

**COMMONWEALTH OF PENNSYLVANIA
OFFICE OF SAFE SCHOOLS ADVOCATE**

ANNUAL REPORT FOR 2011-2012

**Kelley B. Hodge, Esq.
Safe School Advocate**

December 1, 2012

Mr. Mark Zimmer
Commissioner
Pennsylvania Commission on Crime and Delinquency
3101 North Front Street
Harrisburg, PA 17110

Dear Mr. Zimmer,

Enclosed please find the annual report of the Office of Safe Schools Advocate for the 2011-2012 fiscal year. By statute, the report is to be submitted to the Superintendent for the School District of Philadelphia, the Secretary of Education for the Commonwealth of Pennsylvania and the chairpersons of the House and Senate Education Committees.

The report reflects the activities of the Office of Safe Schools Advocate for the prior fiscal year and any recommendations for remedial legislation, regulations, or District administrative reforms based upon the reported data provided by the School District of Philadelphia to the Pennsylvania Department of Education, the data analysis conducted by the Center for Safe Schools on behalf of the Office of Safe Schools Advocate and the observations of the Advocate since December 5, 2011.

I am available to discuss the findings and recommendations contained in this report at your convenience.

Respectfully submitted,

Kelley B. Hodge, Esq.
Safe Schools Advocate

Table of Contents

I.	Introduction	4
	- Role and Purpose of the Office of Safe Schools Advocate	
II.	Executive Summary	6
	- Office of Safe Schools Advocate Daily Operations	
	- Disciplinary and Expulsion Hearings	
	- Additional Office Activities	
III.	Data Collection and Analysis.....	9
	- Source of Reported Data	
	- Manner of Analysis: The Center for Safe Schools	
	- Comparative Trends and Conclusions	
IV.	Observations of the Advocate	10
	- Observations of Divisions within the School District of Philadelphia	
	- Alternative Schools	
	- Office of School Safety	
	- Office of Student Discipline	
	- Office of Transfer and Student Placement	
	- Office of Charter Partnership and New Schools	
V.	Expulsions: Expulsion Review Committee and Expulsion Hearings....	14
VI.	Recommendations	16
VII.	Glossary of Terms	22
VIII.	Appendices	26
IX.	Addendum(s): Center for Safe Schools Miscoded Incident Report Center for Safe Schools Internal School Incident and School Safety Data 2011-2012 Data Set Comparison Report	

Introduction

The Office of Safe Schools Advocate (“OSSA”) for the School District of Philadelphia (“SDP” or “District”) was originally established under the Pennsylvania Department of Education by virtue of Act 91 of 2000 (“the Act”) 24 P.S. 13-§1310 A. Pursuant to the enactment of Act 24 of 2011, the OSSA was reassigned to be housed under the Pennsylvania Commission on Crime and Delinquency (“PCCD”). Per the Act, the OSSA powers and duties are defined (in part) as follows:

1. To monitor, review, and analyze the District’s reporting practices to the OSSA of incidents involving acts of violence; possession of a weapon; possession, use or sale of controlled substances as defined in “The Controlled Substance, Drug, Device and Cosmetic Act”; or possession, use or sale of alcohol or tobacco by any person on school property.
2. To monitor the District’s compliance with the mandatory expulsion requirements of section 1317.2 (“Act 26”)¹.
3. To receive inquiries from school staff, parents, or guardians of students who are victims of acts of violence on school property.
4. To establish a program to assure extensive and continuing public awareness regarding the role of the advocate on behalf of victims of acts of violence on school property, which may include the mailing of information to the parents or guardians of students in the school district or other forms of communication.
5. To review and analyze Federal and State statutes which may be an impediment to school safety and the imposition of discipline for the commission of acts of violence on school property, and to prepare reports making recommendations for changes to the statutes which would promote school safety and facilitate effective and expedient disciplinary action.
6. To review and analyze court decisions applicable to the school district’s disciplinary process and procedures, to make recommendations to the school district regarding any negative impact these decisions have upon the effective maintenance of school safety and to make recommendations relating to the existing provisions of consent decrees.
7. To provide assistance and advice, including information on support services provided by victim assistance offices of the appropriate district attorney and through local community-based victim service agencies.

The current Safe Schools Advocate, Kelley B. Hodge, was selected and appointed to the position in December 2011, and has been working in this capacity for approximately nine (9) months at the time of the writing of this report. The OSSA began operating as an office on December 5, 2011, within the Education Center of the School District of Philadelphia.

The Advocate is supported by two staff members. Leslie Cesari is the legal assistant for the OSSA and assists with attending disciplinary and expulsion hearings, meetings with parents and families, contacting schools for information, and conducting legal research and writing. Mary Kinney is the administrative assistant for the OSSA and assists with answering calls, monitoring the District's incident database, greeting visitors, and sending out all correspondence.

Prior to the opening of the OSSA office in the Education Center in December, the Center for Safe Schools ("CSS") in Camp Hill, PA monitored the daily reported incidents of violence within the School District of Philadelphia and maintained data collection and analysis of those incidents. The Center for Safe Schools continued their data collection and monitoring role along with OSSA throughout the 2011-12 school year. Thus, CSS has assisted in the text of this report through the compiling and analyzing of the reported incident data that the School District of Philadelphia has provided to the Pennsylvania Department of Education as well as through data the CSS maintained through its receipt of the daily incident reports.

Executive Summary

The OSSA is required by law to prepare an annual report concerning the activities of the office for the prior fiscal year and to analyze the school violence data provided by the Philadelphia School District to the Pennsylvania Department of Education. The OSSA is also authorized to make recommendations for remedial legislation or other reforms which would promote school safety and facilitate effective and expedient disciplinary action.² Additionally, the report is required to be submitted to the Superintendent of the School District of Philadelphia, the Pennsylvania Secretary of Education, the Executive Director for the Pennsylvania Department on Crime and Delinquency, the Chairperson for the Senate Committee on Education and the Chairperson for the House of Representatives Committee on Education.³

Office of Safe Schools Advocate Daily Operations

Since December 5, 2011, the OSSA has taken deliberate steps to observe, learn, and participate in the day to day operations of the District's disciplinary system. On a daily basis, the OSSA reviewed approximately 60 to 80 individual "Incident Control Reports" via limited accessibility to the District's serious incident reporting database. Based upon the daily review of incidents, the OSSA sent out approximately 30-40 victim outreach letters each day notifying victims of the existence of the Office of Safe School Advocate and how the office can assist them.⁴ Also, through review of the Incident Control Reports, the OSSA was able to identify any discrepancies in the code description compared to the short narrative/notes describing the incident. The conclusions drawn from this review process are more thoroughly analyzed and discussed in the addendum to this report provided by the Center for Safe Schools titled, "School District of Philadelphia Internal School Incident Data 2011-2012: Miscoded Incident Report".

The OSSA also answered numerous calls from parents/guardians, teachers, victims, school principals and administrators seeking assistance or guidance with the disciplinary process of the Philadelphia School District or, in certain cases, with the delinquency hearing process of the Juvenile Courts. The OSSA is accessed through many different mediums, such as calls to the OSSA's main office line, calls to the hotline, emails, as well as people walking into the office seeking assistance.

Cases are opened through phone calls, emails and personal in-office contact. From January 2012 through June 30, 2012, the OSSA opened 132 individual victim cases based on school-related violence or other incidents reported by parents/guardians or school personnel.

In total, the OSSA and the CSS reviewed 14,461 incident reports, handled approximately 205 phone calls for assistance, and mailed 2,794 victim outreach letters during the 2011-12 fiscal year. Since becoming operational on December 5, 2011, the office has handled 189 phone calls for assistance and mailed 1,855 victim outreach letters. These numbers do not include the number of walk-in requests for assistance or e-mail and facsimile communications.

Notably, the requests for assistance received from the public were generated without any in-school advertisement regarding the OSSA. That will change for the 2012-13

school year. The OSSA recently created a website to help disseminate information and connect victims and their parents/guardians with OSSA's services. The OSSA has also distributed posters, brochures and pamphlets to individuals, groups and schools throughout the District. As a result, OSSA expects in the 2012-13 school year, increased contact from victims and their parents/guardians.

Disciplinary and Expulsion Hearings

Based on information received from hearing officers in the Office of Student Discipline, the OSSA regularly attended disciplinary hearings conducted for a wide array of school based incidents of violence or for possession and/or distribution of controlled substances. The OSSA was present for, or participated in, approximately 120 disciplinary hearings. Occasionally, the Advocate or her designee was asked by a victim to advocate for the victim at a disciplinary hearing.

Certain offenses are referred by the disciplinary hearing officer for an expulsion hearing. The OSSA was present or participated in twenty-three (23) expulsion hearings from December 2011 through June 30, 2012.

Additional OSSA Activities

The OSSA also participated in weekly phone conference calls with various stakeholders in the Northwest section of Philadelphia, courtesy of a pre-established program set up through State Representative Dwight Evan's office. The weekly call would include a state or local representative's designee, various school representatives (charter and traditional public), Philadelphia police officers and Septa police. The conference calls provide a valuable communication tool. The call enabled participants to discuss issues surrounding school climate and safety, including issues within a specific building as well as those between different school communities. The OSSA has taken steps to suggest the implementation of a similar conferencing format for the other geographic regions of the city.

The OSSA participated in or conducted presentations on issues concerning school climate and safety in the District. During these presentations, the OSSA explained the role of the office and offered information to the school community and community at large on therapeutic services available to victims and preventative services available to aid in violence reduction. Additionally, at the request of parents, principals, counselors, legislative offices and/or law enforcement entities, the Advocate participated in mediations to address issues of violence that had taken place in a school or the existence of a continuing threat of violence that was present in, and around, the school setting. Mediations varied by location, but often would take place in a school, at a police district, or in the Education Center.

To promote the existence of the office and encourage outreach, the OSSA sent letters to all local and state legislative officials in Philadelphia to notify them of the existence of OSSA, suggesting that their constituents be referred to the OSSA office for any assistance they may need. Toward the same goal, the Advocate met or conferred with approximately seventy-five victim assistance professionals and organizations in Philadelphia. These proven evidence-based programs were introduced with the goal of

encouraging the District to engage in partnerships with these providers to enhance services to students.

The OSSA attended weekly Comp-Stat meetings held by the Office of School Safety, which comprises the School Police Department ("SPD") through March 2012. Attendance enabled OSSA to obtain valuable insight and reports from school police officers about the climate in the school buildings. Information regarding the neighborhoods through which the children traveled to and from school was also most valuable. The process of working together to develop solutions to address specific violent incidents was a focal point of the relationship building between the SPD and OSSA. The ability to attend and observe these meetings is a prime example of the importance of collaboration and communication between offices in promoting school safety.

Lastly and most importantly, the Advocate visited numerous schools in the District, including six of the twelve schools listed on the persistently dangerous list. The Advocate observed the classroom instruction and overall atmosphere in the schools. The Advocate also visited approximately 20 schools in addition to those noted above. These additional schools were a combination of traditional public, special admission, alternative education and charter schools encompassing grades K-12. The Advocate met with principals, observed classroom transition time, the main office staff interaction with students and in-class instruction. These visits were most informative and contributed greatly to OSSA's ability to make the recommendations which are contained in this report.

Conclusion

In order for the District to be most responsive to school violence, it must address communication, consistency in the implementation of protocol, professional development instruction and accountability.

The District must promote communication at all levels and between all parties invested in school safety. This includes parents/guardians of victims, families, students, law enforcement entities and all members of the District (administrators, teachers, transportation providers, aides, school staff and non-instructional support). There is a requisite need for collaboration and compromise. The dialogue must be open and honest - unencumbered by the fear of reprisal or backlash. District policies and procedures relating to the reporting and response to school violence must be revised. Additionally, all levels of the District must provide a consistent response to school violence while promoting proven prevention and restorative justice techniques. Ongoing training regarding all aspects of school violence is essential for District personnel.

Data Collection and Analysis

The OSSA obtained all statistics on offenses and discipline exclusively from the data provided by the District to the Pennsylvania Department of Education. By law, all the information provided by the Pennsylvania Department of Education shall include “all new incidents involving acts of violence”, possession of a weapon or possession use or sale of controlled substances, alcohol, tobacco by any person on school property, occurring between July 1, 2011 and June 30, 2012.⁵

Additionally, the OSSA along with the Center for Safe Schools, which reviewed the data imported from the School District of Philadelphia’s serious incident reporting database, generated the graphs and comparative analysis of the coding of all reported incidents by the District. The analysis, which was conducted by the Center for Safe Schools on behalf of OSSA, is attached as an addendum(s) to this report.

Observations of the Advocate

School District Divisions

There are numerous divisions within the District that play a critical role in the daily overall success of a safe school climate and reducing violent incidents. The O SSA requires a close working relationship with all of these entities.

It is the goal and expectation of the Advocate that the District will increase its communication with the O SSA. Due in large part to the changing roles and personnel in the Education Center along with the enormous fiscal challenges and the search for a new superintendent, many key personnel and directors had large amounts of critical and mounting tasks to address. At times, it made communication difficult and slowed responsiveness. While many divisional heads, their staff and principals were extremely helpful and quick to respond to O SSA concerns, the Advocate looks forward to more frequent and open dialogue with all District personnel who are responsible for promoting safe schools and addressing issues of school discipline.

Certain divisions are highlighted below to shed a necessary light on their independent role and the overarching role they play in school safety and responsiveness to acts of violence.

Alternative Education

The District's stated mission for its Alternative Education setting is to provide programs that will ensure a safe and secure learning environment for the school community by implementing appropriate and unbiased corrective action, while preserving the rights of students and families as outlined by the Code of Student Conduct. Students may be transferred to an alternative educational setting upon a finding by a disciplinary hearing officer that the student has committed a Level II offense as defined by the District in their code of conduct.

The structure, method and implementation of alternative education is integral to the success or failure of students who are transferred into the program based on a disciplinary action. The perceived goal is that with time, eventually, the student(s) will be reintegrated back into the regular educational setting. Due to the high concentration of students who have already displayed destructive and/or violent behavior, there is a greater than normal need to provide specialized behavioral support and counseling to these students and the teachers who are assigned to instruct.

