

## Student Misconduct in Pennsylvania's Public School Buildings: Evidence from 24 Years of Administrative Records

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### ABSTRACT

This paper compares and contrasts two building level student misconduct measures under Pennsylvania's adopted school safety plan required by the federal No Child Left Behind legislation: (1) required school district reported *arrests* by municipal or state law enforcement authorities for school district-referred violence and weapons incidents, and (2) required school district reporting of *incidents* for violence and weapons incidents across 24 years of Pennsylvania's approximately 3,000 public school buildings. Generally, both the referral for municipal or state<sup>2</sup> arrests for school misconduct (violence and weapons) and reported incidents of school misconduct (violence and weapons) are rare events. Over 24 years, the third quartile *arrest* rate (building level arrests/enrollment) for violence and weapons misconduct was zero and, the third quartile reported *incident* rate for violence and weapons misconduct was 3.4%. Relatively few, 3.6% overall, of Pennsylvania's school buildings were *persistently dangerous* as defined under Pennsylvania's state plan to the US Department of Education; however, taking into account the enrollment in these buildings raised the enrollment weighted fraction of school buildings persistently dangerous to 6.9%.

When we measure whether or a school building is dangerous based on required reported school violence and weapons incidents, that is without an arrest requirement, fully 37.3% of Pennsylvania's school buildings were persistently dangerous; when we weight this measure of misconduct by enrollment, then the fraction of public school buildings persistently dangerous rises to 47% or nearly one half. Pittsburgh public school buildings were disproportionately unsafe across the 24 year study period. Finally, we observe a very pronounced increase in arrest and incident rates in the post-Covid period (school years 2021/2 and 2022/3).

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<sup>2</sup> School districts whose overlapping municipalities do not have municipal police are allowed to request the intervention of the Pennsylvania State Police to perform arrests.

## 1.0 Introduction

Common sense suggests that student and teacher safety are important predicates for learning to take place in any classroom. Local, state, and federal education policy through legislation at all levels of governance have long sought to assure a calm and safe classroom setting. This paper seeks to explore empirically for one state over a considerable period of time the extent of k-12 student misconduct, measured either by arrests for misconduct or misconduct incidents involving violence and/or weapons, at the individual school building level.

From a measurement perspective, there are several different ways to make inferences about the extent of student misconduct in public education. One approach is to examine complaints made by parents and other interested parties about safety issues arising in and around school buildings. Major urban school districts maintain “hot-lines,” and keep records of such phone call reports which contain confidential oral communications. A second approach exploits victimization and opinion surveys from students, teachers and staff for which there is a large and growing research literature on bullying, gun violence and shootings, as well as an extensive education research literature on the interaction of school climate and school violence.<sup>3</sup> Third, there are extensive literatures on the subsequent impacts of school safety issues post-graduation in terms of income trajectories as well further interactions with the criminal justice system. These literatures have examined subsequent peer effects of patterns of school violence as well as the impacts of various disciplinary practices. Contributions using these different methodologies can be found in literatures based in criminology, public and mental health, psychology and human development, sociology, and economics.<sup>4</sup>

While there has been extensive research on school misconduct and its effects on career outcomes, typically relying on sampled individual histories, there is relatively little research using administrative records at the building level which are maintained by local school districts in compliance with state and federal laws which relate to student misconduct levels. A disadvantage of examining administrative records at the building level is that much of student heterogeneity cannot be easily accounted for. On the other hand, state and federally required building level administrative reports provide a far more complete picture than might the study of one or several school buildings or a single school district. Such administrative records can thus inform how the universe of students fare within the control of state education policy in terms of student misconduct issues. Because such reporting is designed to measure results of policies, such administrative data can be viewed as general enough to inform adaptations or corrections in

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<sup>3</sup> For examples of this second approach see, Sharkey, Dowdy, Tyford and Furlong (2006) and Klinger and Hussain(2015) for reviews of research methodologies, strategies and empirical findings, as well as discussions of normative and intervention issues arising from the study of school safety.

<sup>4</sup> For summaries of findings from many of these extensive literatures, see Jimerson and Furlong(2016).

policy. Further, administrative records at the building level about school safety are more readily available than data at the individual student, staff, and administrator levels. For these reasons, we shall examine the school safety, learning outcomes, and household poverty administrative records which were obtained from the Pennsylvania Department of Education for the 24 year period 1999/2000-2022/2023.

Under the No Child Left Behind federal legislation which was signed into law in January, 2002 and took effect for school year 2002/3, states received federal grant monies to support the costs of local education in conjunction with state specific plans that promised to measure and improve student learning outcomes, and agreed to comply with other requirements in such areas as teacher quality and school safety. States agreed to define, measure, report and notify parents that a child in a “persistently dangerous” school building could have the opportunity to be moved to a safe building in the same district if such a safe building existed. States were required in their state plans to define specifically what a weapons violation was, what a violent school safety incident was, and how the prevalence and duration of such weapons and violence incidents were defined that would trigger a school building being deemed “persistently dangerous.” Under the Unsafe School Option, parents were to be notified of the option to move their child from an unsafe school to a safe school if such a safe school existed within the school district. While federal education policy was dramatically changed on December 10, 2015 by the enactment of Every Student Succeeds Act (ESSA), the Unsafe School Option was retained by Congress and remains in force today.<sup>5</sup>

In this paper we i] review how federal school safety legislation has been implemented in Pennsylvania, ii] measure with state administrative records at the building level across time how varying definitions of school safety violations, measured by the rate of *arrests* or the rate of violent and weapons *incidents*<sup>6</sup>, and inform one’s interpretation of whether or not public education occurs in a safe setting.

In particular, we compare observed patterns of “persistently dangerous” buildings, based on a definition which may induce systematic under-reporting, because it requires that school safety incidents or violations of weapons and violence prohibitions result in actual arrests to patterns of required reported incidents themselves, and can lead to enabling parents in such persistently dangerous buildings to move their child/children to other, demonstrably safer buildings. We expect, because reported school safety violation incidents *per se* do not result in financial penalties, that the reporting of incidents, rather than arrests, will be more reliable indicators of the extent of school violence and weapons violations than those which administrators choose to engage law enforcement authorities in order to make actual arrests.

