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TITLE 126  
LEGISLATIVE PROCEDURAL RULE  
WEST VIRGINIA BOARD OF EDUCATION  
CHAPTER 18A-5  
SERIES 4370

Title: Resolution on School Discipline

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Section 1. General

1.1 Scope - This legislative procedural rule requires adoption of a fair, realistic, and constructive policy related to discipline in schools.

1.2 Authority - West Virginia Code 18A-5-1

1.3 Filing Date - December 27, 1982

1.4 Effective Date - February 27, 1983

Section 2. Applicability

WHEREAS, the annual Gallup Poll which examines the attitudes of United States citizens toward the schools has consistently identified a lack of discipline as the major concern of a majority of Americans, and

WHEREAS, secondary school educators across the nation generally share the public's concern for lack of discipline, largely because of what is judged to be ill-defined and eroding authority of school personnel, and

WHEREAS, behavior conditions in some school systems in this country have reached a point that unlawful and violent acts have occurred with such openness and defiance that the physical safety of students and staff is in jeopardy, and

WHEREAS, there may be a lack of a clear definition of measures available to school personnel for assuring freedoms guaranteed by the courts, but at the same time assuring that those freedoms are exercised within a framework of an orderly, efficient, and continuing school program, and

WHEREAS, optimal learning cannot occur in classrooms that are characterized by harassment and intimidation; therefore

Section 3. Resolution

BE IT RESOLVED THAT, county school boards in West Virginia adopt a fair, realistic, and constructive policy related to discipline in schools that is published and distributed to faculty, students, and parents. Such a policy should give attention to the individual freedoms guaranteed by the courts, but at the same time provide assurances that the rights of groups will not be violated and that a positive climate in which learning can occur may be maintained, and

BE IT FURTHER RESOLVED THAT, such policies shall include, but not be limited to, the following principles:

1. Every student has the right to attend school free from fear for his or her personal safety.
2. No student has the right to disturb or interrupt the education of others or to threaten or intimidate a fellow student or teacher.
3. Every teacher has the responsibility for assisting in maintaining an orderly learning environment.
4. Every parent has the responsibility of aiding the school in maintaining an atmosphere conducive to learning.
5. School rules should be clearly stated, well publicized to all concerned, fairly enforced, and in keeping with current statutes and court decisions.

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