

EXECUTIVE SUMMARY**Title:** Schools At Risk of Being Labeled A Persistently Dangerous School**Type of Executive Summary:**

Action
 Action on First Reading
 Discussion
 Information

Policy Implications:

Constitution _____
 General Statute # _____
 SBE Policy # SS-A-006
 SBE Policy Amendment
 SBE Policy (New)
 APA # _____
 APA Amendment
 APA (New)
 Other No Child Left Behind

Presenter(s): Dr. Rebecca Garland (Associate Superintendent, Innovation and School Transformation) and Ms. Charlotte Hughes (Interim Director, Student Support Services)

Description:

According to State Board of Education policy, a “persistently dangerous school” is a public elementary, middle or secondary school or a charter school in which a total of five or more violent criminal offenses was committed per 1000 students (0.5 or more per 100 students) during each of the two most recent school years and in which the conditions that contributed to the commission of those offenses are likely to continue into another school year. Two schools, Catawba Valley High School, an alternative school in the Hickory City Schools system, and Conway Middle School, a traditional school in the Northampton County school system, were reported to have .5 or more violent criminal offenses per 100 students during each of the two most recent school years. This data reflects incidents during the 2005-06 and the 2006-07 school years, not during the 2007-08 school year.

School Safety and Climate Section consultants made on-site visits to review whether there was evidence that the conditions that contributed to the commission of those offenses are likely to continue into another school year and provide an opportunity for each school to report on plans for eliminating the conditions contributing to the violent acts. In addition, an external review team reviewed documentation and school portfolios.

Resources:

The Department of Public Instruction’s, School Safety and Climate Section, Local Education Agencies, Department of Juvenile Justice and Delinquency Prevention, Department of Mental Health, and external team members were used as resources in the completion of this process.

Input Process:

Input was received from site visitation team members. During the site review, principals, other school staff, and students met with the site review team members. The site observation documentation was presented to external team members who subsequently reviewed the school’s portfolio. Recommendations were made after a thorough review of all relevant documentation.

Stakeholders:

Stakeholders include students, teachers, staff, parents, the community and law enforcement agencies.

Timeline For Action:

It is requested that the State Board of Education review the recommendations made during the September meeting.

Recommendations:

It is recommended that (1) the State Board of Education find that the conditions that contributed to the commission of the offenses at the two schools are not likely to continue into another school year; therefore, the two schools are

not currently “persistently dangerous” and (2) the two schools be placed on probationary status and be provided technical assistance, including school safety training, on-site visits and review of schools disciplinary data during the 2008-2009 school year to assure that the conditions that contributed to the commission of the offenses do not reappear.

Audiovisual equipment requested for the presentation:

Data Projector/Video (Videotape/DVD and/or Computer Data, Internet, Presentations-PowerPoint preferred)

Specify: _____

Audio Requirements (computer or other, except for PA system which is provided)

Specify: _____

Document Camera (for transparencies or paper documents – white paper preferred)

Motion By: _____

Seconded By: _____

Vote: Yes _____ No _____

Abstain _____

Approved _____ Disapproved _____

Postponed _____ Revised _____

*Person responsible for SBE agenda materials and SBE policy updates: Sylvia Moore, 919-807-4009

NORTH CAROLINA STATE BOARD OF EDUCATION
Policy Manual

Policy Identification

Priority: Healthy Students in Safe, Orderly & Caring Schools

Category: Safe Schools Program Guidelines

Policy ID Number: SS-A-006

Policy Title: Policy defining persistently dangerous schools

Current Policy Date: 06/06/2002

Other Historical Information:

Statutory Reference: 20 USCS 7912 (2002)

Administrative Procedures Act (APA) Reference Number and Category:

(This policy addresses Certification of Compliance with Unsafe School Choice Option Requirements as required in the *Consolidated Plan for No Child Left Behind.*)

