

Discipline Matrix

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.

Behaviors	Points	Definitions – Level 1	Intervention	First	Second	Third
Cheating	5 point deduction	A student will not plagiarize or copy the work of others or break rules to gain advantage in a competitive situation. Interventions for this inappropriate behavior may include academic sanctions in addition to other discipline.	Administrator or Teacher /student conference & parent contact	Flag and 5 point deduction from conduct grade	Flag and 5 point deduction from conduct grade	Flag and 5 point deduction from conduct grade, principal referral
Deceit	2 - 5 point deduction	A student will not deliberately conceal or misrepresent the truth, deceive another or cause another to be deceived by false or misleading information.	Administrator or Teacher /student conference & parent contact	Warning Flag	2-5 Points at Teacher Discretion	2-5 Points at Teacher Discretion
Disruptive/ Disrespectful/ or Disorderly Conduct, Rough Play	5 point deduction	A student will not exhibit behavior that violates classroom/school rules, results in distraction and obstruction of the educational process or that is discourteous, impolite, bad mannered and/or rude. Behavior is considered disruptive and/or disrespectful if a teacher is prevented from starting an activity or lesson, or has to stop instruction to address the disruption.	Administrator or Teacher/student conference & parent contact	Warning Flag	Flag and 5 point deduction from conduct grade	Flag and 5 point deduction from conduct grade, principal referral
Falsifying Identity	5 point deduction	A student will not use another person’s identification or give false identification to any school official with intent to deceive school personnel or falsely obtain money or property.	Administrator or Teacher/student conference & parent contact	Warning Flag	Flag and 5 point deduction from conduct grade	Flag and 5 point deduction from conduct grade, principal referral
Inappropriate Appearance	5 point deduction	A student will not dress in a manner that is distracting or indecent, to the extent that it interferes with the teaching and learning process, including wearing any apparel that displays or promotes behavior and/or items prohibited by this policy. *Dress Code Policy	Administrator or Teacher/student conference & parent contact	Warning Flag	Flag and 5 point deduction from conduct grade	Flag and 5 point deduction from conduct grade, principal referral
Inappropriate Display of Affection	5 point deduction	Students will not engage in inappropriate displays of intimate affection.	Administrator or Teacher/student conference & parent contact	Warning Flag	Flag and 5 point deduction from conduct grade	Flag and 5 point deduction from conduct grade, principal referral
Inappropriate Language	5 point deduction	A student will not orally, in writing, electronically, or with photographs or drawings, use profanity in general context (not directed toward a person).	Administrator or Teacher/student conference & parent contact	Warning Flag	Flag and 5 point deduction from conduct grade	Flag and 5 point deduction from conduct grade, principal referral
Possession of Inappropriate Personal Property	5 point deduction	A student will not possess personal property that is prohibited by school rules or that is disruptive to teaching and learning.	Administrator or Teacher/student conference & parent contact	Warning Flag	Flag and 5 point deduction from conduct grade	Flag and 5 point deduction from conduct grade, principal referral
Skipping Class	5 point deduction	In accordance with WVBE Policy 4110 - Attendance , a student will not fail to report to the school’s assigned class or activity without prior permission, knowledge or excuse by the school or by the parent/guardian.	Administrator or Teacher/student	Warning Flag	Flag and 5 point deduction from conduct grade	Flag and 5 point deduction from conduct grade, principal referral

Behaviors	Points	Definitions – Level 1	Intervention	First	Second	Third
			conference & parent contact			

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.