Teachers in alternative education schools have a heightened degree of difficulty in motivating some of the students in that setting. They need to be given more than the normal level of support as well as specialized instruction on how to engage with students who may present with extremely complex emotional and personal issues. These issues are all barriers to learning and if left unaddressed only serve to undermine any positive steps that are being taking to fulfill the intended mission of the alternative educational setting.

Office of School Safety

The District's Office of School Safety consists of the School Police Department ("SPD") and incident management for the School District of Philadelphia. The District's Office of School Safety monitors the in-school security in those schools where they are assigned and takes all reports of incidents in the schools. The Memorandum of Understanding ("MOU") as amended in June 2011 carves out with specificity the role and relationship between the Philadelphia Police Department ("PPD") and the District. In short, the SPD is the entity that is required to take all reports of incidents in schools and file them with the incident desk. Additionally, the SPD works in close partnership with the PPD and those officers who are assigned to patrol the areas surrounding the school community.

OSSA relies greatly on the partnership with SPD and those officers, lieutenants and sergeants who are assigned to the schools because the sharing of information assists the Advocate gathering as much information as possible about an incident or issue. SPD files their initial report and then supplements it with a more extensive EH-31 ("serious incident follow-up report") document to provide necessary additional information. The sharing of the EH-31 with the OSSA and the ability to speak to the relevant school police officer is key to the Advocate being able to make well informed decisions as to what steps, if any, need to be taken in assisting a victim or preventing future violent incidents.

In reviewing the incidents that are submitted through the incident reporting database, the Advocate has noted some concern regarding significant delays in reporting certain incidents without a noted reason or explanation. The basis or reason for delayed reporting should be noted. This information would be helpful to have in determining whether the delay in reporting is based on good cause or not, and to whom the delay is attributable.

Additionally, there are occasions when the notes describing the factual circumstances of an incident suggests more than one offense took place. However, there is no ability to note secondary or tertiary offenses. For example, if an aggravated assault by a group with weapons where a student's cell phone was taken could be reported as an aggravated assault by mob/gang, robbery and possession of a weapon, the data generated would more accurately reflect the nature and type of behavior. Thus, more specific targeted assistance could be provided.

Lastly, there have been instances when a case is noted as an incident in the database but the school failed to report it. The reason the case is able to be tracked is oftentimes due to either a private written allegation, a juvenile petition being generated for the incident or a district control number being created by PPD based on a report made by a parent/guardian directly to PPD at the district. All incidents must be reported. Further, there is heightened concern that there may be an unknown number of serious incidents which never get reported to police and are not reported by a school official. The SPD and District must remain vigilant in their commitment to making sure that every incident which is required to be reported to the District's serious incident management system ("SIMS") is, in fact, reported.

Office of Student Discipline

The Office of Student Discipline is responsible for the enforcement of the District's Code of Student Conduct ("Code") to promote and ensure school safety by maintaining a level of accountability. Hearing officers heard over a thousand cases this past year, with major offenses, which are defined by the District as Level II offenses, as the primary offense.

The structure of a disciplinary hearing gives the perception of a quasi-judicial proceeding. As a result, people who attend either by invitation or mandate often perceive the hearing officer as a judge. While it is not a criminal or judicial proceeding, greater overall emphasis should be placed on improving the procedure, method, manner, time-frame and actual notice of the hearing. The Advocate observed that hearing officers work very hard under very difficult circumstances.

Many participants in disciplinary hearings expressed confusion and frustration at various stages of the process. The District should establish effective communication with parents of the victim, parents of perpetrator, administrators and officers who must enforce the Code regarding what is required and what to expect. For the benefit of all persons involved, especially the victim, clear and concise revisions to the disciplinary manual should be undertaken. Timelines for the disciplinary process are inconsistent and need to be clearly presented in the disciplinary code. The procedures required to initiate a disciplinary hearing must be realistic in what can and must be done in order to avoid a prolonged lapse of time from when an incident takes place and a hearing is held. Additionally, the Office of Student Discipline should provide clear instruction to schools regarding what information is to be included in EH-21 (disciplinary transfer) forms and allow for an electronic submission of the documentation from the school to the Office of Student Discipline. The anticipated result would be increased timeliness in submission of an EH-21 and accountability.

Similarly, adequate time must be given to notify all parties of hearing dates. The OSSA encountered frequent occasions when a notice was mailed or provided one or two days before a hearing date. Hearings with less than five days notice may not give any interested party sufficient time to prepare and participate in this very critical process in ensuring school safety.

Hearing officers should be given more options regarding sanctions or other diversionary conditions to be imposed on a student. While certain offenses mandate a disciplinary transfer, others may benefit from varying levels of restorative justice practices. Restorative justice is defined as "...a process where all stakeholders affected by an injustice have an opportunity to discuss how they have been affected by the injustice and to decide what should be done to repair the harm...It follows that conversations with those who have been hurt and with those who have afflicted the harm must be central to the process."⁶ Training would need to accompany the use of restorative justice practices to make sure that there is consistency in the application of the model.

Office of Student Placement and Transfer

The Office of Student Placement and Transfer handles all voluntary and emergency placement requests in the District. OSSA has a frequent need to work with the Office of Student Placement and Transfer in light of the urgency that parent/guardians feel when their child, who has been victimized, no longer wants to return to the school where they were hurt or threatened.

Depending on the circumstances, there are various forms that parents need to submit in order to request a transfer. The EH-36E is the voluntary transfer form for extenuating circumstances which is utilized by students requesting to relocate for safety reasons. The Office of Student Placement and Transfer has provided a great deal of assistance to victims and their families that have sought the assistance of the OSSA. The process is often completed very quickly if all the appropriate paperwork is provided by the student's family and the school. However, the EH-36 E process involves a carbon-copied form that requires multiple signatures and travel on the part of the parent to ensure the form is submitted in a timely fashion. It has been suggested by the OSSA and well received by the Deputy in charge of the division that the current process be revised and streamlined. Hopefully, with the reduction of paperwork and implementation of electronic applications, decisions will be made more quickly, resulting in less loss of instructional time for victims, who often are too fearful to return to a school setting where they were hurt.

Office of Charter Partnership and New Schools

There were approximately 80 charter schools in the City of Philadelphia during the 2011-12 school year, with additional schools expected to open in the fall. The OSSA received calls regarding school safety, violence and victimization similar to those encountered in regular public schools and provided assistance to those parents/guardians and teachers.

Since each charter school is its own local education agency or LEA, any incident that was reported to the OSSA had to be address with that charter school's individual code of conduct and, if necessary, board of directors. This warrants greater oversight. Additionally, it is suggested by the Advocate that the current method of incident reporting for charter schools at the end of the school year to the Pennsylvania Department of Education be re-evaluated. A more frequent reporting mechanism is needed so that issues within a charter school setting can be addressed as soon as possible.

Expulsions

The District's Discipline Procedures Manual ("DPM") states that "Any student who violates a Level II rule of the Code of Student Conduct is subject to a disciplinary transfer and/or expulsion." Expulsion from school is a denial to a student of the right to attend school and to take part in or attend any school function for a period of time longer than ten (10) days. The School Reform Commission ("SRC") determines whether or not a student is expelled from a school and the period of the expulsion. Expulsion is an action exercised by the District after all steps in the disciplinary process have taken place and the disciplinary infraction of the student rises to the level of severity that expulsion is the recommended and appropriate outcome.

The District has reserved the right to expel for those offenses that are defined as a Level II offense, such as assault of school personnel, aggravated assault, group assault, possession of a weapon, possession of a controlled substance with the intent to distribute or use, possession of alcohol with the intent to distribute or use, and sexual acts (voluntary or involuntary).

Notably, expulsion is not a mandated consequence in every incident where a Level II or "major" infraction has been committed. However, subsection (a) of The Act of June 30, 1995, P.L. 220, No.26 of 1995, 24 P.S. § 13-1317.2 (a),(hereinafter referred to as Act 26) pertaining to the prohibition of the possession of weapons in schools, clearly and unequivocally states that, "[E]xcept as otherwise provided in this section, a school district, or area vocational-technical school shall expel, for a period not less than one year, any student who is determined to have brought onto or is in possession of a weapon on any school property, any school-sponsored activity or any public conveyance providing transportation to a school or school-sponsored activity. " Further, subsection (b) of the Act provides the exception that "[T]he superintendent of a school district or an administrative director of an area vocational-technical school may recommend modifications of such expulsion requirements for a student on a case-by-case basis."

The Advocate must underscore that the intent of Act 26 is clear and equally acknowledges the right of the District to exercise their right to make a case-by-case determination as to whether a student should be expelled for possession a weapon in school. However, there must be consistency and fidelity in the process of evaluating incidents involving weapons or any other offense that is subject to potential expulsion so that the case by case review does not dilute the intent of Act 26 or the goal of making sure schools are safer.

Expulsion Review Committee

During the 2011-2012 school year, the SRC voted on only 29 cases presented for expulsion consideration. Of the 29 cases, three were "do not expel" resolutions, twenty-one were temporary expulsions and five were permanent expulsions. The number of votes cast by the SRC this year were in steep contrast to those votes cast by the SRC during the 2010-11 school year. In 2010-2011, the SRC voted on 237 incidents for expulsion consideration.

The Expulsion Review Committee (“ERC”) meets on a weekly basis and is comprised of seven members of the District’s central office who were selected by the Chief Academic Officer. The members are designed to make up a cross section of persons who possess the best and most relevant information in determining whether an incident should be further considered for expulsion. One of the key reasons that the number of expulsion votes made by the SRC was significantly reduced between the 2010-11 and the 2011-12 school year is that the District formed the ERC to act as a filtering mechanism in evaluating whether an incident should or should not be referred from the Office of Student Discipline to the Office of General Counsel for an expulsion hearing. The ERC possesses and exercises a great deal of power and discretion in the disciplinary process.

The Advocate’s observation of the ERC was limited, however, the Advocate was able to observe what the members take into consideration and review the rubric used for determining whether a student should or should not be recommended for an expulsion hearing. Based upon the Advocate’s observations, suggestions were offered to the Chief Academic Office and the General Counsel’s Office. The OSSA submitted proposed revisions to the rubric to assure the consideration of all necessary factors in determining whether a student should be recommended for an expulsion hearing.⁷ It is important that the protocol designed to conduct a case-by-case analysis ensures there is consistency to avoid any appearance of impropriety or bias in the process.

Also, the Advocate offered recommendations that would require the ERC to take into account the impact an incident has on a victim by soliciting victim input throughout the disciplinary process. It is incumbent upon the District to balance the due process rights of the accused with the rights of the victims so that all affected parties are equally informed of any and all information they are legally entitled to receive. The proposed victim impact questionnaire is attached as an appendix at the end of the report.⁷

Recommendations

The 2011-2012 school year was a time of great strain for the School District of Philadelphia. The difficult fiscal crisis confronting the District along with the protracted search for a new superintendent created a challenging environment within which to try to address the continuing problem of school violence. However, everyone acknowledges that school violence is a subject that cannot be ignored and requires equal if not greater attention than other competing issues.

The focus on school safety and the means by which a school district addresses the subject of school violence is not unique to Philadelphia but part of an overarching conversation that was and continues to be debated throughout the country. Nationally, the rise in reports of bullying, assaults and suicides as a result of endless taunting, intimidation and harassment have resulted in a cross section of federal, state and local agencies working to formulate effective solutions to address the problem.

There is a continuing need for change and improvement in the District's response to school safety. Change is difficult but necessary. Fundamentally, there are a few key areas that require the immediate attention. If appropriate solutions are instituted in these areas, a firm foundation can be laid for the future. Below is a list of recommendations proposed for consideration and, if possible, implementation toward the goal of improving school safety, climate and culture within the School District of Philadelphia.

Disciplinary Procedures and Alternative Education

- Appointment of the members of the Expulsion Review Committee ("ERC") should be a matter brought before the School Reform Commission for approval. Additionally, the conclusions of the ERC for the preceding school year should be provided to the Office of School Safety in the Pennsylvania Department of Education by July 31st of each year.
- The ERC should revise the current rubric in order to take into account victim impact and more appropriately and fairly score the consequences of a student's offense.
- A written record or recording should be taken and maintained of ERC meetings due to the critical role the committee plays in the making evaluations and recommendations to the Chief Academic Officer regarding whether a student should be subject to an expulsion hearing. The current process is not transparent.
- The School District of Philadelphia should immediately place a school counselor in every alternative school setting to assist teachers in the management of aggressive and disruptive behavior. Further, the District should make available within 24 hours of the request in writing by the Alternative School Principal or his/her designee, a school psychologist as deemed necessary by the school

official. The District is advised to work with the Department of Human Services in developing a plan to fulfill this recommendation.

- Alternative school schedules should be adjusted, within the bounds of the District's contractual agreements, to allow for those students to have a full instructional school day that recesses at or after 3:00pm. Currently, some students do not arrive until 10am because transportation routes are constantly adjusted in response to student transfers due to disciplinary actions. The current dismissal is at 2pm. In addition to this being an extremely abbreviated instructional day for these students who are most in need of appropriate educational settings, the early dismissal provides the opportunity for some alternative education students to return to their previous school setting where they are not permitted.
- Parents of students who have not received appropriate behavioral supports but who have two (2) or more suspensions should be asked by the school to participate in an early intervention meeting to review any and all plans or to take any necessary clinical steps to evaluate the child's educational and behavioral plan and put necessary supports in place.
- The Disciplinary Procedures Manual should be revised in a manner that comports with the anticipated revisions to the Code of Student Conduct. Input should be sought from the current list of hearing officers and the disciplinary designee(s) from each school, the Pennsylvania Education Law Center and the OSSA.
- The District's disciplinary hearing process from the time an incident is reported to the time a decision is made by the hearing officer needs to have realistic timelines in place so the disciplinary hearing is held in a timely fashion and so that adequate notification is given to all parties, victim and accused. Additionally, the District should obtain and/or verify current contact information for all parties involved in an incident when it is reported.
- The protocols, procedures and training regarding actions which must be taken by a school administrator or his/her designee when an incident of violence takes place must be clear, concise and uniform. There is a significant lack of consistency regarding the reporting of violent incidents as well as the notification of the relevant police agency.
- The incident reporting database should allow for secondary and tertiary codes to be noted in a factual narrative so the report more accurately reflects the totality of available information regarding the incident.
- The District's "no cell phone policy" must be re-examined. It is presently either not enforced or enforced disparately. This lack of consistency creates a problem for administrators, faculty and police and sends a confusing message to the student body. Notably, cell phone and other electronic devices, which are also banned, are a large source of security breaches in school. Cell phones not only

serve as a distraction and an obstacle to learning, they are a basis for potential violation of privacy rights, thefts and robberies.