1. The following definitions apply to this policy.
 - a. Violent criminal offenses are the following crimes as reported in the "*Report on School Crime and Violence*":
 - Homicide
 - Assault Resulting in Serious Bodily Injury
 - Assault Involving Use of a Weapon
 - Rape
 - Sexual Offense
 - Sexual Assault
 - Kidnapping
 - Robbery with a Dangerous Weapon
 - Robbery
 - Taking Indecent Liberties with a Minor
 - b. A persistently dangerous school is a public elementary, middle or secondary school or a charter school in which a total of five or more violent criminal offenses were committed per 1000 students (0.5 or more per 100 students) during each of the two most recent school years and in which the conditions that contributed to the commission of those offenses are likely to continue into another school year.
2. Along with the annual Report on School Crime and Violence, the Superintendent for each LEA shall write and inform the State Board of Education of:
 - a. All the public schools within that LEA that have reported a total of five or more violent criminal offenses were committed per 1000 students (0.5 or more per 100 students) during the most recent school year; and
 - b. All the public schools within that LEA that have reported a total of five or more violent criminal offenses were committed per 1000 students (0.5 or more per 100 students) during each of the two most recent school years.

3. No later than June 30 of any year, the chairman of the board of directors of the nonprofit corporation that holds the charter for a charter school shall notify the State Board of Education:
 - a. Whether five or more violent criminal offenses were committed per 1000 students (0.5 or more per 100 students) in a charter school during the most recent school year; and
 - b. Whether five or more violent criminal offenses were committed per 1000 students (0.5 or more per 100 students) in a charter school during each of the two most recent school years.
4. Whenever the State Board of Education has information that five or more violent criminal offenses were committed per 1000 students (0.5 or more per 100 students) in a public elementary, middle or secondary school or a charter school during each of the two most recent school years, the State Board of Education shall provide the local board of education or the nonprofit corporation that holds the charter for the school the opportunity to report on conditions in the school and any plans it may have to eliminate the conditions that contributed to the commission of the violent criminal offenses.
5. After consideration of that report and consultation with a representative sample of local educational agencies or charter schools, the State Board of Education shall determine whether the school is a persistently dangerous school, whether the school should be placed on probation, or whether no additional interventions are necessary to protect students from violent crimes.
6. During the probationary year, the school shall implement additional strategies to protect students from violent criminal offenses and incorporate them into the Safe Schools Plan.
7. If at any time during the probationary year, the State Board of Education determines that conditions that contributed to the commission of the violent criminal offenses in the school have not been eliminated, then the State Board of Education may determine that the school is a persistently dangerous school.
8. Once the State Board has determined that a school is a persistently dangerous school, the school shall retain that designation for at least one full school year.
9. Students assigned to a school which the State Board of Education has determined to be persistently dangerous shall be allowed to attend another school in the LEA which is not designated a persistently dangerous school, provided there is such a school in the LEA which offers instruction at the student's grade level.
10. Any student who is the victim of a violent criminal offense committed against him or her while he or she was in or on the grounds of a public elementary, middle or secondary school or charter school that he or she attends shall be allowed to attend another school in the LEA, provided there is such a school in the LEA which offers instruction at the student's grade level and provided the student's choice shall not be limited to persistently dangerous schools.
11. Local school systems shall establish a process for assuring any student who has the right to transfer from a school under this policy is allowed to transfer to a school in the LEA which is not persistently dangerous. The process must be included in the system's Safe School Plan.
12. The LEA shall report each student transfer effected pursuant to this policy to the State Board of Education in its "Report on School Crime and Violence."
13. Nothing in this policy shall be construed to grant any student the right to attend a charter school, grant any student a preference in admission to a charter school or limit a student's right to transfer from a charter school.

Chronology of Identification of At-Risk Schools

- December 2007 Annual Report on School Crime and Violence presented as information item to the SBE
- January 2008 Established visitation teams and prepared letter to be distributed to LEAs and charters
- March 2008 Letters distributed to LEAs and Charters
- March - April 2008 Data verification forms returned by LEAs
- April 2008 Site visits begin
- May 2008 Portfolios received and reviewed
- July 2008 Recommendation presented to SBE

