

EXECUTIVE SUMMARY**Title:** School 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 (Chief Academic Officer, Academic Services and Instructional Support) and Mrs. Charlotte Hughes (Interim Director, Program Monitoring and Support Division)

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. One school, Neal Middle School, a traditional school in the Durham Public School system, was reported to have 0.5 or more violent criminal offenses per 100 students during each of the two most recent school years. This data reflects incidents during the 2006-2007 and the 2007-2008 school years.

Program Monitoring Section consultants conducted an on-site visit 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 the 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 Program Monitoring 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:

Students, teachers, staff, parents, the community and law enforcement agencies

Timeline For Action:

This item is presented for Discussion to the SBE and will be returned for Action at the February 2009 meeting.

Recommendations:

It is recommended that Neal Middle School be placed on probationary status for the 2008-2009 school year.

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 _____

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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
 - 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.

**Schools At-Risk of Being Labeled a Persistently Dangerous School
Review Process and Time Line**

Dates	Action
November, 2008 – May, 2009	Local education agency (LEA) and school staff may request specific technical assistance by completing the Technical Assistance Request Form and faxing the form to the Department of Public Instruction (DPI).
November 10, 2008	The LEA and school were notified regarding the potential status of the school for being identified as Persistently Dangerous. The school developed the Safe School's Portfolio to include: <ul style="list-style-type: none"> • School Improvement Plan; • Safe School's Plan; • Crisis management Plan; • Parent, staff, and student handbooks; • Disciplinary policies and procedures; • Prevention and intervention strategies and programs addressing the reportable offenses; and • Staff development plans related to creating and maintaining a safe, orderly, and caring school. <p>Note: If the school has a comprehensive school plan which addresses multiple requirements (school improvement, safe schools, professional development, etc.) the school will need to provide a table of contents for the plan.</p>
November 20, 2008	The Program Monitoring Section provided technical assistance to school staff at the Safe and Drug Free Schools (SADFS) Coordinators Meeting. At the meeting, SADFS Consultants provided general information and updates for district and school staff as well as training on the Uniform System of Discipline Data Collection (USDCC). The USDCC training focused on disciplinary data policies, reportable offense definitions, infraction coding, and review of policies and procedures associated with reportable offenses.
November 21, 2008	Verification of school status was reviewed by the LEA. The Verification Form and the Safe, Orderly, & Caring Schools Assessment Inventory was completed and returned to the DPI.
November 24, 2008	A member of the Program Monitoring staff contacted the school principal to arrange the on-site visit. The purpose of the visit was to review conditions of the school. Additionally, the DPI team reviewed plans the school has developed and implemented to eliminate the conditions that contributed to the commission of the violent criminal offenses as reported.
December 4, 2008	An on-site school review was conducted. The on-site review team reviewed the Safe School's Portfolio.
December 5, 2008	An additional review team of external partners and DPI staff reviewed the on-site visit findings and Safe School's Portfolio. The team recommended probationary status for the 2008-2009 school year.
January, 2009	The recommendation is presented to the State Board of Education.

School At-Risk of Being Labeled a Persistently Dangerous School
Neal Middle School
Durham Public School System

Background Information

- Neal Middle School is a 6-8 middle school that has components of both a middle school concept and a junior high school.
- The current enrollment consists of 631 students and 94 staff members.
- The student population consists of 72% African American; 19% Hispanic; 5% White; 3% other; 63% Free and Reduced Lunch (FRL), 13% English Language Learners, and 12% EC.
- The suspension rate for 2007-08 was 32%.
- The attendance rate for 2007-08 was 93%.
- **2006-2007 Persistently Dangerous Discipline Data**
 - 5 Robbery without dangerous weapon (RO)
 - Final ADM: 763
- **2007-2008 Persistently Dangerous Discipline Data**
 - 1 Assault involving use of a weapon (AW)
 - 2 Robbery without a dangerous weapon (RO)
 - 2 Sexual Offense (SO)
 - Final ADM: 686

Findings from Review Process

- Neal Middle School has been identified as a Turnaround School with a Turnaround Coach.
- Students moved in an orderly fashion during class changes with adequate staff monitoring.
- In all classrooms observed, students were appropriately engaged.
- Outside doors were locked and security cameras are placed throughout the building.
- Students interviewed are aware of the disciplinary referral process.
- Discipline data is collected and analyzed in a variety of ways to determine effectiveness of programs and policies (32 areas).
- The Crisis Management Plan has been updated as of August 2008.
- Beginning in the July of 2008, staff has participated in professional development to include such evidenced based programs and services as Positive Behavior Support Training, Critical Incident Response Kit Training and Gang Training and Interventions.

Summary

At Neal Middle School, the Turnaround Coach and the Principal have been working collaboratively to change the culture of the school in recognition of increased disciplinary incidents. The changes being implemented focus on effective systems for behavior management and increased parent and community involvement. Changes implemented have the potential to improve safety and order in the school.

Schools At-Risk of Being Labeled a Persistently Dangerous School Technical Assistance Process

The Program Monitoring and Support Division will provide technical assistance to the identified schools as follows:

- A representative from the school and central office will be requested to attend a training facilitated by the Program Monitoring Section that will focus on the reportable offense definitions, infraction coding and a review of policies and procedures associated with the reportable offenses.
- The identified school will have an on-site visit conducted during the 2008-09 school year. A DPI representative will provide assistance in the area of training and identification of reportable infractions.
- The school's disciplinary data will be reviewed at the end of each semester, as opposed to the end of the year (June 30th).
- The 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.
- Program Monitoring and Support Division will work collaboratively to ensure that all divisions are aware of schools at risk of being identified as a Persistently Dangerous School.