

SAFE SCHOOLS

Background

The Unsafe School Choice Option (USCO) (section 9532 of the Elementary and Secondary Education Act [ESEA] of 1965), as amended by the No Child Left Behind Act of 2001 requires that each State receiving funds under the ESEA establish and implement a statewide policy requiring that students attending a persistently dangerous public school, or students who become victims of a violent criminal offense while in or on the grounds of a public school that they attend, be allowed to attend a safe public school.

Purpose

The purpose of this policy is to communicate current legal requirements for reporting dangerous incidents and outlining the process for notifying and offering eligible parents the option to transfer their child to a safe school in the District where possible. This policy is subject to any regulatory or statutory changes implemented in the future.

Definitions

1. "Persistently Dangerous" means any public elementary, secondary, or charter school that meets any of the following criteria in the most recent school year and in one additional year of the two years prior to the most recent school year:
 - a. For a school whose enrollment is 250 or less, at least 5 dangerous incidents;
 - b. For a school whose enrollment is 251-1000, a number of dangerous incidents that represents at least 2% of the school's enrollment; or
 - c. For a school whose enrollment is over 1000, 20 or more dangerous incidents
2. "Dangerous Incident" means a weapons possession incident resulting in arrest (guns, knives, or other weapons) or a violent incident resulting in arrest (homicide, kidnapping, robbery, sexual offense, and assaults) as reported on the Violence and Weapons Possession Report (PDE-360), which school districts file each year.
3. "Violent Criminal Offense" means kidnapping, robbery, aggravated assault, rape, sexual assault, involuntary deviate sexual intercourse, aggravated indecent assault, indecent assault, attempted murder, homicide, or voluntary manslaughter.

Policy

1. Victims of Violent Criminal Offenses
 - a. A student who becomes a victim of a violent criminal offense, as defined above, while in or on the grounds of the public elementary or secondary school that he or she attends, will be offered the opportunity to transfer to a safe public school within the District, including a charter school, where possible.
 - i. In order for a student victim to be entitled to transfer to another school, the violent criminal offense must first be reported to law enforcement

authorities by the student, the student's parent/ guardian, or school officials.

- ii. The student victim will be offered the opportunity to transfer to a safe public school within 10 days after the incident is reported to law enforcement and the school is notified. The notification shall state that no student is required to transfer.
- iii. The student victim or his/her parent/guardian may apply for a school transfer, using a form supplied by the District, within 30 calendar days after the incident is reported to school authorities.
- iv. Upon receipt of the request to transfer, the District shall transfer the student as soon as possible, and within 10 calendar days after receiving the request.
- v. A parent/guardian is not guaranteed to be able to transfer their child to the school of his/her choice, but the District will take into consideration the particular needs of the student and the parent.
- vi. To the extent possible, the District shall allow the student to transfer to a school that is making "adequate yearly progress", and one that is not identified as being in school improvement, corrective action, or restructuring.

2. Persistently Dangerous Schools

- a. If the Pennsylvania Department of Education notifies the District that one of its schools has been identified as persistently dangerous, the District will notify parents/guardians of students attending the school and offer the option for students to transfer to a safe school. Parents/guardians shall be notified by an information letter within 10 school days from the date that the District receives final notice of the "persistently dangerous" designation from the Pennsylvania Department of Education.
- b. Students that choose to transfer to another school shall be required to apply for the transfer using a form supplied by the District.
- c. The District shall finalize the transfer within 30 calendar days after receipt of a request.
- d. Students who attend a school that is designated as "persistently dangerous" may apply to transfer at any time while the school maintains that designation.
- e. Parents/guardians are not guaranteed to be able to transfer their child to the school of choice, but the District will take into consideration the particular needs of the student and parent/guardian.
- f. To the extent possible, the District shall allow the student to transfer to a school that is making "adequate yearly progress", and one that is not identified as being in school improvement, corrective action, or restructuring.
- g. Parents/guardians will be notified that no student is required to transfer to another school.
- h. A school identified as being "persistently dangerous" shall be required to develop and implement a corrective action plan which may include, but not be limited to, hiring additional personnel to supervise students in common areas, working with

law enforcement officials, providing in-service training of teachers and administrators, installing security equipment or limiting access to campuses. The plan shall be submitted to the Pennsylvania Department of Education for approval within 30 calendar days of receiving notification that a school has been identified as persistently dangerous, and upon complete implementation of the plan, the District shall apply to the PDE to have the school removed from the list of “persistently dangerous” schools.

Administrative Responsibility

It shall be the responsibility of the Administration to implement and enforce this policy, and to develop the forms by which parents/guardians are notified of their right to apply for, and may request, a school transfer, along with any other administrative procedures that may be necessary to carry out this policy.

Communication

This policy shall be communicated to:

1. District Staff
2. Parents
3. Mt. Lebanon Community

Adopted October 18, 2004