On-Site Visit Process

- Scheduled visit with the principal and assistant principal
- Observed student transitions as they entered and exited the school
- Observed students during class and lunch transitions
- Interviewed the principal, assistant principal, staff and students
- Observed classroom instruction and bathroom breaks
- Used *School and Classroom Visitation* and *Persistently Dangerous Site Visitation Documentation Forms* for documenting findings
- Reviewed-
 - Disciplinary data for current and past school year
 - School profile
 - Safe Schools Crisis Management Plan and the School Improvement Plan
 - Staff and student/parent handbooks
 - Violence and intervention strategies and programs
 - School Behavior Expectation Matrix
 - Staff Development Plan
 - Faculty Meeting Minutes
- Offered written and verbal feedback to the principal on what was observed and made recommendations for improving the portfolio

Portfolio Review Process

Background Information

- The site visits were conducted by teams consisting of DPI and external stakeholders.
- During the site visits, team members reviewed all available documents, data and other safety related information using the site visit document as a guide.
- School administrators were required to compile and submit a portfolio of the various documents to the School Safety & Climate Section. After the onsite review of the documents, school administrators were required to include in the portfolio any follow-up recommendations made by the review team.

Review Process

- Reviewers were provided an overview of the site visit documentation procedures, the policy, the definitions of the reportable offenses, discipline data pertaining to each school and the completed site visit form.
- Portfolios were reviewed to ensure that they included all required documents and responses to recommendations.
- Review teams discussed findings with the consultant who conducted the site visit.
- Review team members made recommendations to identify the schools as:
 - All Clear
 - Probationary
 - Persistently Dangerous

Recommended Technical Assistance for Identified Watch List Schools

The Program Monitoring and Support Services Division and School Safety and Climate Section will provide technical assistance to the identified schools as follows:

- A representative from each school and central office will be requested to attend a training facilitated by the Support Services Section that will focus on the reportable offense definitions, infraction coding and a review of policies and procedures associated with the reportable offenses.
- Each identified school will have two monitoring visits, one in the fall and one in the spring of the 2008-09 school year. A representative will provide assistance in the area of training and identification of reportable infractions.
- Each school's disciplinary data will be reviewed at the end of each semester, as opposed to the end of the year (June 30th).
- Each school will be expected to use its mid-year disciplinary data in order to develop proactive strategies.
- School staff will be requested to attend the Statewide School Safety Conference in an effort to gain knowledge on related topics.
- Division of Program Monitoring and Support Services and Comprehensive Support for Districts and Schools will work collaboratively to ensure that both divisions are aware of the schools listed on the watch list.

**Catawba Valley High School
Hickory City Schools
On-Site Visit**

Background Information

- Catawba Valley High School is an alternative school serving students in grades six through twelve who are referred from ALL school systems within Catawba County (Catawba County Schools, Hickory City Schools and Newton-Conover Schools)
- The campus is located near Lenoir-Rhyne College and is within walking distance of the Catawba County Science Center, the Hickory Art Museum, the Patrick Beaver Library, and the Frye Regional Medical Center.
- **2005-2006 Persistently Dangerous Discipline Data**
2 Robbery without Dangerous Weapon (RO)
Final ADM 103
- **2006-2007 Persistently Dangerous Discipline Data**
1 Sexual Offense (SO)
1 Robbery without Dangerous Weapon (RO)
Final ADM 108
- **2007-2008 Persistently Dangerous Discipline Data (available in October 2008)**

Findings from Spring 2008 Visit

- School has a new principal and a majority of new staff.
- The school was clean and inviting with student work displayed throughout the building.
- Students and staff reported feeling safe.
- Staff interviews revealed a new vision for the school and the school culture.
- Staff indicated on-going staff development that included a plan for implementing the vision and to change the surrounding community perceptions.
- Behavior expectations were displayed in classrooms.
- In classrooms visited, students were engaged and staff monitored student behavior.
- Students were accompanied by adults to lunch and bathroom breaks.
- Staff and administration monitored student movement.

Summary

The new administration was placed at Catawba Valley High School to lead the staff with a new vision and to implement strategies to move the school forward. Staff members interviewed are involved in working towards improving student academics, the school culture, and the overall school climate.