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<sup>5</sup> See § 7912 of Title 20 of the US Code.

<sup>6</sup> The rate of arrest and the rate of incidents are generally defined as the ratio of the count of the particular student misconduct to total enrollment in a building-year.

The paper is organized as follows. Section 2 describes Pennsylvania’s school safety rules and the state misconduct reporting system for local school districts. Section 3 describes the administrative records to be analyzed and operational measures of school violence and weapons misconduct. Section 4 reports general empirical misconduct patterns as follows: Section 4.1 reports statewide counts of misconduct and ratios of of arrest or incident counts to enrollment described as arrest rates and incident rates; Section 4.2 reports building level counts and ratios of counts to enrollment described as arrest rates and incident rates. Section 4.3 explores the concentration and persistence of misconduct at the district level. Section 5 reports how frequently schools are “dangerous” and “persistently dangerous” using Pennsylvania’s definitions under NCLB definition, discussed in Section 2 which are based on actual arrests, and also a modified definition of “dangerous” and “persistently dangerous” which are based on the simple incident rates without regard to whether or not arrests transpired. This section includes simulation results for Philadelphia and Pittsburgh school districts which are the two largest in the state. Section 6 summarizes findings and identifies areas for further research.

## **2.0 School Safety Rules in Pennsylvania to Implement the NCLB Unsafe School Option**

On June 30, 1995, Pennsylvania’s first separate school safety statute took effect, and has been periodically amended since. In particular, Article 13 of Chapter 1 of Title 24 of Pennsylvania’s Consolidated Statutes deals with (A) Safe Schools, (B) School Safety and Security, and (C) School Security. The statute is quite comprehensive and defines and establishes within the Pennsylvania Department of Education an Office for Safe Schools<sup>7</sup>, regulatory and reporting requirements<sup>8</sup>, maintenance of records,<sup>9</sup> and establishes for the School District of Philadelphia a Safe Schools Advocate.<sup>10 11</sup> In 2005 Pennsylvania banned corporal punishment<sup>12</sup>, and in 2008, a policy relating to bullying was established which defined bullying for state purposes, and requires each local school entity to review its written policy every three years.<sup>13</sup> In December 2011, the Office of Safe Schools Advocate (OSSA) was reestablished under the Pennsylvania

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<sup>7</sup> See § 13-1302-a of Title 24 of Pennsylvania Statutes.

<sup>8</sup> See § 13-1302.1-a and §13-1303-a Title 24 of Pennsylvania Statutes.

<sup>9</sup> See § 13-1307-a of Title 24 of Pennsylvania Statutes.

<sup>10</sup> See §13-1310-a of Title 24 of Pennsylvania Statutes.

<sup>11</sup> This series of state actions reflected Pennsylvania’s response to the federal 1990 Gun Free Zones Act and 1995 amendments.

<sup>12</sup> Paddling, per se, was statutorily prohibited in 2005 and took effect in school year 2006/7; however, see § 509 of Title 18 of Pennsylvania Statutes, which enables a teacher to use force against a student under specific circumstances.

<sup>13</sup> See §13-1303.1-A of Title 24 of Pennsylvania Statutes.

Crime Commission and Delinquency to deal solely with school safety issues in Philadelphia<sup>14</sup>. At the close of 2019, a k-12 student's possession of a weapon became explicit grounds for expulsion for no less than one year.<sup>15</sup>

Each year, every local Pennsylvania chief school administrator is required to report in standardized format to the Office of Safe Schools within the Pennsylvania Department of Education:

“all new incidents involving acts of violence, possession of a weapon on school property, use or sale of controlled substances as defined under Pennsylvania's Controlled Substance, Drug, Device and Cosmetic Act of 1972, or possession use or sale of alcohol or tobacco by any person on school property”.<sup>16</sup>

The definition of violent acts is related to a list of state defined crimes and offenses or misconduct<sup>17</sup>: local education agencies are required to report misconduct against persons, property, society, as well as illegal possession of weapons. Detailed information about perpetrators, victims, and the nature of each act of misconduct or school safety incident are collected as to location and time along with whether or not a subsequent arrest was made and the nature of any school sanction.<sup>18</sup> In this paper we shall focus on two measures of student misconduct: the reported numbers of incidents in a building- year, and the reported number of arrests in a building-year. Each measure is normalized by total enrollment in a building-year to obtain incident *rates* and arrest *rates*.

In Pennsylvania, a “dangerous incident” is defined as a weapons possession incident **resulting in arrest** (guns, knives, or other weapons) or a “violent incident” **resulting in arrest** (homicide, kidnapping, robbery, sexual offenses, and assaults) as reported on the Violence and Weapons Possession Report (PDE-360), which school districts must file each year to the Office of State Schools. An arrest can be performed by a municipal law enforcement authority or by the state police if there is no municipal law enforcement authority and is typically governed by bilateral school district-municipality memoranda of understanding<sup>19</sup>. Pennsylvania is among a handful of

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<sup>14</sup> <https://www.pccd.pa.gov/AboutUs/Documents/Annual%20Reports/2012-13%20Annual%20Report.pdf>

<sup>15</sup> See §13-1317.2 of Title 24 of Pennsylvania Statutes.

<sup>16</sup> See §13-1303-A of Title 24 of Pennsylvania Statutes.

<sup>17</sup> The prohibitions include attempts, solicitation or conspiracy to commit any of the enumerated crimes.

