



# **West Virginia School Discipline Sources Cited**

Excerpted from West Virginia Compilation of School  
Discipline Laws and Regulations

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## **West Virginia State Codes Cited**

### **West Virginia Revised Statutes**

#### **Chapter 18. Education**

##### **Article 2. State Board of Education**

- [§18-2-5a.](#) Board rules to be filed with Legislature  
[§18-2-6.](#) Classification and standardization of schools; standards for degrees and diplomas; certificates of proficiency; establishment of alternative education programs  
[§18-2-7b.](#) Programs in drug prevention and violence reduction  
[§18-2-33.](#) Rules for antihazing

##### **Article 2C. Harassment, Intimidation or Bullying Prohibition**

- [§18-2C-1.](#) Legislative findings  
[§18-2C-2.](#) Definitions  
[§18-2C-3.](#) Policy prohibiting harassment, intimidation or bullying  
[§18-2C-4.](#) Immunity  
[§18-2C-5.](#) Policy training and education  
[§18-2C-6.](#) Liability

##### **Article 5. County Board of Education**

- [§18-5-15.](#) Ages of persons to whom schools are open; enrollment of suspended or expelled student  
[§18-5-15f.](#) Affirmation regarding the suspension or expulsion of a pupil from school  
[§18-5-48.](#) Safety and security measures for school facilities; Safe Schools Fund created

##### **Article 5A. Local School Involvement**

- [§18-5A-2.](#) Local school improvement councils; election and appointment of members and officers; meetings; required meetings with county board; assistance from state board

##### **Article 8. Compulsory School Attendance**

- [§18-8-2.](#) Offenses; penalties; cost of prosecution; jurisdiction  
[§18-8-3.](#) Employment of county director of school attendance and assistants; qualifications; salary and traveling expenses; removal  
[§18-8-4.](#) Duties of attendance director and assistant directors; complaints, warrants, and hearings  
[§18-8-5.](#) Duties of principal, administrative head or other chief administrator  
[§18-8-5a.](#) Home visitations  
[§18-8-6.](#) The High School Graduation Improvement Act  
[§18-8-6a.](#) Incentive for county board participation in circuit court juvenile probation truancy programs  
[§18-8-7.](#) Aiding or abetting violations of compulsory attendance; penalty  
[§18-8-8.](#) Child suspended for failure to comply with requirements and regulations treated as unlawfully absent  
[§18-8-9.](#) Report and disposition of fines collected  
[§18-8-11.](#) School attendance and satisfactory academic progress as conditions of licensing for privilege of operation of motor vehicle

## **Article 21. Special Community-Based Pilot Demonstration Project to Improve Outcomes For At-Risk Youth**

§18-21-4. Organization and goals of the community-based pilot demonstration program

## **Chapter 18A. School Personnel**

### **Article 5. Authority; Rights; Responsibility**

§18A-5-1. Authority of teachers and other school personnel; exclusion of students having infectious diseases; suspension or expulsion of disorderly students; corporal punishment abolished

§18A-5-1a. Possessing deadly weapons on premises of educational facilities; possessing a controlled substance on premises of educational facilities; assaults and batteries committed by students upon teachers or other school personnel; temporary suspension, hearing; procedure, notice and formal hearing; extended suspension; sale of narcotic; expulsion; exception; alternative education

§18A-5-1b. Alternative procedures for expulsion hearings by county boards

§18A-5-1c. Bill of rights and responsibilities for students and school personnel

§18A-5-1d. Return to school through Juvenile Drug Court for certain students

§18A-5-5. Records; reports by professional and other personnel

## **Chapter 49. Child Welfare**

### **Article 4. Court Actions**

§49-4-717. Sexting educational diversion program; requirements

### **Article 5. Record Keeping Database**

§49-5-103. Confidentiality of juvenile records; permissible disclosures; penalties; damages

## **Chapter 61. Crimes and Their Punishment**

### **Article 7. Dangerous Weapons**

§61-7-2. Definitions

§61-7-11a. Possessing deadly weapons on premises of educational facilities; reports by school principals; suspension of driver's license; possessing deadly weapons on premises housing courts of law and family law courts

## **West Virginia Regulations**

### **Title 126. Legislative Rule, Board of Education**

#### **Series 42. Assuring the Quality of Education: Regulations for Education Programs (2510)**

§126-42-6. Alternative delivery of education programs

§126-42-7. County board of education responsibilities

#### **Series 81. Attendance (4110)**

§126-81-1. General

§126-81-2. Rationale

§126-81-3. Policy development

§126-81-4. Definitions

§126-81-5. Responsibilities

- §126-81-6. County attendance policy components
- §126-81-7. Severability

**Series 99. Expected Behavior in Safe and Supportive Schools (4373)**

- §126-99-1. General
- §126-99-2. Purpose
- §126-99-4. Application
- §126-99-5. Severability