities that require all stakeholders to engage in school efforts to develop and support appropriate behavior.
 - The third strategy addresses inappropriate behaviors through consistent identification and meaningful consequences that support appropriate behavior change.

Why should I read the entire policy?

- The comprehensive nature of the policy requires that it be reviewed as a whole. Individual sections should not be viewed in isolation without the context of the whole policy. Taking any section to review in isolation may lead to significant misunderstanding.

What are the major changes surrounding the utilization of “suspension” as a consequence for Level 1 violations?

- The proposed policy removes out-of-school suspension as a consequence for Level 1 Inappropriate Behaviors. Level 1, by definition, includes “*Minimally Disruptive* Behaviors that disrupt the educational process and the orderly operations of the school but do not pose direct danger to self or others”. Specific behaviors are listed and defined in this section along with allowable interventions and consequences (pp. 44-45).

Does this mean that a teacher cannot exclude even a “minimally disruptive” student from his/her classroom?

- No. The list of consequences for Level 1 Inappropriate Behaviors does not preclude teachers from excluding a disruptive student from the classroom (p. 44).

What is the difference between Level 1 and Level 2 behaviors and consequences?

- Level 2 Inappropriate Behaviors are defined as “Disruptive and Potentially Harmful Behaviors that 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”. Level 2 Interventions and Consequences allow for up to five days of out-of-school suspension (pp. 46-47).

What if a student repeatedly commits a violation of Level 1?

- Level 2 includes “Habitual Violation of School Rules or Policies” which would allow for the out-of-school suspension of a student who persistently commits Level 1 Inappropriate Behaviors. The proposed policy language allows each county to define “habitual” (p. 46).

What if a student shows blatant disrespect for classroom teachers or administrators?

- Level 2 includes “Insubordination” which addresses severe disrespect for school authorities that poses a threat to school safety (p. 46). This behavior should be used to address severe

disrespectful behavior that compromises safety as opposed to the Level 1 “Disruptive/Disrespectful Conduct” (p. 44) if the behavior warrants removal from the school.

What is the definition of Level 3 behaviors and what are the consequences?

- Level 3 Inappropriate Behaviors, defined as “Imminently Dangerous, Illegal and/or Aggressive Behaviors that are willfully committed and are known to be illegal and/or harmful to people and/or property.” Level 3 Interventions and Consequences allow for up to ten days of out-of-school suspension (pp. 48-54).

How is substance abuse addressed in Level 3 of the policy?

- Level 3 Inappropriate Behaviors related to substance abuse with substances that are not included in the *Safe Schools Act* as controlled substances (imitation drugs, inhalants and tobacco and/or nicotine) have been identified as warranting intervention strategies that focus on treatment. The proposed policy does not allow out-of-school suspension for possession and/or use of these substances but it does allow out-of-school suspension for distribution of these substances (p. 54).

What role does law enforcement play in Level 3 behaviors?

- Level 3 Interventions and Consequences highlight the criminal nature of these behaviors and clearly indicate the need for formal law enforcement interventions which may result in issuance of a criminal citation, ticket, or summons, filing of a delinquency petition, referral to a probation officer or actual arrest (p. 48).

Why were certain behaviors determined to be classified as Level 4?

- Level 4 Inappropriate Behaviors are defined as “Safe Schools Act Behaviors that are consistent with those addressed in West Virginia Code §18A-5-1a(a) and (b)”. These behavior definitions and the interventions and consequences strictly comply with the requirements of state law.