<sup>18</sup> See Pennsylvania Department of Education Form 360 and attending instructions

<sup>19</sup> The demography of Pennsylvania local governments is quite complex. There are 500 school districts, 1,103 Municipal Governments, and 1,546 Township Governments, and about 1,000 local police departments and 35 regional or multi-municipal police departments. The Pennsylvania State Police provide local police services to approximately ½ of local governments.

states which requires that for any weapon and/or violent incident to be dangerous, it must result in an actual arrest. In the summer of 2019, the Pennsylvania State Board of Education further limited the definition of an arrest to that only involving a municipal police authority.<sup>20</sup>

Under Pennsylvania's *Unsafe School Option* plan accepted by the US Department of Education as a qualification to receive federal monies under No Child Left Behind,<sup>21</sup> a Pennsylvania school building is deemed "dangerous" in a given school year for federal reporting purposes if the school building meets one of the following three conditions in conjunction with a duration test:

1. For a school whose enrollment is 250 or less, at least 5 dangerous incidents resulting in arrests;
2. For a school whose enrollment is 251 to 1000, a number of dangerous incidents resulting in arrests that represents at least 2% of the school's enrollment; or
3. For a school whose enrollment is over 1000, 20 or more dangerous incidents resulting in arrests.

Finally, for a Pennsylvania school building to be "persistently dangerous," the above designation of a "dangerous" building must have occurred in 2 or more of the preceding 3 years.

### 3.0 Sources of Pennsylvania Data on School Safety Violations

While compliance with state measurement and public reporting of persistently dangerous buildings has been uneven across the US according to the Inspector General of the US Department of Education<sup>22</sup>, Pennsylvania has annually reported various building level school safety and enrollment data in some fashion on the state's web site.<sup>23</sup> Pennsylvania's annual school safety reports, obtained from the Pennsylvania Department of Education under Right to

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<sup>20</sup> Pennsylvania's requirement of an arrest might be expected to induce under-reporting of arrests since they can lead to enabling parents to move children to safe schools within the same LEA, or, potentially, to separate charter schools with associated financial outflows. The reporting of incidents of various kinds, *per se*, does not have the same level of financial risk. As we shall see below, both the level and variability of reported arrests is much greater than the level and variability of reported incidents, and provides support for the interpretation that various reported school safety violations measured as incidents are indicative, in fact, of the extent of school safety issues in any school building.

<sup>21</sup> See Strauss, Bucklin and Hochberg (2016, revised) for a classification of each state's school safety criteria for No Child Left Behind reporting purposes in 2013, available at: [http://www.andrew.cmu.edu/user/rs9f/rpstrauss\\_school\\_safety\\_3\\_1\\_2016.pdf](http://www.andrew.cmu.edu/user/rs9f/rpstrauss_school_safety_3_1_2016.pdf)

<sup>22</sup> See Office of the Inspector General of the US Department of Education (2007) for audit findings of selected state implementations of the Unsafe School Choice Option.

<sup>23</sup> In general, see: <https://www.safeschools.pa.gov/Main.aspx?App=6a935f44-7cbf-45e1-850b-e29b2f1ff17f&Menu=dbd39a1f-3319-4a75-8f69-d1166dba5d70&res=>

Know requests, display total enrollment, number of arrests, the total number of incidents, and details of incidents in terms of various kinds of weapons and violence events at the individual school building level across various kinds of local education agencies.

The organizational demography of Pennsylvania's local *public* education agencies is complex, and broadly is composed of:

- 1) traditional public school districts with the power to impose real property and earned income taxes, and elect nine person school boards;
- 2) area vocational schools which provide career and technical education services under bilateral contracts to participating school districts;
- 3) formally organized Intermediate Units which provide contractual special education services to local, public school districts, and
- 4) state juvenile agency facilities.

In addition to these local public education agencies, there are a plethora of other local education agencies which include independent charter and cyber charter schools, private, and religious schools. Given that the Unsafe School Option largely pertains to public schools because there must be other safe buildings within the administrative control of the local education agency and due to data limitations surrounding various kinds of charter schools, we focus<sup>24</sup> on the first category of traditional public school buildings for the school years 1999/2000 through 2022/2023. Pennsylvania identifies school districts with a 9 digit Administrative Unit Number, and individual buildings with a 4 digit Building Number<sup>25</sup> under the supervision of individual school districts. Considerable effort was devoted to manually checking the identification numbers of school districts and school buildings from the yearly spreadsheets of data obtained from the Pennsylvania Department of Education and its contractors who collect and process the school safety data for them. Across the study period, Pennsylvania had 500<sup>26</sup> organized school districts with approximately 3,000 local public school buildings.

#### **4.0 Patterns of Pennsylvania's Building and School District Level School Safety Violations**

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<sup>24</sup> This approach is more focused than that reported in Strauss, Bucklin and Hochsberg (2016, revised).

<sup>25</sup> In determining what a local school building is for the purposes of database construction, we rely on the assigned 4 digit building number rather than the name assigned to each school building. Pennsylvania follows the federal requirement of maintaining the unique identification of a school building unless there is more than a 50% change in enrollment from one year to another.

<sup>26</sup> We define a school district as one which offers education through 12th grade. Under this definition, there were 500 school districts in Pennsylvania until school year 2009-2010 when a consolidation occurred which reduced the number of school districts to 499 in that and subsequent years.

In this section we report first several statewide trends in terms of the levels and rates of arrests and incidents, and then the frequency of Pennsylvania’s approximately 3,000 local public school buildings, and then focus on the extent of concentration of such misconduct.

#### **4.1 State Wide Levels and Rates of School Safety Violations: 1999/2000-2022/3**

Statewide, Figure 1 indicates that the reported number of Pennsylvania school safety arrests and weapons and violence incidents initially peaked respectively at about 11,900 and 76,000 in school years 2006/7, declined markedly during the Covid19 pandemic, and then increased in the last two years. However, while arrests grew in the last 2 years of the study period, they were still below the levels observed during school years ending 2004-2009. Incidents, on the other hand dropped precipitously during the Pandemic, and then by school year 2022-2023 were at their highest level over the study period—compare 80,000 incidents in school year 2022/3 to about 40,000 in school year 1999/2000. When we compare the ratio of statewide arrests to statewide incidents have varied from as little as 10% in school year 1999/2000 to as high as 18.4% in school year 2003/4. Generally, the ratio of statewide arrests to statewide incidents has been declining since 20013/4 and is about 6% in school year 2022/3.