Academic

- The Advocate should be included in the District's discussions regarding the evaluation and revisions of the Code of Student Conduct, Discipline Procedure Manual, Victim Impact and Support Services, Memorandum of Understanding, Consent decrees and any other protocols or procedures that would address the subject of violence in school and the promotion of school safety.
- The District should minimize, if it cannot effectively eliminate, the frequent transfer of a principal(s) into new school settings. Barring extenuating circumstances that can be left to the discretion of the District and their binding contractual agreement, the Advocate recommends that principals should commit a minimum of three (3) years to a school. The constant turnover of building leadership creates confusion for the entire school community, especially parents. In order for proposed changes in climate to take place, a principal must be given adequate time and support and must exhibit a sense of commitment to the environment he/she is seeking to change.
- The District's professional development requirements for administrators, teachers and principals should require at least six (6) additional hours per year dedicated to school safety, restorative justice practices, de-escalation techniques and/or positive behavioral supports.
- Each school in the District should be mandated to invite one or more community resource entities into the school to provide training to teachers, outreach to parents and/or instruction for students on assault, bullying and harassment and/or the dangers of drugs and alcohol. The list of evidenced based programs should be provided by the Chief Academic Office and the Non-Instructional Support Division of the School District of Philadelphia after receiving appropriate internal and external input.
- All schools encompassing a Principal's Learning Team should have weekly phone conferences to discuss any issues of concern, specifically interschool climate observations. Best practices regarding effective use of community resources to address school climate and safety which that may serve to benefit other schools and their communities should also be included.
- Teachers must be supported and encouraged to notify their principal or administrator regarding issues concerning violence without fear of reprisal. Further, if it is found that a victim, teacher, school staff or administrator was directed not to follow through on a threat of harm or harm that was done to them, the District must take swift, clear and fair action to ensure accountability.
- Teachers who are assaulted during the course of their duties are victims of aggravated assault per the Pennsylvania crimes code.⁸ A teacher who

appropriately reports an incident and follows District protocol should be afforded the same information and support as a student victim. Also, a teacher should not be directed by the District to file a complaint with the private criminal complaint (“PCC”) division of the juvenile courts unless it is procedurally and factually appropriate. The filing of a PCC should not be used as a tool to avoid a matter being listed as an arrest which would be reflected in the schools perceived level of safety. Further, regardless of whether an arrest of the perpetrator takes place or a PCC is filed, the District should follow appropriate internal disciplinary protocol.

- School administrators and staff tasked with enforcement of the School Code of Conduct must be trained on or before the start date of every school year on the requirements of the Memorandum of Understanding (“MOU”) between the School District of Philadelphia and the Philadelphia Police Department. Additionally, administrators should be made aware of the potential consequences for failure to follow the MOU.
- The School District of Philadelphia should participate in the Pennsylvania Youth Survey (“PAYs”) that is offered and conducted across the Commonwealth. The PAYs survey is a statewide survey of school students in grades 6, 8, 10, and 12 conducted in alternate years by the Pennsylvania Commission on Crime and Delinquency (“PCCD”). PAYs data provides statewide estimates on substance abuse, violence, school and community climate. PAYs is confidential and voluntary. The absence of the School District of Philadelphia in the statewide data provides the state with an unrealistic assessment of the needs of all of the Commonwealth’s schoolchildren. Additionally, the data will serve as a necessary informative tool to be used in allowing the District to better target limited resources to address an endemic issue.

Victims

- The Chief Academic Officer should issue a directive to all principals listing the information and expectations victims are entitled to receive when they meet with school personnel regarding a violent incident.
- Parents/guardians and families must feel welcome to have their needs addressed by school administration and by the Education Center and should not be turned away from a school building, provided their presence comports with the Code of Student Conduct. Further, the Advocate strongly suggests that teachers and principals receive training to promote compassionate and effective communication with victims and their families.
- Parents/guardians of victims should be informed immediately of instances where their child may have been hurt, threatened, injured, bullied or harassed during school hours or while traveling to and from school. When parents are notified, schools should offer parents/guardians of victims a copy of the Code of Student Conduct and provide them with information regarding the OSSA and any necessary support services.

- The OSSA is required to assist victims of violence and to appropriately follow up on disciplinary and/or delinquency proceedings. Thus, the OSSA should receive in a timely fashion any and all information related to any school based incident, disciplinary action or investigation whether or not personally requested by the Advocate.
- A student who is a victim of school violence should not have any absence from school counted as unexcused if the absence can be attributable to the incident where he or she was victimized. Additionally, any student who is a victim has the right to know that the perpetrator of the act will not pose any threat of harm to him or her in the future and that all reasonably necessary steps will be taken to maintain their safety.
- All efforts should take place to ensure that a perpetrator does not return to the same school setting as the victim, post-placement or alternative school assignment, unless the victim and his or her parent/guardian is advised in advance and do not object.
- Parents/Guardians of victims should be afforded an opportunity to conference privately with the principal and any other necessary school official regarding an incident whether or not the parent/guardian initiates the request. The invitation to meet should be made in writing as soon as possible, but no later than 72 hours after an incident is reported. The meeting should take place within 5 days of the request for the conference. This time frame is to mirror the suspension guidelines that are available for administrators to impose on perpetrators. The intention of the Advocate is for parent/guardian and victim meetings to take place before the perpetrator returns to the school environment if a suspension has been imposed.

Charter Schools

- Charter Schools should be required to submit incident reporting information more frequently than the present annual requirement. The information should be submitted to the Pennsylvania Department of Education. If a student is released or elects to leave a charter school to attend a traditional public school, all records including behavioral incidents and support efforts should accompany that child prior to or upon admission into the District school.

Communication

- The District must continue to seek out assistance from those entities and organizations that have proven records of improving school climate utilizing evidenced based practices. These organizations have data to support the improvement they are able to make in school climate when given an opportunity to actively work in a school and receive appropriate data-based feedback.

- The District's website should be updated to make it easier for the public and school community to navigate and reach the appropriate individual or division who can offer assistance regarding school safety. It is critical that the District's chain of command and organizational chart are accessible to the public. Identification of individuals responsible for school safety and climate and how they can be contacted must be provided, and updated regularly. The inability to communicate with the appropriate personnel delays any potential resolution to an issue and can perpetuate an unsafe school climate.

GLOSSARY

Terms

“Act 26 of 1995”: A Pennsylvania statute enacted in 1995 to address violence and weapons possession in Pennsylvania’s schools. This law requires all public schools to report to the Pennsylvania Department of Education’s Office of Safe Schools all incidents involving acts of violence, possession of a weapon, or the possession, use or sale of a controlled substance, alcohol or tobacco by any person on school property, at school-sponsored events, and on school transportation to and from school or school-sponsored event. The Safe Schools Act also requires school districts to expel, for a period of not less than one year, any student who is determined to have brought onto, or is in possession of any weapon on school property, at a school-sponsored event, or to any public conveyance providing transportation to a school or school-sponsored event.

Alternative School Placement: A school or program that is focused on improving student behavior, attendance and academic performance.

Bullying: engaging in behavior that prevents or discourages another student from exercising his/her right to education. Bullying behavior is defined as aggressive or intentional hurtful behavior perpetrated repeatedly over a period of time, in a relationship characterized by an imbalance of power (with regards to gender, physical or mental strength, social acceptance etc.). Such prohibited behavior includes the use of teasing, taunting, threats, coercion, repeated harassment, abuse, oppression, intimidation against students, school personnel or school visitors or exclusion of anyone physically, psychologically or sexually.⁹

Code of Student Conduct: Document adopted by the District which informs students, parents, and school employees of the behavior expected from all students to ensure a safe and orderly learning environment.

Disciplinary School: A school designed to provide alternative education and support to students with disciplinary problems.

Disciplinary Transfer: Placement of a student at a disciplinary school, which may or may not occur during a period of expulsion, following the student’s commission of a Level II offense.

“District” or “SDP”: School District of Philadelphia.

“EH-21”: School Police incident report paperwork.

“EH-36E”: Transfer request form for extenuating circumstances.

“EH-31”: Incident Follow-up Report.

Expulsion: Removal of a student from a regular public school for any period beyond ten (10) days. The District may assign that student to a disciplinary school during the period of expulsion.

Incident: A single event usually involving misconduct, accident or illness, investigations, or suspicious activity occurring on school grounds which may involve any number of students, school personnel, or community members.

Incident Control Report (Incident Report): A District report documenting events including misconduct, accident or illness, investigations, and suspicious activity occurring on school grounds and reported to the Incident Control Unit by school personnel.

Individuals with Disabilities Education Act (IDEA): Federal law mandating that school districts provide Special Education services and outlining special provisions for those students.

Lateral Transfer: Transfer from a regular public school to another regular public school, rather than a disciplinary school, as a disciplinary measure.

Mandatory Expulsion Offense: Under Pennsylvania law possession of a weapon on school property, or at a school sponsored event, or on transportation to and from school, is an offense for which expulsion for at least one year is mandated. The only exceptions can be made by the Superintendent on a case by case basis.

Memorandum of Understanding (“MOU”): As amended June 20, 2011 Agreement entered into between the School District of Philadelphia and the Philadelphia Police Department which, pursuant to Chapter 10 of the School Code titled “Safe Schools”, establishes procedures to be followed when certain specific incidents described in the MOU occur on School District property. The MOU’s purpose is to foster a relationship of cooperation and mutual support between the parties to work together to maintain the physical security and safety of the School District. The MOU is to be executed and updated on a biennial basis.

No Child Left Behind (“NCLB”): Signed into law in 2001, Congress reauthorized the Elementary and Secondary Education Act (“ESEA”)—the principal federal law affecting education from kindergarten through high school. NCLB requires schools to implement a statewide policy giving students the choice to attend a safe public school within the District if he or she either attends a persistently dangerous public elementary or secondary school, or becomes a victim of violent crime while in or on the grounds of the public school he/she attends.

Offense: An instance of infraction of the Code of Student Conduct by a single student, reported in an incident report and with that student accurately identified by name or Student ID.

Regular Public School: Any public school that is not a disciplinary school or charter school.

Safe Schools Act: see “Act 26”.

Serious or Violent Offense: An offense classified under a serious or violent offense category: Arson, Assault (all), Assault with Weapon, Drugs (all), Robbery, Sexual Assault, Sexual Non-violent, Threats (all), Weapon Possession.

Special Education: A classification assigned to students with disabilities as defined by IDEA, qualifying the student for specially designed instruction offered without charge to meet his or her individual needs.

Student Identification Number (Student ID): A unique seven-digit number assigned to each student in the Philadelphia public schools.

Weapon: Under Pennsylvania law, any tool, instrument, or implement capable of inflicting serious bodily injury, including but not limited to any knife, cutting instrument, cutting tool, nunchaku, firearm, shotgun, or rifle.

Offense Categories

Arson: The unlawful and intentional damage or attempt to damage any real or personal property by fire or incendiary device.

Assault (Gang): Any assault committed by multiple offenders.

Assault (Simple): Any unlawful attack by one student upon another student or other person with the intent to inflict bodily injury.

Assault (School Personnel): An unlawful attack by one student upon a school employee or other person officially acting in the service of the District. All assaults on school personnel are aggravated assaults by operation of Pennsylvania law.

Assault on Student, Aggravated: An unlawful attack by one student upon another in which the victim suffers obvious serious bodily injury.

Assault with Weapon: An assault by one student upon another student or school employee in which the student offender uses or is in possession of a weapon.

Drugs (Intent to Distribute): Selling or distributing any controlled drug/narcotic substance or substances representing a drug or equipment and devices used for preparing or taking drugs or narcotics, or possessing these items in sufficiently large quantities, or under circumstances which would indicate that they are not for personal use.

Drugs (Personal Use Only): The unlawful use or possession of any controlled drug/narcotic substance or substances representing a drug under circumstances which would indicate that they are not for personal use.

Robbery: The taking, or attempting to take the property of another by force, threat of force or violence, or putting the victim in fear of immediate harm”.

Sexual Assault: Any forcible sexual act or other act involving non-consensual touching of the sexual parts of another person.

Threats (Serious): Any act which unlawfully places another student or school employee in fear of serious bodily injury or which mentions the use of a weapon, but does not involve displaying a weapon or subjecting the person to actual physical attack.

Threats (Other): Any act which unlawfully places another student or school employee in fear of injury, but not involving serious bodily injury, the use of a weapon, or subjecting the person to actual physical attack.

APPENDICES

APPENDIX A

The Safe Schools Act (Act 26)

24 P.S. § 13-1317.2. Possession of weapons prohibited (a.k.a. “Act 26”)

(a) Except as otherwise provided in this section, a school district or area vocational-technical school shall expel, for a period of not less than one year, any student who is determined to have brought onto or is in possession of a weapon on any school property, any school-sponsored activity or any public conveyance providing transportation to a school or school-sponsored activity.

(b) Every school district and area vocational-technical school shall develop a written policy regarding expulsions for possession of a weapon as required under this section. Expulsions shall be conducted pursuant to all applicable regulations.

(c) The superintendent of a school district or an administrative director of an area vocational-technical school may recommend modifications of such expulsion requirements for a student on a case-by-case basis. The superintendent or other chief administrative officer of a school entity shall, in the case of an exceptional student, take all steps necessary to comply with the Individuals with Disabilities Education Act (Public Law 91-230, 20 U.S.C. § 1400 et seq.).

(d) The provisions of this section shall not apply to the following:

(1) a weapon being used as part of a program approved by a school by an individual who is participating in the program; or

(2) a weapon that is unloaded and is possessed by an individual while traversing school property for the purpose of obtaining access to public or private lands used for lawful hunting, if the entry on school premises is authorized by school authorities.

(e) Nothing in this section shall be construed as limiting the authority or duty of a school or area vocational-technical school to make an alternative assignment or provide alternative educational services during the period of expulsion.

(e.1) A school district receiving a student who transfers from a public or private school during a period of expulsion for an act or offense involving a weapon may assign that student to an alternative assignment or provide alternative education services, provided that the assignment may not exceed the period of expulsion.