**Catawba Valley High School
Hickory City Schools
Portfolio Review**

Findings from Spring 2008 Portfolio Review

- Staff and students should be trained in student-appropriate behaviors during school (student interactions/cell phone use).
- The counselor should plan regular meetings with students and schedule conferences in a timely fashion.
- The school should monitor students regarding appropriate comments towards each other.
- The school should establish procedures for cell phone usage.
- The school should monitor bus behavior with security cameras (one incident occurred on the bus).

Summary

Catawba Valley High School has been on the at-risk list for a second year. Changes implemented by the new administration during the 2007-08 school year have the potential to improve safety and order in the school.

**Conway Middle School
Northampton County
Portfolio Review**

Findings from Spring 2008 Portfolio Review

- School should continue to implement strategies related to safety as outlined in School Improvement Plan.
- Staff should be trained to properly identify the reportable infractions.
- School should survey parents, staff, and students to determine feelings of safety at regular intervals.

Summary

Conway Middle School has been on the at-risk list for a second year. Changes implemented by the new administration during the 2007-08 school year and findings from the portfolio review indicate that the school is addressing safety issues.

**Conway Middle School
Northampton County
Portfolio Review**

Findings from Spring 2008 Portfolio Review

- School should continue to implement strategies related to safety as outlined in School Improvement Plan.
- Staff should be trained to properly identify the reportable infractions.
- School should survey parents, staff, and students to determine feelings of safety at regular intervals.

Summary

Conway Middle School has been on the at-risk list for a second year. Changes implemented by the new administration during the 2007-08 school year and findings from the portfolio review indicate that the school is addressing safety issues.

EXECUTIVE SUMMARY

Title: Update Policy on Interscholastic Athletics

Type of Executive Summary:

- Action
- Action on First Reading
- Discussion
- Information

Policy Implications:

- Constitution _____
- General Statute # _____
- SBE Policy #SS-D-001
- SBE Policy Amendment
- SBE Policy (New)
- APA #16 NCAC 06E.0202
- APA Amendment
- APA (New)
- Other _____

Presenter(s): Ms. Angela H. Quick (Deputy Chief Academic Officer, Curriculum, Instruction, Technology, and Accountability Services) and Ms. Kymm D. Ballard (Physical Education, Athletics, Sports Medicine Consultant, Division of K-12 Curriculum, Instruction, and Technology)

Description:

The rule for athletic age cut off has long been aligned with the kindergarten entrance date. As the recent date for entering kindergarten changed from October 15 to August 31, the SBE athletic policy needs to reflect this change. In addition to the date change, there are edits as suggested by the NCHSSA (North Carolina High School Athletic Association) and the North Carolina Medical Society Sports Medicine Committee related to the eligibility rule for non-traditional school schedules and definition of a school year.

Resources:

None

Input Process:

North Carolina High School Athletic Association (NCHSAA) Board of Directors, City - County Athletic Directors, Coaches, North Carolina Athletic Directors Association, North Carolina Coaches Association, North Carolina Medical Society-Sports Medicine Committee

Stakeholders:

Students, coaches, athletic directors, administrators, parents

Timeline For Action:

This item is presented for discussion at the September 2008 SBE meeting and will be returned for action at the October 2008 meeting.

Recommendations:

The State Board of Education is requested to review and comment on the suggested changes to the current policy.

Audiovisual equipment requested for the presentation:

- Data Projector/Video (Videotape/DVD and/or Computer Data, Internet, Presentations-PowerPoint preferred)
Specify: _____
 - Audio Requirements (computer or other, except for PA system which is provided)
Specify: _____
 - Document Camera (for transparencies or paper documents – white paper preferred)

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Motion By: _____ Seconded By: _____
Vote: Yes _____ No _____ Abstain _____
Approved _____ Disapproved _____ Postponed _____ Revised _____

*Person responsible for SBE agenda materials and SBE policy updates: Rick Klein, 919-807-3761

NORTH CAROLINA STATE BOARD OF EDUCATION
Policy Manual

Policy Identification

Priority: Safe, Orderly, and Caring Schools

Category: Athletics

Policy ID Number: SS-D-001

Policy Title: 16 NCAC 6E.0202 Policy regarding interscholastic athletics

Current Policy Date: 08/01/2000

Other Historical Information: Previous board dates: 07/01/1995, 11/05/1998, 05/06/1999