[ Insert Figure 1 and Figure 2]

Given that Pennsylvania public school building enrollment has declined from 1.75 million students in school year 1999/2000 to about 1.52 million in school year 2021/2022, it is also of interest to examine annually the statewide aggregate arrest and incident data as a fraction of total statewide, public school enrollment. Total arrests across all school buildings, due to violence or weapons violations, when viewed as a proportion of total, local public school enrollment across all school buildings, are relatively rare events, and ranged annually from .2% to .69% of total enrollment across the study period. Total weapons and violence *incidents* which may or may not have led to arrests were more frequent, ranging annually from 2.4% to 4.5% of total enrollment. Note that the arrest *rate* nearly tripled during the period 2001/2 through 2009/10 while the incident *rate* was less variable. Figure 3 displays the pattern of arrest and incident rates with school year 1999-2000 set to an index value of 1.0. Note also that the arrest rate displays far more volatility than the incident rate, although both display substantial drops. Note that the incident rate has increased substantially in the last two years of the study period.

[Insert Figure 3]

#### **4.2 Distribution of Building Level Annual Arrest and Incident Rates 1999/2000-2022/3**



These comparisons of aggregate state totals mask extreme variability in the prevalence of arrests and incidents at the school building levels. Both the frequency and rate of arrests and incidents are highly concentrated. Overall, for the 69,150 local buildings with reported enrollment across 24 years of data,  $\frac{3}{4}$  of the buildings had a zero arrest rate. As might be expected, the distribution of incident rates was more spread out; the median incident rate was approximately 1%.

[Insert Table 1 and Table 2]

Another way to examine the extreme concentration of arrests and violent and weapons incidents is to rank the 500 school districts each year in descending order by arrests, and again, separately, by descending order of incidents, and then compare each year the share of statewide arrests and incidents reflected by the top 20 school districts. If the distribution of arrests and incidents were evenly distributed, then the top 20 districts, or 4% of the 500 districts, would have 4% of the arrests and incidents. Table 3 shows these calculations each year, and reports that in school year 1999/2000 the top 20 districts had **65.9%** of statewide *arrests*, compared to 4% of the count of school districts, and compared to 19.9 % of statewide enrollment. With respect to *incidents*, we see that the top 20 districts had **33.6%** of total incidents in school year 1999/2000 compared to 21.6% of enrollment. Over time, the concentration of *arrests* has declined substantially to 52.2% in 2022/3, while the concentration of *incidents* of the top 20 school districts more than doubled from **33.6%** in 1999/2000 to **69.1%** in 2004/2005, and then slowly declined to 41.5% in 2022/3.

[Insert Table 3]

#### **4.3 Further Examination of School Districts which have the Largest Share of Arrests and Incidents 10 or More Times Out of 20 Possible Years**

Table 4 reports which Pennsylvania school districts were among those 20 each year having the largest share of arrests (Panel A), or incidents (Panel B). That is, we rank the district each year by their share of total arrests (or incidents) each year, next find the top 20 each year, and then identify which districts were consistently in the top 20 at least 10 of 20 years. With regard to arrests, there were 16 such districts which were in the top 20 at least 10 of 20 years. With regard to incidents, there were 14 districts which were in the top 20 at least 10 of 20 years. The membership of Panel A and Panel B are surprising disparate.

Given the relatively stable membership each year in the top 20 most violent school districts, one may observe that they continue to have school violence issues which they have had difficulty in successfully addressing.

[Insert Table 4]

#### **4.4 Patterns of “Dangerous” Public School Buildings in Pennsylvania: 1999/2000 through 2022/2023**

With a sense of what the overall pattern of arrests and incidents are in Pennsylvania, statewide, and at the building and district levels, we now turn to measuring buildings that were “dangerous” and “persistently dangerous” based on the counts of incidents and arrests and duration as defined above. We also offer a second measure which does not require arrests in the determination of whether or not a building is dangerous or persistently dangerous. Table 5 summarizes our two- way classification of school safety violations in terms of whether or not an arrest is contained in the definition of the safety violation, and in terms of whether or not the designation of “dangerous” takes into account duration.

[Insert Table 5]

#### **5.0 Patterns of Two “Dangerous” and “Persistently Dangerous” and Pennsylvania’s Two Largest School Districts**

We now turn to reviewing misconduct patterns below which trigger the designation of “dangerous” and “persistently dangerous”. Recall that since measurement for the Unsafe School Option began in 2002/3, the earliest determination of “persistently dangerous” with school choice options would have begun in 2004/5 due to the three year duration requirement. Throughout, we also perform counter-factual calculations of what these patterns would be were there no arrest requirement and simply based on incident rates.

Next, we examine 20 years of Pennsylvania public school building level school safety data to analyze how many buildings were “persistently dangerous” based on incidents, arrests, and duration, and compare these results to the number of Pennsylvania public school buildings based on just incidents and duration.

#### **5.1 General Statewide Building Patterns of “Dangerous” and “Persistently Dangerous”.**

Table 6 reports that over the entire measurement period 4.2% of Pennsylvania’s local public school buildings were “dangerous” in the sense that the *annual* frequency and rate of school safety incidents met the requirements described in Section 2.0 above. The *annual rate* of dangerous school buildings (the number of buildings which were dangerous divided by the total number of buildings in the state) varied from .3% in school year 2020/1 (a Pandemic year) to 8.5%. However, if one defines and measures “dangerous” without regard to the arrest requirement, then overall 37% of Pennsylvania public school buildings were “dangerous”, and the *annual rate* of dangerous schools ranged from 14.8% in 2020/1 to 50.8% in 2022/3. Note that the range of the latter measure of “dangerous” is smaller than the former measure of “dangerous”,

and that the extent of school safety violations measured by incidents reported is considerably higher -- compare 37% to 4.2%, an eight-fold difference.

[Insert Table 6]

Table 7 reports the results for “persistently dangerous”; we see that adding the duration requirement reduces the overall number of buildings that are “persistently dangerous” to 2,234 out of 61,783 total comparisons or 3.6% overall. This is a bit lower than the 4.2% rate of “dangerous” buildings found overall and reported in Table 6. As expected, when determining “persistently dangerous” without regard to arrests, but with duration in the analysis, we find overall that 23,069 out of the 61,783 buildings over the study period, or 37.3%, were “persistently dangerous” without the arrest requirement. This is about the same overall rate reported in Table 6.