(f) All school districts and area vocational-technical schools shall report all incidents involving possession of a weapon prohibited by this section as follows:

(1) The school superintendent or chief administrator shall report the discovery of any weapon prohibited by this section to local law enforcement officials.

(2) The school superintendent or chief administrator shall report to the Department of Education all incidents relating to expulsions for possession of a weapon on school grounds, school-sponsored activities or public conveyances providing transportation to a school or school-sponsored activity. Reports shall include all information as required under section 1303-A. [FN1]

(g) As used in this section, the term “weapon” shall include, but not be limited to, any knife, cutting instrument, cutting tool, nunchaku, firearm, shotgun, rifle and any other tool, instrument or implement capable of inflicting serious bodily injury.

CREDIT(S)

1949, March 10, P.L. 30, No. 14, art. XIII, § 1317.2, added 1995, June 30, P.L. 220, No. 26, § 4, effective in 90 days.

Amended 1997, June 25,

P.L. 297, No. 30, § 6, effective July 1, 1997.

[FN1] 24 P.S. § 13-1303-A.

APPENDIX B: SAMPLE OSSA VICTIM NOTIFICATION LETTER



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA COMMISSION OF CRIME AND DELINQUENCY

[REDACTED]
Philadelphia, PA [REDACTED]

Re: Incident at [REDACTED] School on [REDACTED]

Dear [REDACTED]:

The Office Safe Schools Advocate (OSSA) was recently notified by the School District of Philadelphia that [REDACTED] may have been the victim of violence and/or threat of violence at [REDACTED] School on [REDACTED]. Because the District is required by law to advise you of your rights/your child's rights as a victim, the Office of the Safe Schools Advocate is here to help.

The OSSA wants to highlight that you have the right to attend any disciplinary hearing and request that the Advocate present information and/or testimony and cross examine witnesses.

Also, please know that you have the right to request a transfer if your child is a victim of a violent offense: *A student who is a victim of a violent crime and who reports that crime to law enforcement shall be offered the opportunity to transfer to a safe public school, including charter school. The student may apply for transfer within thirty (30) days after the incident is reported to school authorities.*

Or if your child attends, a Persistently Dangerous School (PDS): *The Pennsylvania Department of Education maintains an official PDS list. If your child attends a persistently dangerous school, you have the right to apply for a transfer of your child to a safe public school, including charter school. The transfer must occur within thirty (30) days of the school receiving the application.*

In addition, we would like to provide you with the following list of agencies and resources who may also be able to assist you through this difficult time:

To File a Private Criminal Complaint (215) 686-9863
Victims of Crime Counseling Referral (215) 625-9655

Office of Safe Schools Advocate
440 N Broad St | Suite 1198 | Philadelphia, PA 19130 | 215.656.5381 | Fax 215.656.5382 | www.pccd.state.pa.us

To Contact School Police (215) 400-7233

Transfers - Office of Student Placement (215) 400-4290

If you believe that this incident has been as a result of discrimination or harassment based on your race, color, gender, religion, familial status, age (excluding public accommodations) sexual orientation, national origin, ancestry, and/or disability, you may want to contact:

Philadelphia Commission on Human Relations (215) 686-4670

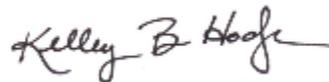
Additionally, the following state and federal agencies also receive complaints regarding discrimination:

Pennsylvania Human Relations Commission, Philadelphia Regional Office (215) 560-2496

US Department of Education, Office for Civil Rights (215) 861-4441

Please call our office at 215-656-8351 or stop by so we can assist you further.

Sincerely,

A handwritten signature in black ink that reads "Kelley B. Hodge". The signature is written in a cursive style with a large, stylized 'K' and 'H'.

Kelley B. Hodge
Philadelphia Safe Schools Advocate
Office of Safe Schools Advocate
PA Commission on Crime and Delinquency
440 N. Broad Street Suite
1198 Philadelphia, PA 19130
215-656-5381 (office)
215-656-5382 (facsimile)
kehodge@pa.gov

APPENDIX C: PROPOSED EXPULSION REVIEW COMMITTEE RUBRIC

Revised Expulsion Rubric 2011-2012

Offenses

Purpose Statement

The purpose of this rubric is to carefully examine individual cases and to determine the gravity of the offenses and their effect. It is only those types of cases that show egregious conduct that are appropriate for referral to the School Reform Commission for formal expulsion.

- **Firearms** → Automatic referral for expulsion
- **Brandishing Cutting Instrument** → Automatic referral for expulsion

Student Name: _____

Date of Incident: _____

Final Determination

Proceed with Expulsion Hearing _____

DO NOT proceed with Expulsion Hearing, student remains in transition school _____

VIOLATIONS

POINTS

<p>Category I: Sale/Distribution of a Controlled Substance or Alcohol</p>	<p>Paraphernalia = 1 point _____</p> <p>Variety of Contraband = 1 point for each type _____</p> <p>Quantity:</p> <p>≤ 5 Baggies or .50 grams = 1 point</p> <p>< 10 Baggies or .5-1 gram = 2 points</p> <p>≤ 15 Baggies or 1.5 grams = 3 points</p> <p>Over 15 baggies or 1.5 grams = 4 points _____</p> <p>Actual Sale or Distribution = 3 points (x number of recipients) _____</p> <p>Cash:</p> <p>\$10.00 - \$19.00 = 1 point</p> <p>\$20.00 - \$49.00 = 2 points</p> <p>\$50.00 - \$74.00 = 3 points</p> <p>\$75.00 and above = 4 points _____</p> <p>Injury or Hospital Treatment for Recipient = 4 points _____</p>
--	--

	Student Arrested = 1 point _____ Weapon + Contraband = 4 points _____ Section Total: _____
Category II: Assaults	Individual = 1 point Group = 2 points Of Staff = 3 points _____ Minor Injury = 1 point _____ Serious Injury (fracture, stitches, hospital transport/treatment) = 4 points _____ Workers Comp Center Visit = 1 point _____ Student Arrested = 1 point _____ Victim Statement given = 1 point _____ Victim Rubric Score = ____ points _____ Section Total: _____
Category III: Weapons	Knife, Brass Knuckles, Cutting Instrument = 2 points _____ Gun = 6 points _____ Simulated Weapon (BB gun) = 3 points _____ Loaded Weapon = 4 points _____ Brandished/Displayed/Waved = 4 points _____ Possession of More than One Weapon = 4 points _____ Discharged or Used = 4 points _____ Student Arrested = 1 point _____ Section Total: _____
Disciplinary History (Incident = prior conduct within the last 12 months resulting in In-School or Out of School suspension)	2 Incidents = 1 point 3 – 5 Incidents = 2 points 5 – 9 Incidents = 3 points More than 9 Incidents = 4 points _____
Violation Sections Score + Disciplinary History Score	Cumulative Score: _____

Recommendation is “Refer for Expulsion” if:
Cumulative score for a Category I offense is 16 or above
Cumulative score for a Category II offense is 9 or above
Cumulative score for a Category III offense is 7 or above

Deviation from the determination of a “referral for expulsion” requires a written explanation of the reason.

Extenuating circumstances to **NOT PROCEED** with expulsion regardless of total score – Attach documentation (i.e. Mental health, child welfare issues):

Extenuating circumstances to **PROCEED** with expulsion regardless of score:

Committee Signatures:
Sign

Date

**APPENDIX D: PROPOSED EXPULSION REVIEW COMMITTEE VICTIM
IMPACT QUESTIONNAIRE**

Victim Impact Questionnaire

Please fill out the below form and return it in the self addressed enclosed envelope as soon as possible. The Office of Safe Schools Advocate (OSSA) and the School District of Philadelphia are interested taking into account what effect an incident of school violence had on you or your son/daughter. Your responses to the questions below are very important to us. If you prefer, you may also fax this form to the OSSA at 215-656-5382.

Name(s): _____

School: _____

Date of Incident: _____

Relationship to the school (student/teacher/staff): _____

As a result of the incident:

1. Did you lose any property or suffer any financial loss? Yes___ No___

If yes, what was the dollar amount of the loss? \$_____

2. Were you physically injured? Yes___ No___

Were you treated by a doctor? Yes___ No___

Were you admitted to the hospital? Yes___ No___

If yes, how long was your hospital stay? _____ days

Are you getting physical therapy? Yes___ No___

Is this a permanent injury? Yes___ No___

3. Did you get, or are you now getting therapeutic counseling? Yes___ No___

For how long? _____

4. Are you aware of any publication of the incident

on any social media, such as Facebook or YouTube? Yes___ No___

For Office Use Only

Q#1: $\$150^+ + 1$
Q#1 – pt. _____
Q#2: $3Ys + 1$
Q#2 – pt. _____
Q#3: $Y + 1$
Q#3 – pt. _____
Q#4: $Y + 1$
Q#4 – pt. _____

Total _____

ENDNOTES

¹ Appendix A: Possession of weapons prohibited (a.k.a. “Act 26”)

² 24 P.S. §13-1310-A(b)(6)

³24 P.S. §13-1310-A(b)(8)

⁴ Appendix B: OSSA sample Victim Notification letter

⁵ 24 P.S. §13-1310-A(b)(1)(i)

⁶ Braithwaite, John (2004). “Restorative Justice and De-Professionalization”. *The Good Society* **13** (1):28-31

⁷ Appendix C: Expulsion Review Committee Rubric (Proposed)

⁸ 18 Pa.C.S. §2702(a)(5)

⁹ 2011-2012 SDP Code of Conduct



**School District of Philadelphia
Internal School Incident Data
2011 - 2012
Miscoded Incident Report**

August 2012

Table of Contents

INTRODUCTION	1
Understanding the Data and its Sources	1
MISCODED INCIDENT ANALYSIS	2
Miscoded Incidents Identified by OSSA Staff.....	2
Miscoded Incidents Identified by Center Staff	4
Miscoded Investigations	5
Miscoded Cutting Instruments	6
Miscoded Sexual Misconduct	7
FINDINGS AND RECOMMENDATIONS.....	8
1. District codes for incident types do not mirror PIMS incident types.	8
2. Reporting across District staff is inconsistent.....	8
3. Many incidents are miscoded in the internal incident tracking database.....	9
4. Use of some investigation codes may obstruct accurate classification of reportable incidents.	9
5. Determination of unknown substances.	9

INTRODUCTION

Understanding the Data and its Sources

This report was compiled by the Center for Safe Schools (Center) and is based on an analysis of incidents recorded in the School District of Philadelphia’s (District) internal incident tracking database. This dataset was created by the District to record all types of incidents, but for the purposes of this analysis, only incidents involving criminal acts will be analyzed.

By state law,¹ the information provided to the Pennsylvania Department of Education (Department) should include all new “incidents involving acts of violence, possession of a weapon or possession, use or sale of controlled substances . . . or possession, use or sale of alcohol or tobacco, by any person on school property,” occurring during the reporting period.

It is important to distinguish the difference between “misconducts” and “incidents.” The Department defines an incident as a single event. An incident may include one or more offenders. While the District maintains data concerning “misconducts,” it is beyond the scope of this report to analyze these data. The categories of “misconduct” are defined in the Code of Student Conduct.²

This report is intended to examine District datasets to determine whether or not incidents were coded properly within the District’s internal incident tracking database. The report will conclude with identified concerns and recommended solutions.

¹24 PA. STAT. ANN. §13-1310-A (b)(1)(i) (West 2002).

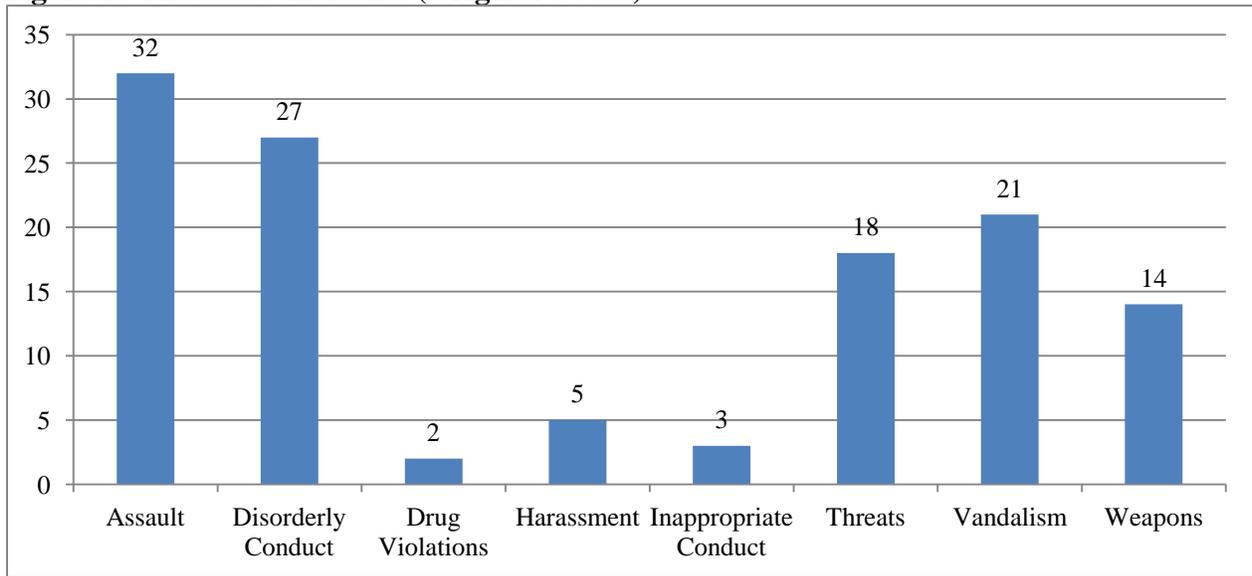
² SCHOOL REFORM COMM’N, THE SCHOOL DISTRICT OF PHILADELPHIA: CODE OF STUDENT CONDUCT 2008-2009 SCHOOL YEAR, § 3 (2008), *available at* http://www.phila.k12.pa.us/offices/administration/policies/CodeofConduct_0809.pdf.

