

APPENDIX B
JACKSON COUNTY POLICY 2414

SUBSTANCE ABUSE

- I. Possession and/or use of alcoholic beverages, narcotic drugs, controlled substances, drug paraphernalia or mood altering substances.
- A. On the first offense, the student will be suspended for a minimum of five (5) days, and the appropriate law enforcement agencies will be notified.

The student will be required to meet with the school counselor before returning to classes to discuss the incident as well as Jackson County's Substance Abuse Policy. An assessment by a substance abuse professional and completion of any recommended evaluation, treatment, rehabilitation, reentry or drug education program within a reasonable time may be required. The school counselor will provide the parent or guardian with information and assistance in making an appointment with an approved outside agency.

- B. On the second offense the student will be suspended for a maximum of ten (10) days and the case will be referred to the appropriate agencies including the appropriate law enforcement agency. An assessment by a substance abuse professional and completion of any recommended evaluation, treatment, rehabilitation or reentry program within a reasonable time will be required. The parent or guardian will be required to make an appointment with an approved agency within the period of the suspension of the student or the student will not be permitted to return to school until an appointment is made. The parent must provide the school with written verification of completion of the recommended program. If the parent or guardian refuses to initiate services or the student refuses to complete a recommended program within a reasonable time, the principal may recommend expulsion from Jackson County Schools. The parent or guardian shall be responsible for the cost of assessment, evaluation, counseling, treatment, rehabilitation, reentry programs and other services recommended by school personnel or required by the policy.

- C. On the third offense the student will be suspended and the principal and superintendent will recommend expulsion from Jackson County Schools and the appropriate law enforcement agencies will be notified.

- II. Selling or distributing of alcoholic beverages, drug paraphernalia, controlled substances other than narcotic drugs or mood altering substances:

When a student has sold or distributed alcoholic beverages, drug paraphernalia, controlled substances other than narcotic drugs or mood altering substances on school property, at a school function or on a school bus, the student will be suspended for ten (10) days and may be recommended for expulsion from Jackson County Schools. The appropriate law enforcement agencies will be notified.

JACKSON COUNTY SCHOOLS
MISSION STATEMENT

Jackson County Schools mission is to educate all students in a safe, supportive, challenging environment where they learn to be responsible, contributing citizens of a 21st century society.

BOARD OF EDUCATION MEMBERS

Bobbi Ferrell, President
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The Jackson County Board of Education does not discriminate on the basis of sex, race, color, religion, disability, age and national origin in employment and in the administration of any of its education programs and activities. Inquiries may be directed to Jay Carnell, Title IX Coordinator, Jackson County Board of Education, P.O. Box 770, Ripley, WV 25271, PH 372-7300; to Lisa Martin, Section 504 Coordinator, Jackson County Board of Education, P.O. Box 770, Ripley, WV 25271, PH 372-7300; or to the Department of Education's Director of the Office for Civil Rights.

2020-2021

WEST VIRGINIA
Safe & Supportive Schools



Jackson County Schools

**PROVIDING FOR A SAFE
AND ORDERLY SCHOOL
ENVIRONMENT**

JACKSON COUNTY POLICY SUMMARY

The Jackson County Board of Education recognizes the need for students, teachers, administrators, and other school personnel to have a safe and supportive educational environment that is conducive to learning. This believes further, that schools should undertake proactive, preventive approaches to ensure a positive school climate/culture that fosters learning and personal-social development. Schools must create, encourage, and maintain a safe, drug-free, and fear-free school environment in the classroom, on the playground, and at all school-sponsored activities. Assuring such an educational environment requires a comprehensive plan supported by everyone in the school organization, as well as parents/guardians and the community.

This policy sets forth unacceptable behaviors that undermine a school's efforts to create a positive school climate/culture. These unacceptable behaviors are prohibited on all school property and at all school sponsored events. The school system must respond quickly and consistently, in accordance with these regulations, to incidents of these prohibited behaviors in a manner that effectively deters future incidents and affirms respect for individuals.

All Jackson County Schools' employees are responsible for providing a safe and supportive school climate/culture. When incidents of inappropriate behavior are witnessed by or reported to school staff and substantiated, the behavior shall be addressed consistently in accordance with the *Interventions and Consequences* outlined in this policy and within each school's implementation plan.

The expectations outlined in Policy JCDA apply during any education-sponsored event, whether in a classroom, elsewhere on school premises, on a school bus or other vehicle used for a school related event, or at a school-sponsored activity or event, whether or not it is held on school premises, in a building or other property used or operated by the Jackson County Board of Education, by any Regional Education Service Agency (RESA), by the West Virginia Department of Education (WVDE), or in another facility or upon any other property being used by any of these agencies.

Jackson County Schools, in compliance with the West Virginia Legislature and the West Virginia Board of Education has identified four levels of infractions in this "CODE OF CONDUCT FOR STUDENT BEHAVIOR". School administrators will receive complaints of infractions.

Parents and students will return "Student Code of Conduct Contract" annually to be filed at the school for that academic year.

Safe Schools

(WV Code § 18A - 5-1 and 18-5-15f)

The "Safe Schools Act" was originally passed by the West Virginia legislature in 1995 and revised in 2002. The intent of this legislation is to provide a safe and orderly school environment.

Major provisions of these laws include:

1. Parents who register their children in school must make a statement whether their children are currently under suspension or expulsion in another school. No child is permitted to enroll in a West Virginia public school if he/she is presently under expulsion or suspension at another school, including schools in another state until the period of suspension has ended. False statements subject the parent to misdemeanor charges.

Principals must provide a written record of any disciplinary action against a transferring student to the principal of the school to which the student transfers.