[Insert Table 7]

When we weight the results in Table 7 by enrollment, (See cols [9] and [10] of Table 7), we find, as we did with our earlier count and statewide results, that our inferences about the extent of misconduct, taking into the size of a school building, increases. Using the enrollment weighted persistently dangerous incident rate, we find that overall 47.1% of Pennsylvania’s public school buildings were persistently dangerous and that measure of misconduct increased from 45.5% in school year 2021/2 to 52.6% in school year 2022/3.

## **5.2 School Misconduct Patterns of Philadelphia and Pittsburgh School Districts**

We now turn to measuring the safety of the two largest school districts in Pennsylvania: Philadelphia and Pittsburgh. Table 8 shows the results for Philadelphia, and Table 9 shows the results for Pittsburgh. Again, we see that when one measures “persistently dangerous” with an arrest requirement, Philadelphia appears to be the only district above the overall state rate at 13%; however; taking into account the number of students in each building leads to the conclusion that now 20% of school buildings in Philadelphia are “persistently dangerous.” However, dropping the arrest requirement in the measure of school safety in Philadelphia leads to the conclusion that overall, 70.5 % of Philadelphia’s school buildings are “persistently dangerous”, and fully 71.4 % are “persistently dangerous” when accounting also for enrollment. The reader will note that in the last four years of the study period, there were no school buildings in Philadelphia which were “persistently dangerous,” based on arrests, although there were a large number of incidents amounting to about 70% of Philadelphia school buildings that were “persistently dangerous” based on just incidents.

The results for Pittsburgh are perhaps more dramatic than those for Philadelphia. Overall, about 8% of the building years are found to be “persistently dangerous” with the arrest requirement, whereas we see that about 84% of the building years are persistently dangerous without the arrest requirement.<sup>27</sup> Thus, one’s perception of the school safety situation in Pittsburgh changes more dramatically when one drops the arrest requirement when ascertaining just how much Pittsburgh’s school buildings are “persistently dangerous.” Overall, using the NCLB definition, we find that Pittsburgh’s school buildings were “persistently dangerous” 7.8%; taking into account student enrollment, this rises to 11.5%. When dropping the arrest requirement, however, the fraction of “persistently dangerous” schools based on incident rates and their duration rises to 83.8%, and weighted by enrollment, it rises to 89.1%!

[Insert Table 8 and Table 9]

## **6.0 Summary and Some Outstanding Research Questions**

In this paper we have compared and contrasted legally required reports of two building level school violence measures under NCLB, arrests and incidents of well-defined school misconduct acts, across 24 years of Pennsylvania’s approximately 3,000 public school buildings. Generally, both arrests for school violence and incidents of school violence are rare events.

Over 24 years, the third quartile arrest rate was zero and, the third quartile incident rate was 3.4%. Relatively few, 4.2% overall, of Pennsylvania’s school buildings were *persistently dangerous* as defined and reported pursuant to Pennsylvania’s state plan to the US Department of Education; however, these buildings represented about 7.7% of the student population statewide. When we measure whether or not a school building is dangerous based on reported school violence incidents, that is without an arrest requirement, fully 37.3% of Pennsylvania’s school buildings were dangerous, and they represented 46.5% of the students statewide. Pittsburgh public school buildings were disproportionately unsafe and among the top 20 districts in the state which were unsafe over the 24-year study period.

Having documented that school misconduct is prevalent, concentrated, and persistent, we should emphasize that we have *not* sought to investigate nor evaluated interventions which reduce school misconduct and might be reasonably expected to improve learning outcomes. This disaggregation of results is an important area for future research. What we have demonstrated is that reaching inferences about the extent of student misconduct depends on whether or not actual referrals and subsequent arrests by local law enforcement is the correct metric for misconduct

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<sup>27</sup> Whether or not parents in any school found to be “persistently dangerous” with an arrest requirement were in fact accorded the opportunity to move their child in such an unsafe school to one actually safe is a very interesting administrative matter, and the subject of future research.

measurement as contrasted with the relying on the extent of reported incidents of misconduct. What we have found is that a careful examination of administrative reports of school violence for nearly ¼ century for all the public school buildings in one state indicates that as much as ½ of one state's students are in buildings which may reasonably be characterized as unsafe.

Through disaggregation and linking school level misconduct data to learning outcomes can enable one to differentiate among different types of student misconduct arrests and incidents which differentially impact learning outcomes. With panel data for an entire state across many years, one may also be able to discern time-dependent *patterns* per building. In this paper we have identified individual school districts which have high levels of misconduct rates, and questions arise whether or not one can relate previous interventions aimed at reducing student misconduct to current levels misconduct as well as learning outcomes, and thereby move towards both a structural understanding of the relationship between school misconduct and learning outcomes, as well as evaluating system-wide the efficacy of focusing school resources on reducing misconduct. Another possible line of inquiry would entail a review of the dollar amounts of federal and state funding school districts receive, and which might, as a matter of policy be put at risk if unacceptable levels of school misconduct persist.<sup>28</sup> Finally, given the extensive nature of student misconduct measured over time, one might inquire just how many parents and children were in fact afforded school choice by local districts, the Commonwealth of Pennsylvania and/or the federal government, and how many in fact took advantage of such choice.<sup>29</sup>

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<sup>28</sup> Manipulation of the National Center for Education Statistics Common Core financial data suggests that federal monies may not provide a great deal of leverage. K-12 education in Pennsylvania received overall \$1.4 billion of federal education funding of which about \$400 million was for NCLB in 2002/3; this compared to total k-12 education revenues of about \$20B. In 2014/5, NCLB had grown to \$591 million compared to \$31.6B of total k-12 education revenues.

<sup>29</sup> Attempts to obtain statewide reporting from state and federal authorities on the extent to which the Unsafe School Option has been afforded and utilized have, to date, proven unsuccessful.