MISCODED INCIDENT ANALYSIS

Miscoded Incidents Identified by OSSA Staff

Upon request of the Office of the Safe School’s Advocate (OSSA), the Center created a mechanism within the database tracking system for OSSA staff to indicate whether or not an incident was “miscoded” based upon OSSA staff review. During the 2011-12 school year, OSSA staff identified 139 miscoded incidents. Of these 139 incidents, additional codes were added to 15 incidents, while the remaining 122 incident codes were changed. Figure 1 represents the original incident types:

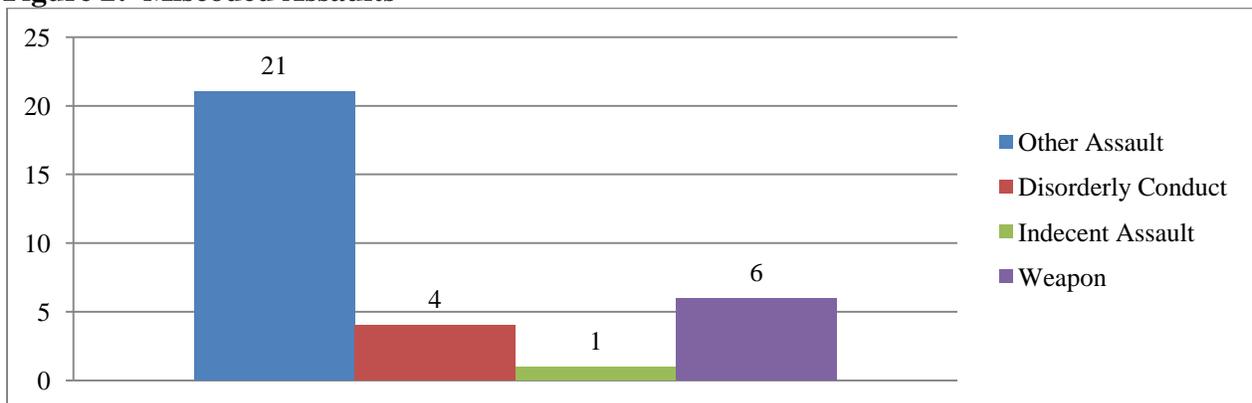
Figure 1: Miscoded Incidents (Original Codes)



Source: School District of Philadelphia Incident Report Data System, 2011-12.

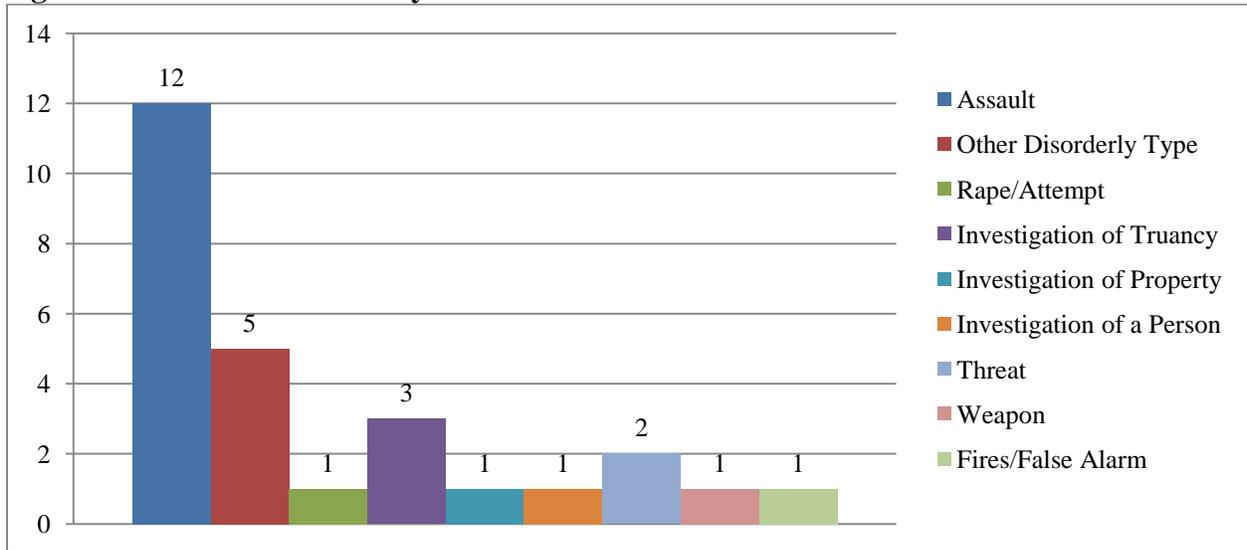
The following figures provide a breakdown of corrected codes for the 122 incidents identified in Figure 1 above. Please note that no figure is provided for the drug violation miscodes, as both miscoded incidents were changed from “Drug/Marijuana Use/Possession” to “Drug/Marijuana Possession/Distribution.”

Figure 2: Miscoded Assaults



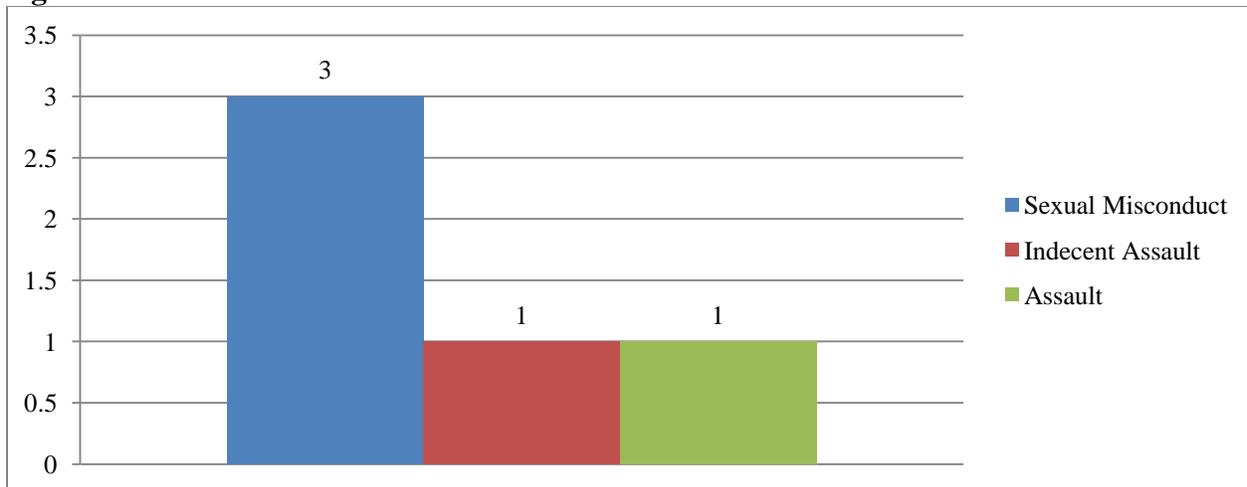
Source: School District of Philadelphia Incident Report Data System, 2011-12.

Figure 3: Miscoded Disorderly Conduct



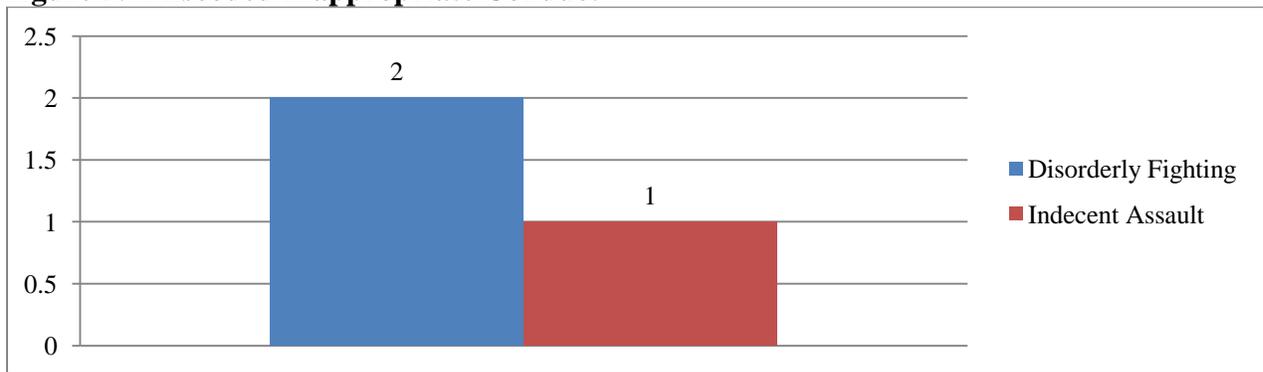
Source: School District of Philadelphia Incident Report Data System, 2011-12.

Figure 4: Miscoded Harassment



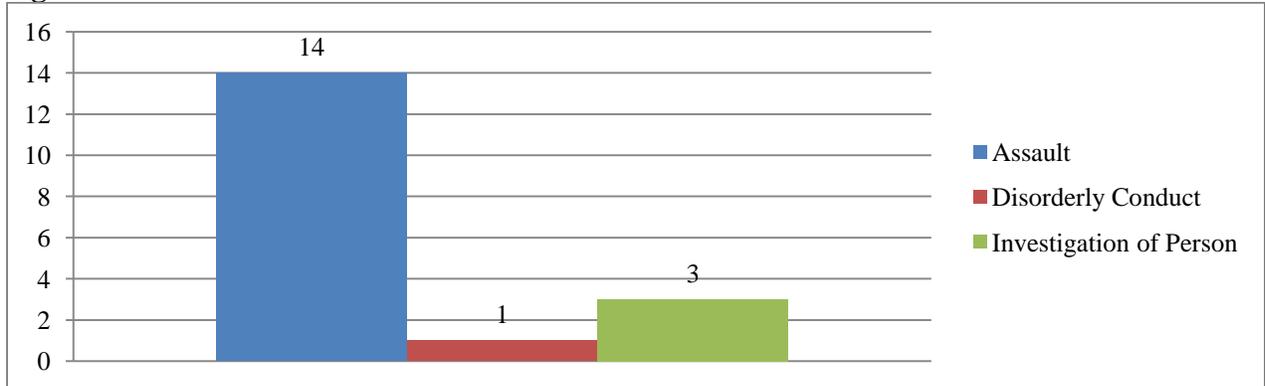
Source: School District of Philadelphia Incident Report Data System, 2011-12.

Figure 5: Miscoded Inappropriate Conduct



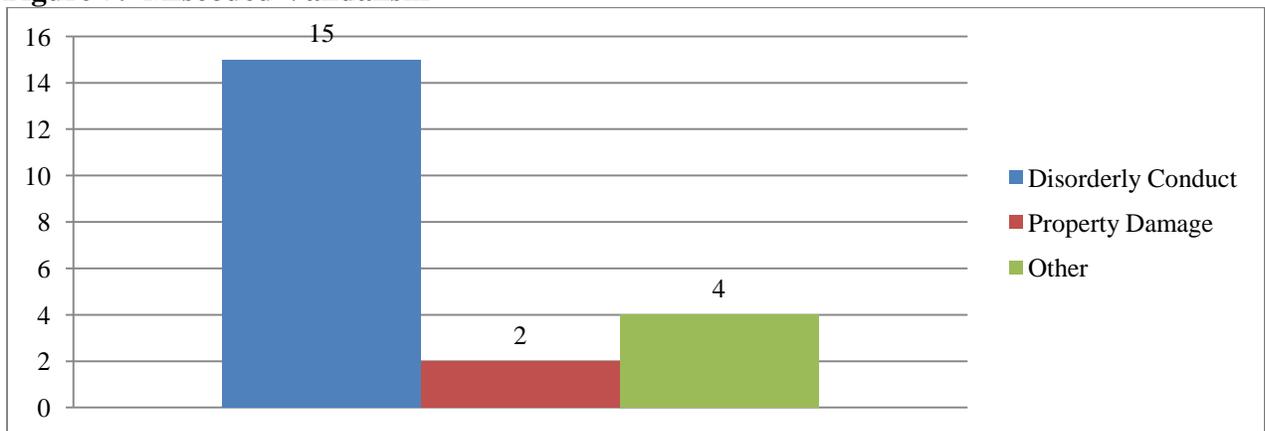
Source: School District of Philadelphia Incident Report Data System, 2011-12.

Figure 6: Miscoded Threats



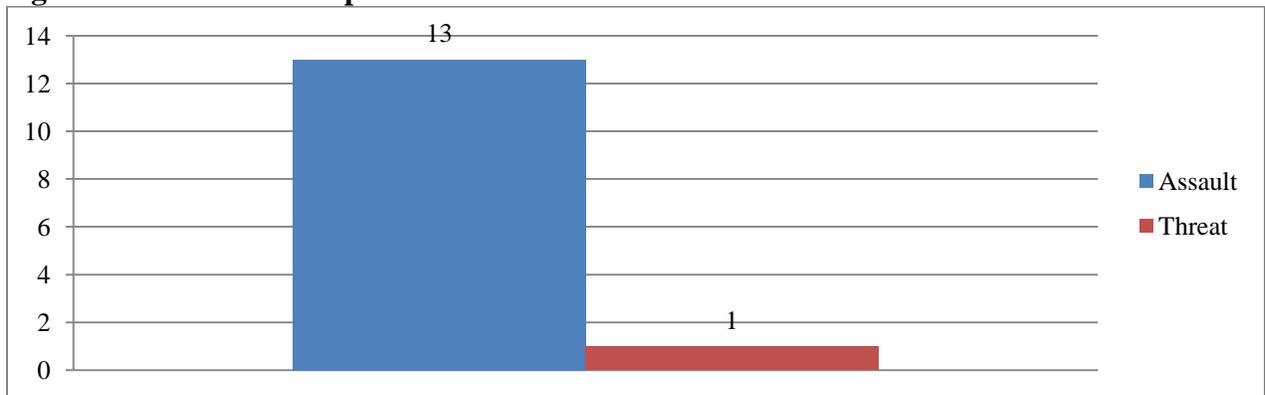
Source: School District of Philadelphia Incident Report Data System, 2011-12.

Figure 7: Miscoded Vandalism



Source: School District of Philadelphia Incident Report Data System, 2011-12.

Figure 8: Miscoded Weapons



Source: School District of Philadelphia Incident Report Data System, 2011-12.

Miscoded Incidents Identified by Center Staff

Center staff performed additional analyses of 2011-12 data to discover if any other reporting anomalies exist within the dataset. This review identified a number of reporting trends

which are questionable and concerning. Specific concerns about incidents coded as various types of “investigations;” sexual misconduct; and cutting instruments are described below.