Statutory Reference: GS 115C-47(4)

Administrative Procedures Act (APA) Reference Number and Category: 16 NCAC 6E.0202

***** Begin Policy *** (Do not tamper with this line)**

.0202 INTERSCHOLASTIC ATHLETICS

- (a) Only students in grades 7-12 may participate in interscholastic athletic competition. In order to qualify for public school participation, a student must meet the following requirements:
- (1) The student must meet the residence criteria of G.S. 115C-366(a). The student may participate only at the school to which the student is assigned by the LEA or, if over the age requirements, the school to which the student would be assigned at the next higher grade level.
 - (2) The student must meet age requirements at each grade level to participate. The principal must have evidence of the legal birth date of the student. A student who is ineligible to participate at one grade level due to age is eligible to participate at the next higher grade level only. However, no student may participate at the high school level for more than eight consecutive semesters, beginning with the student's first entry into grade nine or participation on a high school team, whichever occurs first.
 - (A) A student is eligible to participate in high school athletic contests during a school year if the student does not reach the 19th birthday on or before ~~October 16~~ August 31 of that school year.
 - (B) A student shall not participate on a ninth grade junior high school team if the student becomes 16 years of age on or before ~~October 16~~ August 31 of that school year.
 - (C) A student shall not participate on a seventh or eighth grade team if the student becomes 15 years of age on or before ~~October 16~~ August 31 of that school year.

- (3) In grades 9-12, the student must pass at least five courses (or the equivalent for non-traditional school schedules) each semester to be eligible anytime during the present semester and meet promotion standards established by the LEA. In grades 7 and 8, the student must pass at least one less course than the number of required core courses each semester and meet promotion standards established by the LEA. Regardless of the school organization pattern, a student who is promoted from the eighth grade to the ninth grade automatically meets the courses passed requirement for the first semester of the ninth grade.
 - (4) The student must receive a medical examination each year (~~365 days~~) by a duly licensed physician, nurse practitioner, or physician assistant, subject to the provisions of G.S. 90-9, 90-18.1, and 90-18.2.
 - (5) The student may not participate after any of the following:
 - (A) graduation;
 - (B) becoming eligible to graduate;
 - (C) signing a professional athletic contract;
 - (D) receiving remuneration as a participant in an athletic contest; or
 - (E) participating on an all-star team or in an all-star game that is not sanctioned by the association of which the student's school is a member. The student is ineligible only for the specific sport involved.
- (b) Each principal of a school, which participates in interscholastic athletics must certify a list of eligible students for each sport.
- (c) Any student-athlete, coach or school official in grades 7-12 who is ejected from any athletic contest shall at least be penalized as follows:
- (1) for the first offense, the person shall be reprimanded and suspended for the next game at that level of play (varsity or junior varsity) and for any intervening games at either level;
 - (2) for a second offense, the person shall be placed on probation and suspended for the next two games at that level of play (varsity or junior varsity) and for any intervening games at either level;
 - (3) for a third offense, the person shall be suspended for one calendar year;
 - (4) a coach who is suspended at any level of grades 7-12 (middle school, junior high or high school) may not coach in any other grade level in grades 7-12 during the period of suspension.
 - (5) Penalties are cumulative from sport to sport and from sport season to sport season. If no member of the school's coaching staff is present to assume an ejected coach's duties, the contest shall be terminated by a forfeit.
- (d) LEAs may allow their schools to belong to the North Carolina High School Athletic Association (NCHSAA), which has established as a minimum the rules adopted by the SBE. The NCHSAA may waive any eligibility requirement contained in this Rule, except the age requirement, if it finds that the rule fails to accomplish its purpose or it works an undue hardship when applied to a particular student. The NCHSAA may enforce penalties for the violation of this Rule at the high school level.

- (e) The LEA which has jurisdiction over the high school may impose additional penalties. LEAs or conferences may adopt and impose penalties at the middle and junior high school levels.

History Note: Statutory Authority G.S. 115C-47(4);
Eff. July 1, 1986;
Amended Eff. August 1, 2000; July 1, 1995; July 1, 1994; July 1, 1990.