## 6.0 Bibliography

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8.0 Figures and Tables

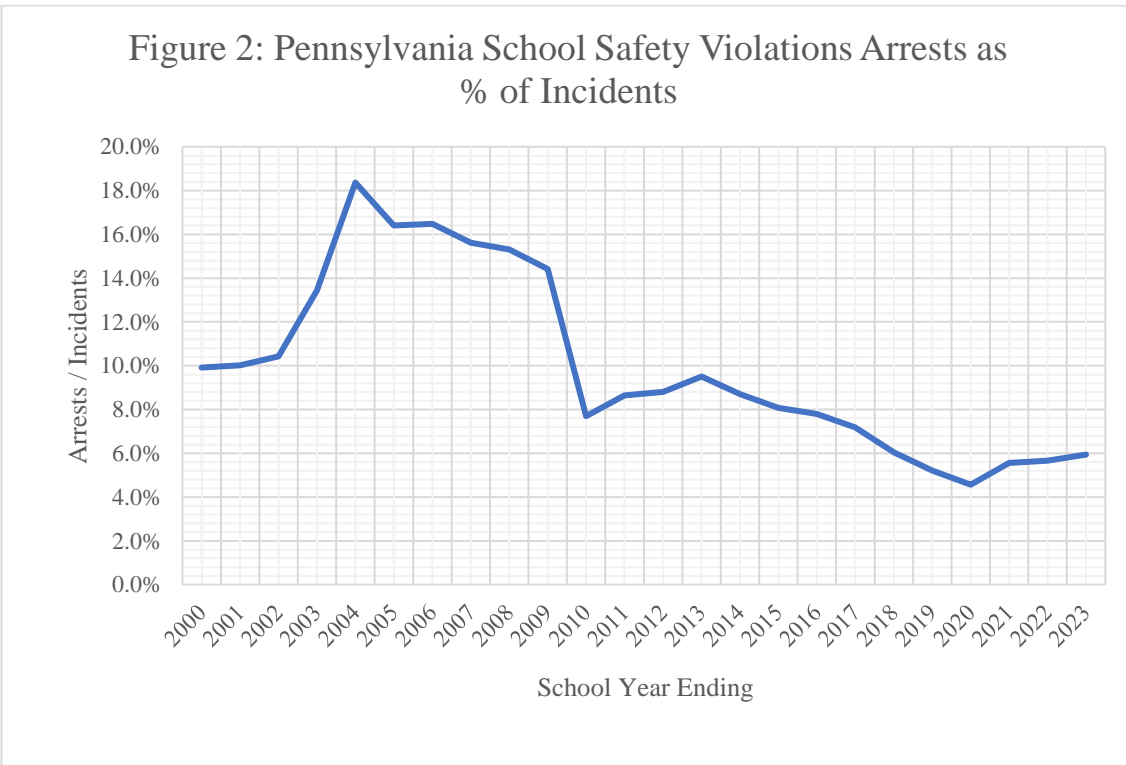
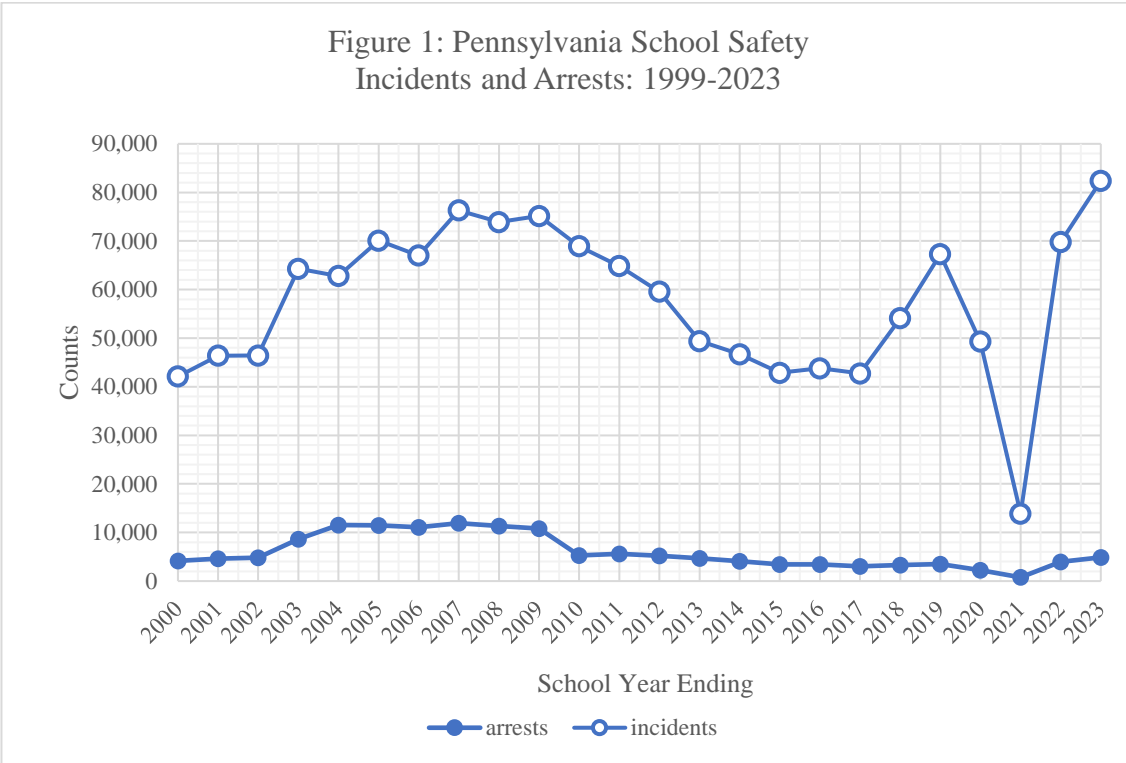
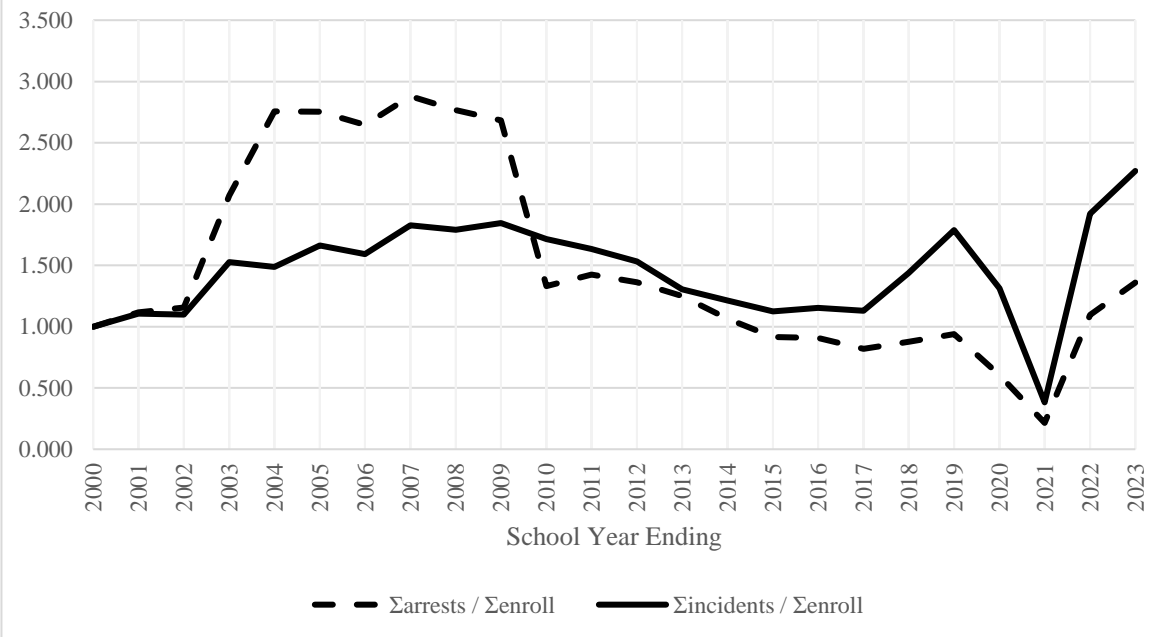