Miscoded Investigations

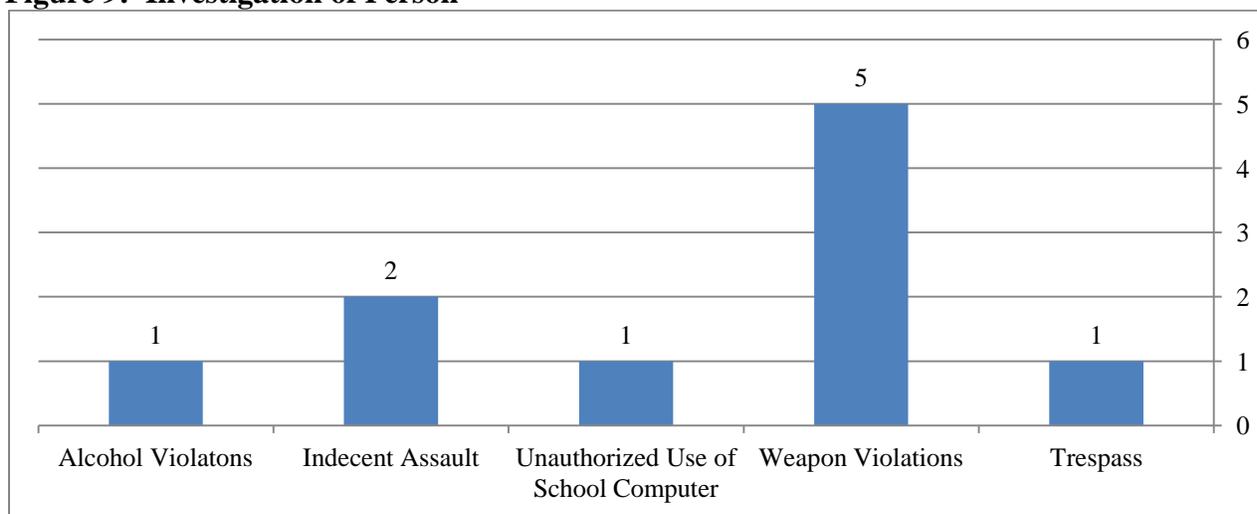
The District utilizes codes for various types of investigations, including: 1) Investigation of Missing Property; 2) Investigation of Person; 3) Investigation of Property; 4) Investigation of Shooting; and 5) Investigation of Student Followed.

The most pressing concern identified through a review of this dataset is the use of the “Confidential Investigation” descriptor. Little to no information is recorded for incidents which are designated in the notes field as “Confidential Investigation.” It is unknown whether or not these incidents are reportable to the Department based upon the lack of information provided by the District staff member.

80 incidents during the 2011-12 school year were coded as, “Investigations of Missing Property.” While it is possible that these incidents did not involve theft, it is also possible that thefts were responsible for the missing property. Use of this code is ambiguous and could lead to under-reporting theft incidents to the Department.

The “Investigation of Person” code appears to have been misused 10 times during the 2011-12 school year, as indicated by Figure 9 below. Nine of these 10 incidents fall within categories which are reportable to the Department. By not coding them correctly, these categories may be under-reported.

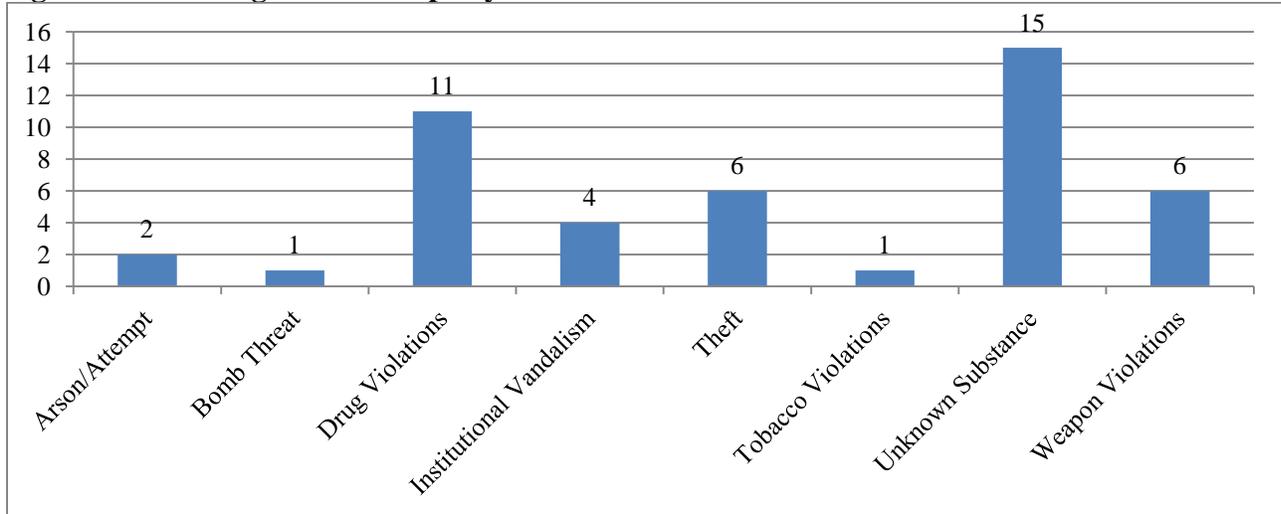
Figure 9: Investigation of Person



Source: School District of Philadelphia Incident Report Data System, 2011-12.

The “Investigation of Property” code appears to have been misused 46 times during the 2011-12 school year, as indicated by Figure 10 below. 100% of these incidents fall within categories which are reportable to the Department. By not coding them correctly, these categories may be under-reported.

Figure 10: Investigation of Property



Source: School District of Philadelphia Incident Report Data System, 2011-12.

Additionally, under the “Investigation of Property” code, 15 incidents involving various “unknown substances” are recorded. The descriptions of these incidents reference unknown liquids, powders or leafy substances which are believed to be drugs or alcohol. If these substances are, in fact, drugs or alcohol, they should be reported as such to the Department.

The two remaining investigation codes revealed one miscoded incident each. Specifically, an incident coded as “Investigation of Shooting” should have been coded as “Possession of Other Firearm,” while an incident coded as “Investigation of Student Followed” should have been coded as, “Harassment.”

Miscoded Cutting Instruments

During the 2011-12 school year, District staff did not utilize appropriate codes for knives found on school property. Although there are separate codes for knives and other cutting instruments, only the cutting instrument code was used. Specifically as shown in Figure 11 below, of the 482 cutting instrument incidents, 318 (66%) should have been coded as knives, with the remaining 164 incidents being properly coded as cutting instruments. It is noted that both knives and cutting instruments are reportable to the Department, so while the total number would be reflected accurately, the type of bladed weapon would not be accurately reflected.

Figure 11: Miscoded Cutting Instruments

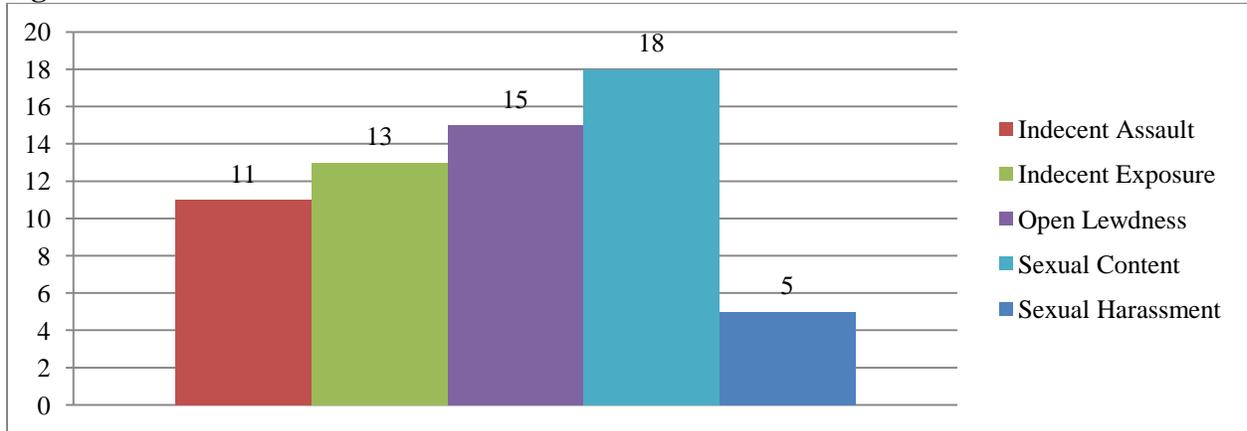


Source: School District of Philadelphia Incident Report Data System, 2011-12.

Miscoded Sexual Misconduct

During the 2011-12 school year, District staff utilized a code for “Sexual Misconduct.” Use of this code is concerning as incidents receiving this code are often more serious violations which are reportable to the Department. Figure 12 illustrates 62 incidents inappropriately identified as “Sexual Misconduct.” All 62 of the incidents illustrated below, if properly coded, would be reportable to the Department. As “Sexual Misconduct” is not a reportable code as defined by the Department, these 62 incidents could fall through the cracks.

Figure 12: Miscoded Sexual Misconduct



Source: School District of Philadelphia Incident Report Data System, 2011-12.

FINDINGS AND RECOMMENDATIONS

1. District codes for incident types do not mirror PIMS incident types.

The Department collects data from all Pennsylvania public, charter and technical/vocational schools and intermediate units through the Pennsylvania Information Management System (PIMS). These entities report 50 types of incidents which meet the Department's standard, as defined on page one of this report. While districts may collect as much information as needed for their internal purposes, the practice of adding additional incident types creates opportunities for erroneous reports.

The Center recommends:

The District align incident codes to mirror PIMS incident types. Use of sub-codes or sub-categories is recommended to capture information needed by the District, but not needed by the Department. For example, an incident involving a box cutter should be coded as "Possession of Cutting Instrument" and the District could sub-code or sub-categorize this incident as "box cutter." This will allow District staff to quickly compile the overall number of cutting instruments to be reported to the Department, while also allowing them to conduct an internal analysis of the types of cutting instruments found on school property.

Additionally, by mirroring PIMS incident types, clarification will be gained in the classification of assaultive incidents. Currently, District codes do not distinguish between simple and aggravated assaults on students or staff. PIMS requires reports for: aggravated assault on student; simple assault on student; aggravated assault on staff; and simple assault on staff. Without distinguishing between the types of assaults, the only way to gather these counts for the Department is through an entry by entry review of the data.

2. Reporting across District staff is inconsistent.

District staff do not consistently enter data into the internal incident tracking database. Frequent inconsistencies were revealed, including:

- Different staff use different codes to categorize the same type of incident;
- Some staff enter one report for each defendant and/or victim per incident, while other staff enter one report for victims and/or defendants involved in one incident.
- Some incidents should reflect multiple codes, rather than allowing staff to pick one code per incident.

The Center recommends:

After the District restructures the internal incident tracking database to mirror PIMS incident types, training curriculum and tools should be developed to clearly classify incident by their appropriate type. This training should then be delivered to all staff responsible for entering and/or reporting incidents in the internal tracking system. Data should be reviewed not less than monthly to determine whether or not incidents are being properly coded. Retrain staff as needed.

3. Many incidents are miscoded in the internal incident tracking database.

As identified in this report, 646 incidents appear to have been miscoded by District staff. Data submitted by the District for 2010-11 indicates that only two incidents of racial/ethnic intimidation took place, despite reports of a “race riot” at Olney School during this time frame. Additionally, 2010-11 data reflects just eight tobacco violations and 53 bullying incidents.

The Center recommends:

The District’s incident data collection system be reviewed to ensure that all incidents are properly entered and coded. Training for individuals inputting incident data to increase accuracy in data reporting is highly recommended.

4. Use of some investigation codes may obstruct accurate classification of reportable incidents.

District staff improperly utilize “investigation of person” and “investigation of property” codes in cases which are readily identifiable as other incident types based upon information contained in the notes field. Additionally, incidents reported as investigation of missing property may be the result of theft.

Finally, confidential investigations do not provide any detail upon which to determine whether or not the incident is reportable to the Department.

The Center recommends:

The District cease utilization of these ambiguous codes. It is noted that it may be appropriate to classify some of these cases as investigations at the outset. However, once the investigation is completed, these cases must be recoded to reflect the proper incident type.

5. Determination of unknown substances.

As identified in this report, there were 15 instances of unknown substances which were believed to be drugs or alcohol. These instances were not coded as drug or alcohol incidents because District staff were not able to determine what the substances were at the time of their discovery.

The Center recommends:

The District provide field test kits to District rotating patrol cars to expedite the determination of unknown substances.



School District of Philadelphia
Internal School Incident and School Safety Data
2011 - 2012
Data Set Comparison Report

September 2012

Table of Contents

INTRODUCTION	1
Understanding the Data and its Sources	1
INCIDENT ANALYSIS	2
Total Incidents	2
Location and Time of Incidents	3
Incidents Involving Law Enforcement.....	5
Incident Types.....	5
ATOD Incidents.....	6
Assaults.....	7
Weapon-Related Incidents	8
School Sanctions.....	8
FINDINGS AND RECOMMENDATIONS.....	9
1. District codes for incident types do not mirror PIMS incident types.	9
2. Data collection via the District’s internal incident data collection system does not include required PIMS data fields.	9
3. Reporting across District staff is inconsistent.....	10
4. Data uploaded from the District’s internal incident data collection system to the Safe Schools Advocate’s data collection system is not automatically updated.....	11
5. Based on the number of school buildings and students in the District, the number of certain types of incidents appears to be lower than expected.	11

INTRODUCTION

Understanding the Data and its Sources

This report was compiled by the Center for Safe Schools (Center) on behalf of the Philadelphia Safe Schools Advocate and provides a comparison view of information contained in two separate data sets. The first data set is a compilation of incidents recorded in the School District of Philadelphia's (District) internal incident tracking database. This data set was created by the District to record all types of incidents, but for the purposes of this analysis, only incidents involving criminal acts will be analyzed. The second data set is comprised of the misconducts and discipline data submitted by the District to the Department of Education (Department) via the School Safety Reporting System. By state law,¹ the information provided to the Department should include all new "incidents involving acts of violence, possession of a weapon or possession, use or sale of controlled substances . . . or possession, use or sale of alcohol or tobacco, by any person on school property," occurring during the reporting period.