Behaviors	points	Definitions – Level 2	First	Second	Third	
Electronic Devices (cell phones, hand held gaming devices, ipad, ipod, tablets, etc.)	5	Flag, device turned into the office, parent notification	Device confiscated)	
Habitual Violation of School Rules or Policies	10	A student will not persistently, as defined by the county, refuse to obey the reasonable and proper orders or directions of school employees, school rules or policies.	Office Referral	Office Referral	Office Referral	
Insubordination	10	A student will not ignore or refuse to comply with directions or instructions given by school authorities. Refusing to open a book, complete an assignment, work with another student, work in a group, take a test or do any other class- or school-related activity not listed herein, refusing to leave a hallway when requested by a school staff member, or running away from school staff when told to stop, all constitute insubordination/unruly conduct.	yellow flag	15 points deducted from conduct grade Parent notification	Office referral with Parent Notification	
Physical Fight Without Injury	10	A student will not engage in a physical altercation using blows in an attempt to harm or overpower another person or persons.	Office Referral 1-5 Days possible OSS	Office Referral 1-5 Days possible OSS	Office Referral 1-5 Days possible OSS progressive discipline	Office Referral 1-5 Days possible OSS progressive discipline
Possession of Imitation Weapon	10	A student will not possess any object fashioned to imitate or look like a weapon.	Office Referral	Office Referral	Office Referral	Office Referral
Possession of Knife not meeting Dangerous Weapon Definition (West Virginia Code §61-7-2)	10	A student will not possess a knife or knife-like implement under 3½ inches in length. West Virginia Code §61-7-2 clarifies that a pocket knife with a blade 3½ inches or less in length, a hunting or fishing knife carried for sports or other recreational uses, or a knife designed for use as a tool or household implement shall not be included within the term "knife" as defined as a deadly weapon unless such knife is knowingly used or intended to be used to produce serious bodily injury or death.	Office Referral	Office Referral	Office Referral	Office Referral
Profane Language/ Obscene Gesture/ Indecent Act Toward... An Employee or A Student	10	A student will not direct profane language, obscene gestures or indecent acts towards a school employee or a fellow student. This inappropriate behavior includes but is not limited to, verbal, written, electronic and/or illustrative communications intended to offend and/or humiliate.	yellow flag	15 points deducted from conduct grade office referral	15 points deducted from conduct grade office referral	
Technology Misuse	10	A student will not violate the terms of WVDE Policy 2460 , Safety and Acceptable Use of the Internet by Students and Educators.	office referral	office referral	office referral	

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. The principal shall address these inappropriate behaviors in accordance with W. Va. Code §18A-5-1a, subsections (b) through (h)

Behaviors	Point	Definitions – Level 3	First	Second	Third	
Battery Against a Student	25	A student will not unlawfully and intentionally injure another student resulting in severe injury.	OSS—5 days	OSS—8 days	OSS—10 days with recommendation for expulsion	
Defacing School Property/ Vandalism	25	A student will not willfully cause defacement of or damage to property of the school or others. Actions such as writing in school textbooks or library books, writing on desks or walls, carving into woodwork, desks, or tables, and spray painting surfaces are acts of defacement. Examples of damage to school property include, but are not limited to, ruining bulletin boards, intentionally clogging the plumbing system, breaking light bulbs or fixtures, and damaging school equipment to the point where repair is necessary.	Office Referral	Office Referral	Office Referral	
False Fire Alarm	25	A student will not knowingly and willingly set off a fire alarm without cause.	Office Referral	BIF, 5 days OSS with Parent notification	BIF, Ten days OSS with possible referral to Superintendent for expulsion.	BIF, Ten days OSS with possible referral to Superintendent for expulsion.
Hazing	25	A student will not haze or conspire to engage in the hazing of another person. “Hazing” means to cause any action or situation which recklessly or intentionally endangers the mental or physical health or safety of another person or persons to destroy or remove public or private property for the purpose of initiation or admission into or affiliation with, or as a condition for continued membership in, any activity or organization, including both co-curricular and extra-curricular activities.	Office Referral	Office Referral	Office Referral	
Larceny	25	A student will not, without permission, take another person’s property. Property valued at \$1,000 or more will increase this behavior to a Level 4 because it is considered a felony in accordance with West Virginia Code §61-3-13 .	Office Referral	Office Referral	Office Referral	
Assault Against An Employee A Student	25	A student will not attempt to injure another student, teacher, administrator or other school personnel. [This includes assault on a school employee defined in West Virginia Code §61-2-15].	Office Referral	Office Referral	Office Referral	
Trespassing	25	A student will not enter the school building after school hours of the county school system, other than to the location to which the student is assigned, without authorization from proper school authorities.	Office Referral	Office Referral	Office Referral	
Harassment/ Bullying/ Intimidation	25	A student will not bully/intimidate/harass another student. According to West Virginia Code §18-2C-2 , “harassment, intimidation or bullying” means any intentional gesture, or any intentional electronic, written, verbal or physical act, communication, transmission or threat that: <ul style="list-style-type: none"> A reasonable person under the circumstances should know will have the effect of 	Office Referral	Office Referral	Office Referral	

