




## WV SCHOOLS OF DIVERSION AND TRANSITION ORGANIZATIONAL PROCEDURES

<b>NON-DISCRIMINATION IN JUVENILE AND ADULT CORRECTIONAL FACILITIES</b>	<b>Section</b>	Legal Foundations & Governance
	<b>Number</b>	1.7
	<b>Effective Date</b>	09-01-16
	<b>Revision Date</b>	11-01-16
	<b>Revision No.</b>	1
	<b>Approval:</b>	

**1.0 PURPOSE:**

To establish procedures for non-discrimination for all staff and students.

**2.0 APPLICABILITY:**

Procedure is applicable to all Diversion and Transition Programs located in juvenile and adult correctional facilities.

**3.0 POLICY STATEMENT:**

Applicable State Board of Education policies shall be implemented in all Diversion and Transition Programs located in juvenile and adult correctional facilities to ensure that employees and students in these facilities shall not be subject to discrimination.

**4.0 DEFINITIONS:**

Harassment, intimidation or bullying means any intentional gesture, or any intentional written, verbal or physical act or threat that: (a) a reasonable person under the circumstances should know will have the effect of : (1) harming a student or staff member; (2) damaging a student's or staff member's property; (3) placing a student or staff member in reasonable fear of harm to his or her person; or (4) placing a student in reasonable fear of damage to his or her property; or (b) is sufficiently severe, persistent, or pervasive that it creates an intimidating, threatening or abusive educational environment for a student or staff member.

**5.0 PROCEDURES:**

- 5.1** State Board of Education policies regarding non-discrimination to all institutional school are available online at <http://wvde.state.wv.us> .
- 5.2** All personnel in the WV Schools of Diversion and Transition shall abide by the State Board policies relating to non-discrimination of staff and student.
- 5.3** All personnel in the Schools of Diversion and Transition shall abide by the State Board Policy 4200: Provision of Equal Opportunity in West Virginia Public Schools; State Board Policy 5902: Employee Code of Conduct; and by State Board Policy 4373: Expected Behavior in Safe and Supportive Schools.
- 5.4** All students enrolled in any Diversion and Transition Juvenile Program shall abide by State Board Policy 4373: Expected Behavior in Safe and Supportive Schools; and WVSOT Employee Handbook.

**6.0 AUTHORITY**

- 6.1** State Board of Education Policy 4200: *Provision of Equal Opportunity in West Virginia Public Schools*
- 6.2** State Board of Education Policy 4373: *Expected Behavior in Safe and Supportive Schools*
- 6.3** State Board of Education Policy 5902: *Employee Code of Conduct*
- 6.4** WVSDT Employee Handbook