It is important to distinguish the difference between "misconducts" and "incidents." The Department defines an incident as a single event. An incident may include one or more offenders. While the District maintains data concerning "misconducts," it is beyond the scope of this report to analyze these data. The categories of "misconduct" are defined in the Code of Student Conduct.² All statistics and analysis in this report are based on the Pennsylvania Department of Education's School Safety Annual Report.

While this report seeks to compare similar information from two separate data sets, it must be noted that database restraints within the District's internal incident tracking system created ambiguity around a number of factors, and did not allow for a straightforward comparison in all cases. In instances where database limitations hampered analysis, it is so noted in the appropriate sections of the ensuing report.

This report will conclude with recommendations to 1) improve the District's data collection system; 2) improve the consistency in the recording of incidents; 3) streamline the reporting of incidents; and 4) enhance the overall safety and security of the District.

¹24 PA. STAT. ANN. §13-1310-A (b)(1)(i) (West 2002).

² SCHOOL REFORM COMM'N, THE SCHOOL DISTRICT OF PHILADELPHIA: CODE OF STUDENT CONDUCT 2008-2009 SCHOOL YEAR, § 3 (2008), *available at* http://www.phila.k12.pa.us/offices/administration/policies/CodeofConduct_0809.pdf.

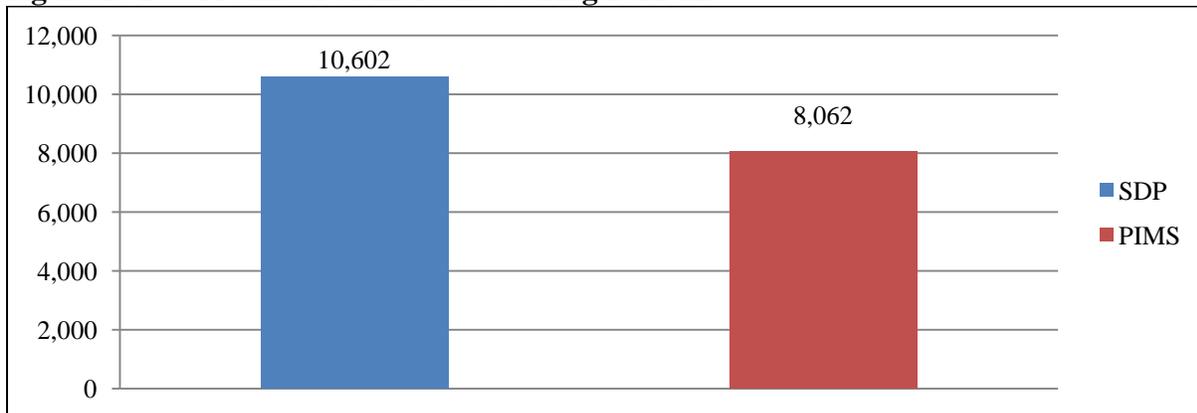
INCIDENT ANALYSIS

Total Incidents

The District reported 8,062 incidents during the 2011-12 school year on school property, on transportation to or from school, or at school sponsored events to the Department. However, a search for reportable incidents in the District’s internal data tracking system revealed 10,602 incidents (Figure 1). The District’s internal data tracking system contains 2,540 more reportable incidents than were reported to the Department, representing a 24% discrepancy.

This discrepancy may be due to the fact that there is a marked lack of consistency in the way in which individuals enter information into the District’s internal tracking system. For example, one authorized user may enter an assault of one student by three perpetrators as one incident, while another user may enter three incidents (one for each perpetrator) for one assault. Additionally, incident types (codes) within the internal data tracking system in many cases do not directly align with incident types in the Department’s Pennsylvania Information Management System (PIMS). This misalignment will be discussed at length throughout this report. Finally, the incident data contained within the Safe Schools Advocate’s tracking system is uploaded on a daily basis from the District’s internal data tracking system. This uploaded data is captured as a “point in time” reference. If authorized users update an incident (changing the incident type/code based on new information obtained as an investigation ensues), this update would not be captured. Thus, a number of factors may be responsible for the discrepancy between the number of incidents recorded in to the District’s internal system and the reported PIMS number.

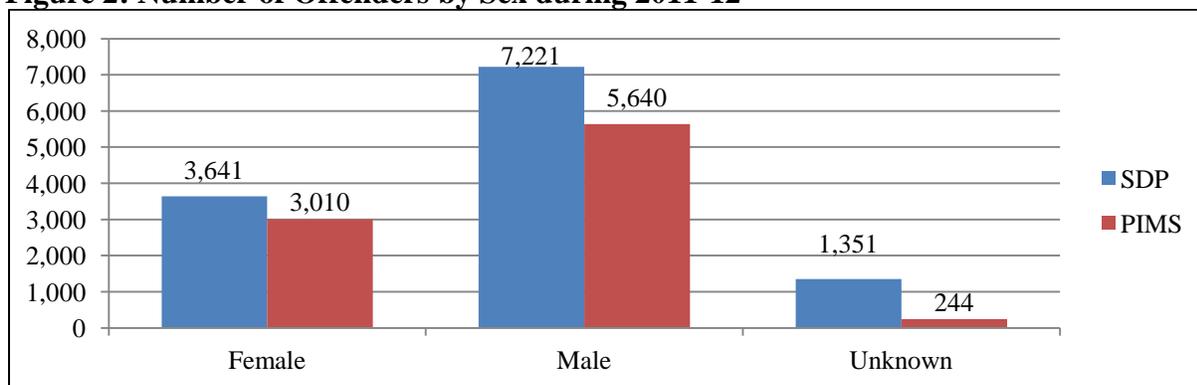
Figure 1: Total Number of Incidents during 2011-12



Source: School District of Philadelphia Incident Report Data System, 2011-12 and Pennsylvania Department of Education, School Safety Annual Report, 2011-12.

During 2011-12, a total of 12,213 student offenders were identified in the District’s internal incident tracking system. However, the District reported to the Department that only 8,894 were involved in reportable incidents. In both the internal and reported data sets, males offended more often than females (Figure 2). In both data sets, approximately one-quarter of all incidents were committed by students in grades eight and nine, with ninth graders being the most frequent offenders at any single grade level. Almost one-half of all incidents were committed by students in grades seven through ten (Table 1).

Figure 2: Number of Offenders by Sex during 2011-12



Source: School District of Philadelphia Incident Report Data System, 2011-12 and Pennsylvania Department of Education, School Safety Annual Report, 2011-12.

Table 1: Number of Offenders by Grade Level during 2011-12

2011-12 Offenders by Grade	SDP	Percent of Total SDP Incidents	PIMS	Percent of Total PIMS Incidents
Pre-Kindergarten	21	0.17%	9	0.10%
Kindergarten	234	1.92%	178	2.00%
First	388	3.18%	315	3.54%
Second	456	3.73%	367	4.13%
Third	548	4.49%	458	5.15%
Fourth	572	4.68%	477	5.36%
Fifth	702	5.75%	571	6.42%
Sixth	825	6.76%	653	7.34%
Seventh	1,277	10.46%	964	10.84%
Eighth	1,364	11.17%	1,011	11.37%
Ninth	1,535	12.57%	1,157	13.01%
Tenth	1,226	10.04%	960	10.79%
Eleventh	828	6.78%	668	7.51%
Twelfth	555	4.54%	486	5.46%
Elementary Ungraded	0	0.00%	0	0.00%
Secondary Ungraded	9	0.07%	13	0.15%
Unknown	1,673	13.70%	607	6.82%
Total	12,213	100.00%	8,894	100.00%

Source: School District of Philadelphia Incident Report Data System, 2011-12 and Pennsylvania Department of Education, School Safety Annual Report, 2011-12.

Location and Time of Incidents

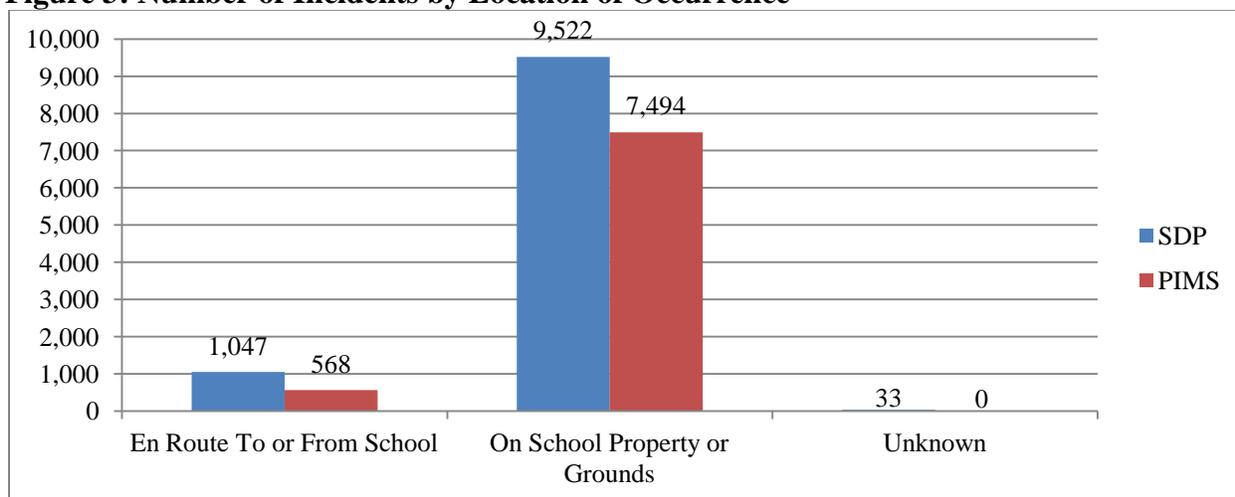
Of the 10,602 incidents recorded in the District’s internal data tracking system, 9,522 (89.8%) took place on school property or grounds, while 1,047 (9.9%) took place off school grounds while students were en route to or from school. An additional 33 incidents (0.3%) were listed as having an unknown location. In comparison, the District reported to the Department that

7,494 (93.0%) took place on school property or grounds, while 568 (7.0%) took place off school grounds while students were en route to or from school. No incidents were reported as having an unknown location (Figure 3).

It must be noted that the information provided by the District into the Safe Schools Advocate’s tracking system utilizes four location codes, as follows: highway; property; school; and street. These codes do not correlate with the PIMS categories. Therefore, Center staff arbitrarily applied the following logic:

- Highway = en route to or from school
- Property = on school property/grounds
- School = on school property/grounds
- Street = en route to or from school
- Blank location field = unknown location

Figure 3: Number of Incidents by Location of Occurrence



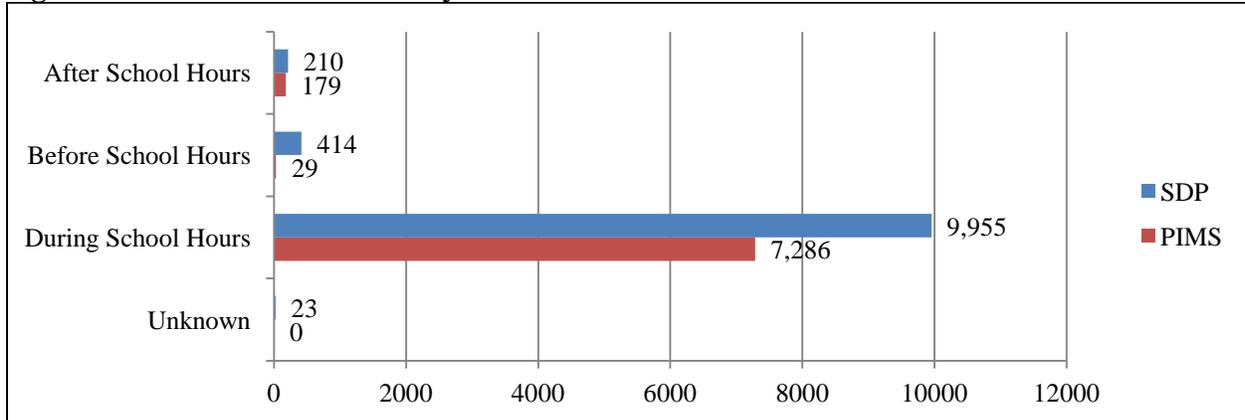
Source: School District of Philadelphia Incident Report Data System, 2011-12 and Pennsylvania Department of Education, School Safety Annual Report, 2011-12.

It must be also noted that the information provided by the District into the Safe Schools Advocate’s tracking system does not include data relative to the category of time that incidents take place. Specifically, incident times are noted, however, it is unclear in certain instances, whether the actual time is before, during or after school hours, as different buildings operate on different schedules. Additionally, it is unclear how incidents which occur during the weekend are classified relative to the before, during or after school categories. Therefore, Center staff arbitrarily applied the following logic:

- Before School = 12:00 AM through 7:59 AM
- During School = 8:00 AM through 4:59 PM
- After School = 5:00 PM through 11:59 PM and all Saturday and Sunday incidents

As would be expected, the majority (over 90%) of reportable incidents took place during school hours according to both data sets (Figure 4).

Figure 4: Number of Incidents by Time of Occurrence

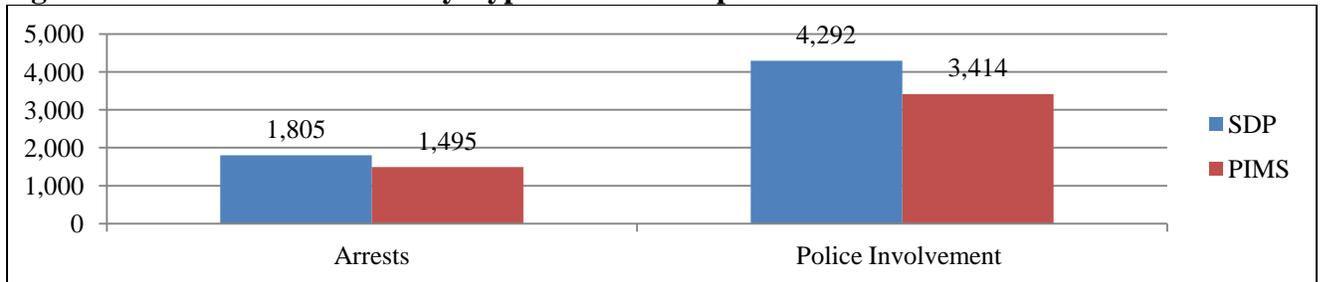


Source: School District of Philadelphia Incident Report Data System, 2011-12 and Pennsylvania Department of Education, School Safety Annual Report, 2011-12.