Figure 3: Index of Pennsylvania Arrest and Incident Rates  
for School Years 1999-2000 = 1.0



**Table 1:** Distribution of Pennsylvania School Building Arrest Rates (Arrests/Enrollment) at Percentile by Year.

School Year Ending	Number of Buildings	Arrest Rate 75 <sup>th</sup> Percentile	Arrest Rate 90 <sup>th</sup> Percentile	Arrest Rate 95 <sup>th</sup> Percentile	Arrest Rate 99 <sup>th</sup> Percentile
2000	3,002	0.00%	0.42%	0.89%	2.54%
2001	3,014	0.00%	0.43%	0.99%	2.64%
2002	3,048	0.00%	0.41%	1.00%	3.23%
2003	3,032	0.13%	0.85%	1.95%	4.82%
2004	3,038	0.26%	1.42%	2.62%	6.60%
2005	3,036	0.25%	1.28%	2.68%	6.31%
2006	3,033	0.23%	1.30%	2.50%	6.19%
2007	3,019	0.22%	1.50%	2.82%	7.27%
2008	3,024	0.19%	1.45%	2.73%	7.01%
2009	3,036	0.18%	1.39%	2.71%	7.19%
2010	3,002	0.00%	0.58%	1.40%	4.19%
2011	2,966	0.00%	0.64%	1.47%	4.23%
2012	2,894	0.00%	0.74%	1.51%	3.80%
2013	2,793	0.00%	0.67%	1.40%	4.03%
2014	2,796	0.00%	0.48%	1.09%	3.37%
2015	2,780	0.00%	0.35%	0.94%	2.94%
2016	2,756	0.00%	0.35%	0.94%	2.64%
2017	2,736	0.00%	0.30%	0.71%	2.37%
2018	2,718	0.00%	0.44%	0.99%	2.51%
2019	2,702	0.00%	0.40%	1.08%	2.97%
2020	2,694	0.00%	0.26%	0.62%	2.43%
2021	2,683	0.00%	0.00%	0.16%	1.01%
2022	2,673	0.00%	0.28%	0.97%	3.60%
2023	2,675	0.00%	0.34%	1.18%	5.02%
<b>Overall</b>	69,150	0.00%	0.65%	1.51%	4.39%

**Table 2:** Distribution of Pennsylvania School Building Incident Rates (Incidents/Enrollment) at Percentile by Year.

School Year Ending	Number of School Buildings	25 <sup>th</sup>	50 <sup>th</sup> Median	75 <sup>th</sup>	90 <sup>th</sup>	95 <sup>th</sup>	99 <sup>th</sup>
2000	3,002	0.00%	0.63%	2.44%	5.70%	8.49%	19.06%
2001	3,014	0.00%	0.82%	2.71%	5.88%	9.34%	23.63%
2002	3,048	0.00%	0.86%	2.84%	5.52%	8.57%	24.24%
2003	3,032	0.00%	0.88%	2.91%	6.27%	9.84%	49.47%
2004	3,038	0.00%	0.73%	2.48%	5.28%	9.12%	52.41%
2005	3,036	0.00%	0.75%	2.85%	6.51%	11.20%	47.69%
2006	3,033	0.00%	0.79%	3.00%	6.27%	10.98%	60.81%
2007	3,019	0.00%	1.02%	3.36%	7.57%	12.90%	67.28%
2008	3,024	0.00%	1.21%	3.85%	8.95%	14.86%	66.07%
2009	3,036	0.19%	1.43%	4.08%	9.11%	16.23%	68.05%
2010	3,002	0.00%	1.39%	4.18%	9.32%	14.75%	46.58%
2011	2,966	0.15%	1.23%	3.95%	8.05%	12.77%	51.11%
2012	2,894	0.15%	1.28%	3.95%	8.36%	13.25%	37.54%
2013	2,793	0.00%	1.08%	3.52%	7.01%	11.26%	24.55%
2014	2,796	0.00%	0.96%	3.17%	6.32%	9.77%	24.29%
2015	2,780	0.00%	0.89%	2.93%	6.11%	10.02%	24.74%
2016	2,756	0.00%	0.98%	3.08%	6.30%	9.47%	24.06%
2017	2,736	0.00%	0.86%	2.92%	6.10%	9.31%	20.25%
2018	2,718	0.13%	1.18%	3.72%	7.78%	11.79%	33.27%
2019	2,702	0.15%	1.37%	4.72%	10.03%	14.88%	37.94%
2020	2,694	0.00%	1.02%	3.52%	7.22%	11.46%	33.33%
2021	2,683	0.00%	0.26%	0.98%	2.70%	3.98%	7.69%
2022	2,673	0.19%	1.54%	5.60%	10.84%	15.36%	33.41%
2023	2,675	0.28%	2.06%	6.59%	12.43%	18.55%	42.53%
<b>Overall</b>	69,150	0.00%	0.97%	3.37%	7.35%	11.72%	35.17%