Behaviors	Point	Definitions – Level 3	First	Second	Third	
		<p>harming a student, damaging a student’s property, placing a student in reasonable fear of harm to his or her person, and/or placing a student in reasonable fear of damage to his or her property;</p> <ul style="list-style-type: none"> • Is sufficiently severe, persistent or pervasive that it creates an intimidating, threatening or emotionally abusive educational environment for a student; or • Disrupts or interferes with the orderly operation of the school. <p>An electronic act, communication, transmission or threat includes but is not limited to one which is administered via telephone, wireless phone, computer, pager or any electronic or wireless device whatsoever, and includes but is not limited to transmission of any image or voice, email or text message using any such device.</p> <p>Acts of harassment, intimidation, or bullying that are reasonably perceived as being motivated by any actual or perceived differentiating characteristic, or by association with a person who has or is perceived to have one or more of these characteristics, shall be reported using the following list: race; color; religion; ancestry; national origin; gender; socioeconomic status; academic status; gender identity or expression; physical appearance; sexual orientation; mental/physical/developmental/ sensory disability; or other characteristic.</p> <p>When harassment, intimidation or bullying are of a racial, sexual and/or religious/ethnic nature, the above definition applies to all cases regardless of whether they involve students, staff or the public. Detailed definitions related to inappropriate behavior of this nature are as follows:</p> <p><u>Sexual harassment</u> consists of sexual advances, requests for sexual favors, sexually motivated physical conduct or other verbal or physical conduct or communication of a sexual nature when:</p> <ul style="list-style-type: none"> • submission to the conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining or retaining employment, or of obtaining an education; or • submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual's employment or education; or that conduct or communication has the purpose or effect of substantially or unreasonably interfering with an individual's employment or education; or • creating an intimidating, hostile or offensive employment or educational environment. <p>Amorous relationships between county board employees and students are prohibited.</p> <p>Sexual harassment may include but is not limited to:</p> <ul style="list-style-type: none"> • verbal harassment of a sexual nature or abuse; • pressure for sexual activity; • inappropriate or unwelcome patting, pinching or physical contact; • sexual behavior or words, including demands for sexual favors, accompanied by implied or overt threats and/or promises concerning an individual's employment or educational status; • behavior, verbal or written words or symbols directed at an individual because of gender; or • the use of authority to emphasize the sexuality of a student in a manner that prevents or impairs that student's full enjoyment of educational benefits, climate/culture or opportunities. <p><u>Racial harassment</u> consists of physical, verbal or written conduct relating to an individual's race when the conduct:</p> <ul style="list-style-type: none"> • has the purpose or effect of creating an intimidating, hostile or offensive working or academic environment; • has the purpose or effect of substantially or unreasonably interfering with an individual's work or academic performance; or • otherwise adversely affects an individual's employment or academic opportunities. <p><u>Religious/ethnic harassment</u> consists of physical, verbal or written conduct which is related to an individual's religion or ethnic background when the conduct:</p> <ul style="list-style-type: none"> • has the purpose or effect of creating an intimidating, hostile or offensive working or academic environment; • has the purpose or effect of substantially or unreasonably interfering with an individual's work or academic performance; or 				