2. Establishment of alternative instructional programs, including in-school suspension programs and alternative settings for instructional programs.

3. Provisions which permit teachers and bus drivers to exclude students from the classroom or bus for:
 - ▶ disorderly conduct
 - ▶ interference with the educational process
 - ▶ threatening a school employee
 - ▶ abusive or profane language directed at a school employee

4. Implementation of preventive discipline and student involvement programs. *Jackson County has preventive discipline programs including The Responsible Student Program with Positive Behavior Supports. Student involvement programs include, but are not limited to: Natural Helpers, Peer Mediation, Classroom Meetings, Time to Teach, etc.*

5. Prohibits corporal punishment of any student by a school employee.

6. Provides guidelines as to when a student must be expelled and when a student may be expelled.

The student must be expelled for 12 months if the student:

- * possessed a deadly weapon **See Appendix A**
- * battered a school employee
- * sold a narcotic drug or any controlled substance **See Appendix B**

The principal must suspend and may ask the county board to expel a student if the student:

- * unlawfully possessed a controlled substance **See Appendix B**
- * committed acts that would be a felony if committed by an adult

The principal may suspend and may ask the county board to expel a student if the student:

- * threatened or injured a student or school employee
- * willfully disobeyed
- * profane language directed at a school employee or student
- * possessed alcohol
- * defaced school property
- * violated school rules or policies habitually
- * fought with a peer(s)

Note: If parents have knowledge that their child is in possession of a deadly weapon on school grounds, they must immediately contact the authorities.

Discipline of Special Education students will be in accordance with West Virginia State Board of Education Policy 2419 and the Individuals with Disabilities Education Act (IDEA).

The Jackson County Board of Education, in accordance with No Child Left Behind, will notify parents of students attending any school identified as "Persistently Dangerous." Parents will be provided the opportunity to transfer their child(ren) to a "safe" school within the county.

APPENDIX A - Definitions

West Virginia Code § 61-7-2

1. **Blackjack** means a short bludgeon consisting, at the striking end, of an encased piece of lead or some other heavy substance and at the handle end, a strap or springy shaft which increases the force of impact when a person or object is struck. The term "blackjack" will include, but not be limited to, a billy, billy club, sand club, sandbag or slapjack.
2. **Gravity Knife** means any knife that has a blade released from the handle by the force of gravity or the application of centrifugal force, and when so released is locked in place by means of a button, spring, lever, or other locking or catching device.

3. **Knife** means an instrument, intended to be used or readily adaptable to be used as a weapon, consisting of a sharp-edged or sharp-pointed blade, usually made of steel, attached to a handle, which is capable of inflicting cutting, stabbing or tearing wounds. The term "knife" will include, but not limited to, any dagger, dirk, poniard or stiletto with a blade over three and one-half inches in length, any switchblade knife or gravity knife, and any other instrument capable of inflicting cutting, stabbing or tearing wounds. A "pocket knife" with a blade three and one-half inches or less in length, a hunting or fishing knife carried for hunting, fishing, sports or other recreational uses, a knife designed for use as a tool or household implement shall not be included within the term "knife" as defined herein, unless such knife is knowingly used or intended to be used to produce serious bodily injury or death.

4. **Switchblade Knife** means any knife having a spring-operated blade which opens automatically upon pressure being applied to a button, catch or other releasing device in its handle.

5. **Nunchuka** means a flailing instrument consisting of two or more rigid parts, connected by a chain, cable, rope or other nonrigid, flexible or springy material constructed in such a manner as to allow the rigid parts to swing freely, so that one rigid part may be used as a handle and the other rigid part may be used as the striking end.

6. **Metallic or False Knuckles** means a set of finger rings attached to a traverse piece, to be worn over the front of the hand for use as a weapon, and constructed in such a manner that, when striking another person with the fist or closed hand, considerable physical damage may be inflicted upon the person struck. The terms "metallic or false knuckles" will include any such instrument, without reference to the metal or other substance or substances from which the metallic or false knuckles are made.

7. **Pistol** means a short firearm having a chamber which is integral with the barrel, designed to be aimed and fired by the use of a single hand.

8. **Revolver** means a short firearm having a cylinder of several chambers that are brought successively into line with the barrel to be discharged, designed to be aimed and fired by the use of a single hand.

9. **Deadly Weapon** means an instrument which is designed to be used to produce serious bodily injury or death or is readily adaptable to such use. The term "deadly weapon" shall include, but not be limited to the instruments defined in subdivisions (1) through (8) inclusive, of this section, or other deadly weapons of like kind or character which may be easily concealed on or about the person. For the purpose of section one-a, article five, chapter eighteen-a of this code and section eleven-a, article seven of this chapter, in addition to the definition of "knife" set forth in subdivision (3) of this section, the term "deadly weapon" also includes any instrument included within the definition of "knife" with a blade of three and one-half inches or less in length. Additionally, the term "deadly weapon" includes explosive, chemical, biological and radiological materials. The term "deadly weapon" does not include any item or material owned by the school or county board, intended for curricular use, and used by the student at the time of the alleged offense solely for curricular purposes.

10. **Concealed** means hidden from ordinary observation so as to prevent disclosure or recognition. A deadly weapon is concealed when it is carried on or about the person in such a manner that another person in the ordinary course of events would not be placed on notice that the deadly weapon was being carried.

11. **Firearm** means any weapon which will expel a projectile by action of an explosion.

12. **Controlled Substance** means drug, substance, or immediate precursor in Schedules I-V, article two of WV Code 60A.

13. **Drug** means any item recognized by the official National formulary and others as defined in Section 1, Article 1 of WV Code 60A.