Incidents Involving Law Enforcement

Figure 5 illustrates the number of times police were involved in incidents occurring at the District, along with the number of arrests made as a result of reportable incidents. With regard to police involvement, the District’s internal data tracking system contains 4,292 incidents versus the 3,414 incidents reported to the Department, a discrepancy of 878 incidents (20.5%). Additionally, the District system contains 1,805 arrests versus the 1,495 arrests reported to the Department, a discrepancy of 310 arrests (17.2%).

Figure 5: Number of Incidents by Type of Police Response



Source: School District of Philadelphia Incident Report Data System, 2011-12 and Pennsylvania Department of Education, School Safety Annual Report, 2011-12.

Incident Types

Tables 2A, 2B and 2C provide information relative to the number of incidents classified as Crimes Against Persons, Society and Property in both the internal and reported data sets. In most categories, the number of incidents contained in the District’s internal data system exceeded the number reported to the Department. However, the following categories had higher reported numbers than those identified in District’s data set:

- Obscene Materials/Performances
- Rape
- Racial/Ethnic Intimidation
- Sexual Harassment

It must be noted that the District’s internal incident tracking system utilizes a code for “Morals - Sexual Misconduct” which is used for a variety of behaviors which would be more accurately reported as one of the existing PIMS incident types. For example, incidents involving pornography, masturbation, consensual intercourse, indecent assault and rape were all included under the Morals - Sexual Misconduct incident code, rather than being coded according to the categories identified under the PIMS system. If authorized users later updated these miscoded incidents to the correct PIMS incident type, this may result in the higher number of reported incidents.

Table 2A: Number of Crimes Against Persons during 2011-12

	SDP	PIMS
Bullying	119	72
Fighting	947	919
Indecent Assault	224	166
Indecent Exposure	72	39
Involuntary Sexual Deviate Intercourse	14	9
Obscene Materials/Performances	32	61
Other Harassment/Intimidation	142	64
Racial/Ethnic Intimidation	2	3
Rape	13	15
Robbery	147	86
Sexual Harassment	5	21
Theft	654	157
Threatening a School Official/Student	949	750

Source: School District of Philadelphia Incident Report Data System, 2011-12 and Pennsylvania Department of Education, School Safety Annual Report, 2011-12.

Table 2B: Number of Crimes Against Society during 2011-12

	SDP	PIMS
Bomb Threats	12	1
Disorderly Conduct	2,086	1,131

Source: School District of Philadelphia Incident Report Data System, 2011-12 and Pennsylvania Department of Education, School Safety Annual Report, 2011-12.

Table 2C: Number of Crimes Against Property during 2011-12

	SDP	PIMS
Arson	84	46
Burglary	28	6
Criminal Trespass	102	87
Vandalism	752	285

Source: School District of Philadelphia Incident Report Data System, 2011-12 and Pennsylvania Department of Education, School Safety Annual Report, 2011-12.

ATOD Incidents

Of all incident types reviewed in this report, the number of Alcohol, Tobacco and Other Drug (ATOD) incidents in the District’s data set is most closely aligned with the data reported to the Department. However, based on national research on underage ATOD usage, the number of incidents recorded in both data sets appears to be much lower than national averages (Table 3).

Table 3: Number of Illegal Possession Incidents by Year

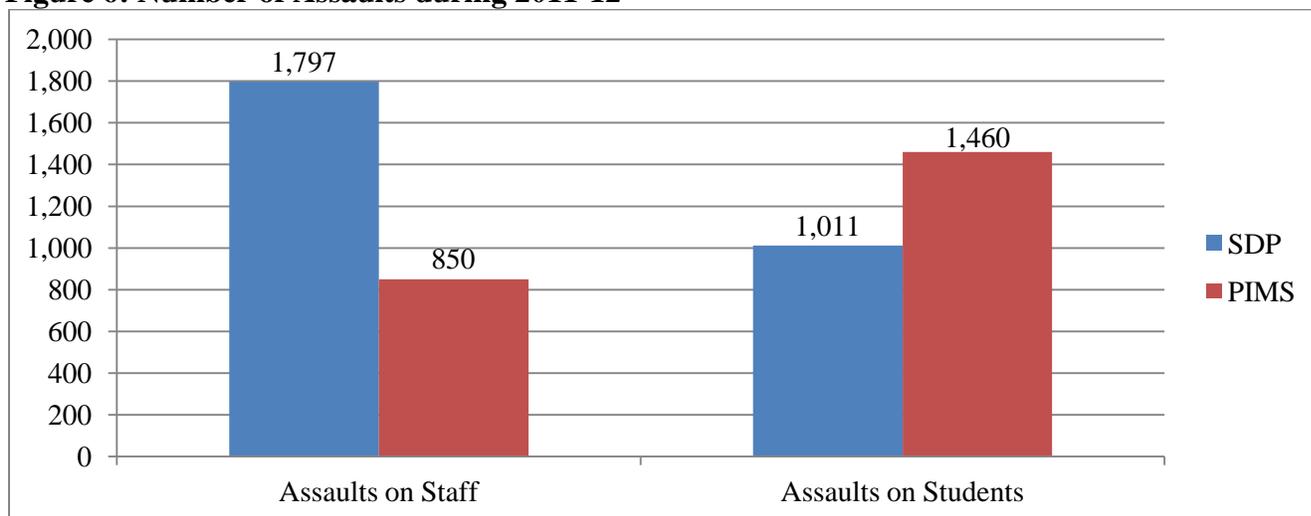
	SDP	PIMS
Possession/Use of a Controlled Substance	277	257
Sale/Distribution of a Controlled Substance	64	63
Sale, Possession, Use or Under the Influence of Alcohol	36	32
Possession, Use or Sale of Tobacco	8	8
Total	385	360

Source: School District of Philadelphia Incident Report Data System, 2011-12 and Pennsylvania Department of Education, School Safety Annual Report, 2011-12.

Assaults

The District’s internal incident tracking system revealed a greater number of assaults on staff than was reported to the Department. However, the number of assaults on students which was reported to the Department was greater than the number contained in the internal data set (Figure 6). It is possible that a number of incidents were coded originally as something other than assault, and later updated to assault as the investigation ensued, thus resulting in the discrepancy illustrated below.

Figure 6: Number of Assaults during 2011-12



Source: School District of Philadelphia Incident Report Data System, 2011-12 and Pennsylvania Department of Education, School Safety Annual Report, 2011-12.

The District’s internal incident tracking system does not allow for clean analysis of the numbers of aggravated and simple assaults. The District utilizes at least 13 codes to indicate assaults, as follow:

- Assault
- Assault on Administrator
- Assault on Employee
- Assault on Other Person
- Assault on School Police
- Assault on Student
- Assault on Teacher
- Shooting of Employee
- Shooting of Student
- Shooting of Teacher/Administrator
- Stabbing of Employee
- Stabbing of Student
- Stabbing of Teacher/Administrator

While an assumption may be made that all stabbings and shootings are classified as aggravated assaults, it would not be accurate to assume that all other incidents listed as “assault” are simple assaults. A cursory review of the data reveals that incidents falling into this category run the gamut from a minor fight to serious incidents requiring immediate medical attention.

As a result, it is not possible to accurately break down the number of assaults into simple or aggravated without reading and assessing the notes field of all incidents having the codes listed above (2,808 incidents).

Weapon-Related Incidents

Act 26 states that all school districts "shall report the discovery of any weapon prohibited by this section to local law enforcement officials."³ The District’s internal incident tracking system recorded a total of 636 weapons, while only 566 weapons were reported to the Department. Therefore, 70 additional weapons were identified in the District’s data set than were reported to the Department, representing an 11% discrepancy (Table 4).

Table 4: Number of Weapon Possession Incidents by Year

	SDP	PIMS
Firearm	2	2
Knife	318	273
Other Cutting Instrument	164	149
Explosive	6	4
BB/Pellet Gun	48	43
Other	98	95
Total	636	566

Source: School District of Philadelphia Incident Report Data System, 2011-12 and Pennsylvania Department of Education, School Safety Annual Report, 2011-12.

It is important to note that the information provided by the District into the Safe Schools Advocate’s tracking system does not include data relative to the manner in which weapons are detected. Location information is provided, however, details regarding the detection method are not included. Therefore, it is not possible to complete a comparison analysis of the two data sets regarding weapons detection source data.

School Sanctions

The information provided by the District into the Safe Schools Advocate’s tracking system does not include data relative to the disposition of school sanctions, including: Detention; In-School Suspension; Out-of-School Suspension; Expulsion; and outcomes noted as “other.” Therefore, no analysis has been conducted to compare this District data set against data reported to the Department.

³ § 13-13172.2(f)(1).

FINDINGS AND RECOMMENDATIONS

1. **District codes for incident types do not mirror PIMS incident types.**

The Department collects data from all Pennsylvania public, charter and technical/vocational schools and intermediate units through the Pennsylvania Information Management System (PIMS). These entities report 50 types of incidents which meet the Department's standard, as defined on page one of this report. While districts may collect as much information as needed for their internal purposes, the practice of adding additional incident types creates opportunities for erroneous reports. Additionally, it requires a need for staff to review incidents on a case-by-case basis to determine accurate PIMS record keeping, rather than allowing the system to generate accurate reports based on PIMS coding.

The Center recommends:

The District align incident codes to mirror PIMS incident types. Use of sub-codes or sub-categories is recommended to capture information needed by the District, but not needed by the Department. For example, an incident involving a box cutter should be coded as "Possession of Cutting Instrument" and the District could sub-code or sub-categorize this incident as "box cutter." This will allow District staff to quickly compile the overall number of cutting instruments to be reported to the Department, while also allowing them to conduct an internal analysis of the types of cutting instruments found on school property.

Additionally, the District cease use of the "Morals – Sexual Misconduct" code for incidents which are clearly identifiable as other PIMS incident types. For example, students found to be in possession of pornography should be coded using the PIMS code, "Obscene and other sexual materials and pornography" rather than coding the incident as "Morals – Sexual Misconduct."

Finally, the District mirror PIMS incident types to gain clarification in the classification of assaultive incidents. Currently, District codes do not distinguish between simple and aggravated assaults on students or staff. PIMS requires reports for: aggravated assault on student; simple assault on student; aggravated assault on staff; and simple assault on staff. Without distinguishing between the types of assaults, the only way to gather these counts for the Department is through an entry by entry review of the data.

2. **Data collection via the District's internal incident data collection system does not include required PIMS data fields.**

As discussed in several sections of this report, a number of analyses were complicated due to a lack of standardized data collection. This includes information relative to: incident time; incident location; and weapons detection methods.

The Center recommends:

The District's incident data collection system be updated to include missing PIMS data fields to provide enhanced accuracy and reporting capabilities. For example, in addition to authorized users entering the incident time, he or she should then be prompted to select whether the incident occurred before, during or after school. Reports can then be run to automatically

tally how many incidents took place during each time designation. Additionally, the District should develop a procedure or policy to determine how incidents which occur on the weekend are entered and provide written materials and training to authorized users to ensure compliance in data entry.

Likewise, authorized users should be required to select the incident location category based on PIMS codes in addition to manually entering the exact location in the District's internal data tracking system. PIMS location categories are:

- on school property/grounds
- at an offsite alternative placement facility
- at a school sponsored event within the school's jurisdiction
- off school grounds at an activity under the jurisdiction of another school
- off school grounds at an activity, function or event sponsored by the school
- on district provided public conveyance providing transportation to and from school
- on district provided public conveyance providing transportation to a school sponsored activity
- off school grounds while en route to or from school

Finally, the District's internal data tracking system should include a required selection to indicate the method by which a weapon is detected which aligns to PIMS:

- detected by scanner/security
- detected by school staff
- detected by fellow student
- detected by other adult visitor
- other

3. Reporting across District staff is inconsistent.

District staff do not consistently enter data into the internal incident tracking database. Frequent inconsistencies were revealed, including:

- Different staff use different codes to categorize the same type of incident;
- Some staff enter one report for each defendant and/or victim per incident, while other staff enter one report for victims and/or defendants involved in one incident; and
- Some incidents should reflect multiple codes, rather than allowing staff to pick one code per incident.

The Center recommends:

After the District restructures the internal incident tracking database to mirror PIMS incident types, training curriculum and tools should be developed to clearly classify incidents by their

appropriate type. This training should then be delivered to all staff responsible for entering and/or reporting incidents in the internal tracking system. Data should be reviewed not less than monthly to determine whether or not incidents are being properly coded. Retrain staff as needed.

4. Data uploaded from the District’s internal incident data collection system to the Safe Schools Advocate’s data collection system is not automatically updated.

As discussed earlier in this report, the incident data contained within the Safe Schools Advocate’s tracking system is uploaded on a daily basis from the District’s internal data tracking system and as such represents a “point in time” reference. When authorized users update an incident (e.g., changing the incident type/code based on new information obtained as an investigation ensues), updated information is not transmitted to the Safe Schools Advocate.

The Center recommends:

The District’s incident data collection system and the Safe Schools Advocate’s tracking system be linked to allow not only initial uploads of incident data, but also include “real time” updates as District authorized users input new or modified case information.

5. Based on the number of school buildings and students in the District, the number of certain types of incidents appears to be lower than expected.

As the Commonwealth’s largest school district with an enrollment of 154,262 students during the 2011-12 school year, it appears that the frequency of certain incident types does not align with student attendance. For example, the number of incidents recorded as the following incident types is disproportionate to student populations:

- Bomb Threats
- Bullying
- Racial/Ethnic Intimidation
- Sexual Harassment
- Possession/Use of a Controlled Substance
- Sale/Distribution of a Controlled Substance
- Sale, Possession, Use or Under the Influence of Alcohol
- Possession, Use or Sale of Tobacco

The Center recommends:

The District’s incident data collection system be reviewed to ensure that all incidents are properly entered and coded. Training for individuals to recognize the above-listed behaviors is recommended to ensure that all such incidents are addressed. Additionally, training for individuals inputting incident data to increase accuracy in data reporting is highly recommended.