Behaviors	Point	Definitions – Level 3	First	Second	Third
		<ul style="list-style-type: none"> otherwise adversely affects an individual's employment or academic opportunities. <p><u>Sexual violence</u> is a physical act of aggression or force or the threat thereof which involves the touching of another's intimate parts, or forcing a person to touch any person's intimate parts. Intimate parts include the primary genital area, groin, inner thigh, buttocks or breast, as well as the clothing covering these areas. Sexual violence may include, but is not limited to:</p> <ul style="list-style-type: none"> touching, patting, grabbing or pinching another person's intimate parts, whether that person is of the same sex or the opposite sex; coercing, forcing or attempting to coerce or force the touching of anyone's intimate parts; coercing, forcing or attempting to coerce or force sexual intercourse or a sexual act on another; or threatening to force or coerce sexual acts, including the touching of intimate parts or intercourse, on another. threatening or forcing exposure of intimate apparel or body parts by removal of clothing. <p><u>Racial violence</u> is a physical act of aggression or assault upon another because of, or in a manner reasonably related to, race.</p> <p><u>Religious/ethnic violence</u> is a physical act of aggression or assault upon another because of, or in a manner reasonably related to, religion or ethnicity.</p>			
Possession/Use of Substance Containing Tobacco and/or Nicotine	25	<p>A student will not unlawfully possess, use or be under the influence of any substance containing tobacco and/or nicotine or any paraphernalia intended for the manufacture, sale and/or use of tobacco/nicotine products in any building/area under the control of a county school system, including all activities or events sponsored by the county school district.</p> <p><u>Special considerations</u> according to West Virginia Code §16-9A-4.</p> <ul style="list-style-type: none"> No person (student, staff member or public guest) shall at any time use or distribute any tobacco or nicotine containing product on school property or during school sponsored events. Individuals supervising students off school grounds are prohibited from distributing or using tobacco or nicotine containing products in the presence of students. An exception shall be made to allow possession/use of approved nicotine replacement product for tobacco cessation. WVBE Policy 2422.8 - Medication Administration must be followed in order for students to use such products on school property or at school sponsored events. 	Office Referral Three Day OSS	Office Referral Five Days OSS	Office Referral

LEVEL 4: Safe Schools Act Behaviors - are consistent with those addressed in West Virginia Code §18A-5-1a(a) and (b). The following Level 4 behavior definitions are aligned with West Virginia Code §§61-6-17, 61-6-24, and 18A-5-1, and in the Gun-Free Schools Act of 1994. These laws require that the principal, superintendent and county board address Level 4 behaviors in a specific manner as outlined in West Virginia Code §18A-5-1a and paraphrased in Chapter 3, Sections 4 and 5 of this manual.

Behaviors	Point	Definitions – Level 4	Office Referral
Battery Against a School Employee	25	A student will not commit a battery by unlawfully and intentionally making physical contact of an insulting or provoking nature with the person of a school employee as outlined in West Virginia Code §61-2-15(b) .	Office Referral
Felony	25	A student will not commit an act or engage in conduct that would constitute a felony under the laws of this state if committed by an adult as outlined in West Virginia Code §18A-5-1a(b)(i) . Such acts that would constitute a felony include, but are not limited to, arson (West Virginia Code §61-3-1), malicious wounding and unlawful wounding (West Virginia Code §61-2-9), bomb threat (West Virginia Code §61-6-17), sexual assault (West Virginia Code §61-8B-3), terrorist act or false information about a terrorist act, hoax terrorist act (West Virginia Code §61-6-24) and grand larceny (West Virginia Code §61-3-13).	Office Referral

