

Legislative Science and Technology Note

School Discipline in West Virginia

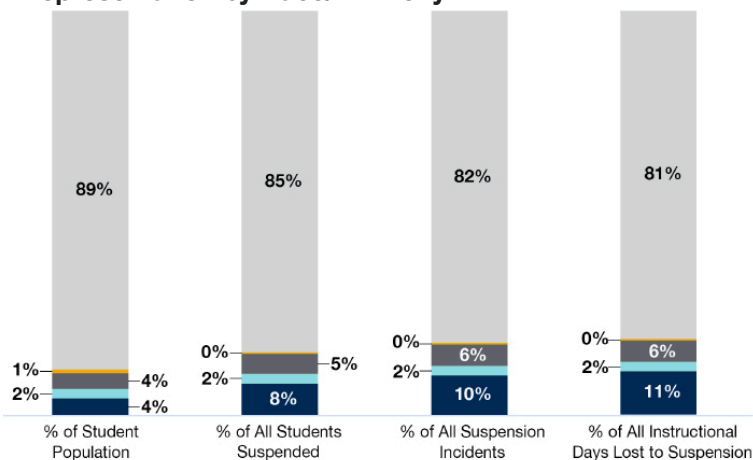
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School suspensions increase the number of instructional days lost, which has [disproportionately impacted](#) underrepresented groups, foster care, or low-income students and led to higher suspension rates in these groups than for the majority population. Loss of instructional time due to these suspensions can [heighten disparities](#) in school attendance, academic achievement, and timely graduation. This Science and Technology Note reviews the state's school behavioral health services and considers policy options for West Virginia schools.

Student Discipline in West Virginia Schools

Strict discipline causes students to miss school days, which [negatively impacts](#) society. In [West Virginia](#), Black students (4% of all students) represent 8% of suspensions, losing 11% of instructional days. [Low-income students](#) (53% of students) receive 71% of suspensions, losing an average of 6.9 instructional days. Foster care students (1.6% of students) represent 2.6% of suspensions, losing an average of 9.6 instructional days. For students who fall into multiple categories, the numbers are likely to be higher. [Research](#) has shown suspensions increase students' likelihood of dropping out and [decrease educational attainment](#). Not completing high school is [linked](#) to a variety of factors that can negatively impact health, including limited employment prospects, low wages, and poverty.

Representation by Race/Ethnicity



Source: WVU Bridge Initiative, adapted from [West Virginia Department of Education](#).

Research Highlights

- West Virginia's minority, foster care, and low-income students are suspended at rates [higher](#) than their enrollment in West Virginia schools, resulting in lost instructional time.
- [Research](#) shows that students who are suspended just once have an increased risk of dropping out of school, and a lower academic rate of achievement through school. Additionally, suspended youth are [more likely](#) to be arrested on probation later in life than a matched peer group, [suggesting](#) that "suspension rather than selection bias explains negative outcomes."
- Possible policy options include establishing behavioral health liaisons in each school, creating a behavioral health action plan, and mandating mental health education.

Legislation Impacting Classroom Management and Student Discipline

The disciplinary process as identified in [HB 2890](#), approved and passed in 2023, requires the steps illustrated in the figure below. Under the HB 2890 disciplinary process, disruptive students are sent to the principal's office, and the incident is reported within 24 hours by the teacher to the principal. The principal informs the teacher and student's guardian about the disciplinary action and return date. If a student is excluded more than twice, a parent-teacher conference is required. Persistent misbehavior may lead to isolation or alternative learning environments (Out of School Suspension, In School Suspension, after school learning programs).

The 2024 West Virginia Legislature passed [SB 614](#) to extend the provisions of [HB 2890](#) to include elementary school-aged students. However, this bill amends HB 2890 by stating that kindergarten through 5th grade students shall be placed in a behavioral intervention program if their behavior results in their removal from the classroom, which is not required for middle and high school aged children. The bill also states that the

Student Discipline Policies Across Appalachian States

| State | Behavioral Health and Suspension | % of Students Receiving Out-of-School Suspensions | Average Testing Scores (0-500) | Psychologist-to-Student Ratio |
|----------------|--|---|--------------------------------|--|
| West Virginia | A student will be suspended or expelled if the student is determined to be a threat to themselves or others. | 7.3% | 274 | No mandated ratio |
| Kentucky | A student will be suspended or expelled if the student is determined to be a threat to themselves or others. | 4.8% | 281 | Determined by the local school district |
| Tennessee | Implementing behavioral health liaison , TN has seen improvements, but these liaisons have been implemented in only 333 out of 1,900 schools. | 6.7% | 278 | 1:500 (K-6) 1:350 (7-12) |
| North Carolina | A behavioral health action plan is being implemented in schools across the state, and there are policies requiring mental health education in schools. | 6.6% | 286 | No mandate ratio but 80% of counselors' time is to provide direct services to students |

student can only be removed if a student (of any age) is “violent, threatening, or intimidating toward staff or peers or creates an unsafe learning environment or impedes on other students’ ability to learn in a safe environment.”

Benefits of Reducing School Discipline Incidents in West Virginia

Access to behavioral health services can [decrease](#) the number of suspensions within the school. With additional [positive behavioral support](#), these students have the potential to stay in the classroom, doing better academically, and graduating on time.

Replacing some suspensions with behavioral interventions for disruptive behavior in West Virginia schools could [boost](#) educational attainment and timely graduation rates. Despite a [90%](#) high school graduation rate, the state’s [standardized test scores](#) are among the nation’s [lowest](#) leading to concerns that they are not sufficiently prepared for potential well-paid science and technology employment opportunities. In 2022, less than half of West Virginia high school students met these standards with about one-third able to meet math standards, 42% meeting reading standards, and 28% meeting science standards.

Reducing lost instructional days due to discipline could enhance West Virginia’s workforce by increasing the number of well-prepared high school graduates. As illustrated in the table below, West Virginia has the highest percentage of out of school suspensions and lowest standardized test scores. Whereas other Appalachian states have higher test scores and lower suspension rates than West Virginia and are offering behavioral health services through mandated psychologist ratios, behavioral health liaisons, and behavioral health action plans.

Student Wellness and Classroom Harmony

One policy option to decrease the number of suspensions and lost instructional time in West Virginia schools is to increase West Virginia students’ access to behavioral health services with the goal of increasing student social interaction and healthy development. This, in turn, can potentially improve academic performance by reducing lost instructional days. For example, West Virginia could consider implementing a behavioral health action plan like North Carolina’s that mandates mental health education and or Tennessee’s plan of placing behavioral health liaisons in each school.

This Science and Technology Legislative Note was written by Brady Shrader, PhD Candidate, Dept. of Political Science at West Virginia University, on behalf of West Virginia University’s Bridge Initiative for Science and Technology Policy, Leadership, and Communications. The Bridge Initiative provides nonpartisan research information to members of the West Virginia Legislature upon request. This Science and Technology Legislative Note is intended for informational purposes and does not indicate support or opposition to a particular bill or policy approach. Please see <https://scitechpolicy.wvu.edu/> or contact scitechpolicy@mail.wvu.edu for more information.