Behaviors	Point	Definitions – Level 4	Office Referral
Illegal Substance Related Behaviors	25	A student will not unlawfully possess, use, be under the influence of, distribute or sell any substance containing alcohol, over-the-counter drugs, prescription drugs, marijuana, narcotics, any other substance included in the Uniform Controlled Substances Act as described in West Virginia Code §60A-1-101, et seq. or any paraphernalia intended for the manufacture, sale and/or use of illegal substances in any building/area under the control of a county school system, including all activities or events sponsored by the county school district. This includes violations of WVBE Policy 2422.8 - Medication Administration and instances of prescription drug abuse.	Office Referral
Possession and/or Use of Dangerous Weapon	25	According to West Virginia Code §18A-5-1a(a) , a student will not possess a firearm or deadly weapon as defined in West Virginia Code §61-7-2 , on any school bus, on school property or at any school-sponsored function as defined in West Virginia Code §61-7-11a . As defined in West Virginia Code §61-7-2 , a “dangerous weapon” means any device intended to cause injury or bodily harm, any device used in a threatening manner that could cause injury or bodily harm, or any device that is primarily used for self-protection. Dangerous weapons include, but are not limited to, blackjack, gravity knife, knife, knife-like implement, switchblade knife, nunchaku, metallic or false knuckles, pistol, or revolver. A dangerous weapon may also include the use of a legitimate tool, instrument, or equipment as a weapon including, but not limited to, pens, pencils, compasses, or combs, with the intent to harm another.	Office Referral

Section 3. Use of Physical Punishment Prohibited

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.

Section 4. Use of Restraint

Reasonable force may be used to restrain a student from hurting himself/herself or any other person or property. All students, including students with disabilities, must be treated with dignity and respect. Behavior interventions and support practices must be implemented in such a way as to protect the health and safety of the students and others. When the use of physical restraint is necessary, the following guidelines must be followed:

Definitions:

- Restraint - the use of physical force to significantly restrict the free movement of all or a portion of a student's body.
- Emergency - a situation in which a student's behavior poses a threat of imminent, serious physical harm to the student or others or serious property destruction.

A school employee and/or independent contractor may use restraint in an emergency as defined above with the following limitations:

- Restraint shall be limited to the use of such reasonable force as is necessary to address the emergency. Procedures and maneuvers that restrict breathing (e.g. prone restraint), place pressure or weight on the chest, lungs, sternum, diaphragm, back, neck or throat, or may cause physical harm are prohibited.
- Restraint shall be discontinued at the point at which the emergency no longer exists.
- Restraint shall be implemented in such a way as to protect the health and safety of the student and others.
- Restraint shall not deprive the student of basic human necessities.

- Appropriate (intended use) utilization of mechanical restraints such as seat belts or feeding tables when applied for their intended purpose is not prohibited; however, the application of mechanical restraint is prohibited as an intervention or consequence for inappropriate behavior.

School employees and/or independent contractors who, as determined by the principal, may need to use restraint shall be provided training according to the following requirements:

- A core team of personnel in each school must be trained annually in the use of a nationally recognized restraint process. The team must include an administrator or designee and any general or special education personnel likely to use restraint;
- Personnel called upon to use restraint in an emergency and who have not received prior training must receive training within 30 days following the use of restraint if the principal determines that there is a reasonable likelihood that the situation leading to the use of restraint will reoccur;
- Training on use of restraint must include prevention and de-escalation techniques and provide alternatives to the use of restraint;
- All trained personnel shall also receive instruction in current professionally accepted practices and standards regarding behavior interventions and supports;

Comprehensive documentation and immediate notification on use of restraint is required. In a case in which restraint is used, school employees, volunteers and/or independent contractors shall implement the following documentation requirements:

Time Requirement	Documentation/Notification
Immediately following the use of restraint (within one hour)	The principal or designee must be provided verbal and written notification that restraint was used on a given student with a description of the restraint process used.
Same day	A good faith effort shall be made to verbally notify the parents/guardian regarding the use of restraint.