**Table 3:** Pennsylvania's Top 20 School Districts' Share of Total Arrests, Incidents, and Enrollment: School Years 1999/2000 through 2022/2023

School Year Ending	Top 20 Districts' Share of Arrests	Top 20 Districts' Share of Enrollment		Top 20 Districts' Share of Incidents	Top 20 Districts' Share of Enrollment
2000	65.89%	19.87%		33.65%	21.61%
2001	65.61%	19.81%		35.11%	21.10%
2002	65.34%	18.29%		37.48%	21.27%
2003	51.40%	18.72%		56.53%	21.01%
2004	46.96%	20.58%		62.79%	21.28%
2005	50.77%	19.77%		69.07%	21.05%
2006	52.64%	19.93%		66.29%	21.80%
2007	56.22%	19.86%		65.32%	19.15%
2008	50.87%	19.03%		61.53%	18.98%
2009	50.00%	19.21%		58.05%	18.32%
2010	59.05%	18.61%		52.14%	19.71%
2011	55.46%	18.76%		50.64%	19.07%
2012	52.96%	18.49%		48.43%	20.38%
2013	52.49%	17.11%		47.40%	20.41%
2014	57.32%	17.02%		48.20%	19.42%
2015	53.38%	18.07%		47.61%	20.70%
2016	51.26%	17.61%		47.55%	20.49%
2017	53.74%	17.90%		47.88%	19.20%
2018	48.93%	18.05%		46.75%	20.72%
2019	47.63%	18.26%		48.65%	20.10%
2020	56.77%	16.68%		48.03%	19.60%
2021	56.53%	5.52%		19.93%	15.17%
2022	53.15%	16.56%		41.23%	19.21%
2023	52.19%	16.88%		41.48%	19.96%
<b>Overall</b>	54.44%	17.94%		49.26%	19.99%

**Table 4:** Pennsylvania School Districts among Top 20 Annually in Terms of Highest Share of Arrests or Incidents at Least 10 Years or More Out of Possible 24 Years.

Panel A: Arrests				
School District	2022/2023 Enrollment	Share of Statewide Arrests (2022/2023)	Share of Statewide enrollment (2022/2023)	Mean SD arrest rate (across 24 years)
Albert Gallatin Area Sd	3,054	2.37%	0.2%	1.83%
Brownsville Area Sd	1,486	0.90%	0.1%	1.66%
Dubois Area Sd	3,272	0.53%	0.2%	1.10%
Mount Carmel Area Sd	1,549	0.14%	0.1%	1.39%
Northgate Sd	1,035	0.00%	0.1%	1.07%
Pottstown Sd	3,146	0.00%	0.2%	1.31%
Ringgold Sd	2,579	1.90%	0.2%	0.92%
Steelton Highspire Sd	1,338	0.37%	0.1%	2.00%
Tyrone Area Sd	1,759	0.80%	0.1%	1.12%
Wilkes Barre Area Sd	7,777	2.53%	0.5%	1.56%
<b>Total</b>	<b>26,995</b>	<b>9.55%</b>	<b>1.79%</b>	<b>1.40%</b>
Panel B: Incidents				
School District	2022/2023 Enrollment	Share of Statewide Incidents (2022/2023)	Share of Statewide enrollment (2022/2023)	Average SD incident rate (across 24 years)
Allentown City Sd	15,928	1.60%	1.1%	8.76%
East Allegheny Sd	1,374	0.28%	0.1%	10.15%
Erie City Sd	10,066	2.31%	0.7%	15.60%
Harrisburg City Sd	6,271	1.03%	0.4%	11.39%
Norristown Area Sd	7,788	1.52%	0.5%	7.85%
Pittsburgh Sd	19,723	9.23%	1.3%	32.19%
Southeast Delco Sd	4,127	0.65%	0.3%	11.22%
Turkeyfoot Valley Area Sd	276	0.11%	0.0%	14.94%
West Greene Sd	672	0.00%	0.0%	7.82%
Wilkesburg Borough Sd	535	0.02%	0.0%	31.94%
William Penn Sd	4,625	0.92%	0.3%	10.17%
Williams Valley Sd	961	0.86%	0.1%	18.32%
<b>Total</b>	<b>72,346</b>	<b>18.52%</b>	<b>4.81%</b>	<b>15.03%</b>

**Table 5: [Classification] of 4 Types of School Safety Violations**

<b>Duration</b>	<b>Dangerous with Arrest Requirement</b>	<b>Dangerous w/o Arrest Requirement</b>
Annual	[A]: Dangerous with Arrest	[B]: Dangerous without Arrest
2 (or 3) of 3 years	[C]: Persistently Dangerous with Arrest (NCLB accepted definition)_	[D:] Persistently Dangerous w/o Arrest Requirement

**Table 6:** Number and Percent of “Dangerous” Pennsylvania School Buildings: “Dangerous” with and without Arrest Requirement: 1999/2000 through 2022/2023

School Year Ending	Number of Public School Buildings	"Dangerous" Buildings [A]	"Dangerous" Buildings (No Arrest Requirement) [B]	Percent "Dangerous" Buildings [A]	Percent "Dangerous" Buildings (No Arrest Requirement) [B]	Enrollment Weighted Percent "Dangerous" Buildings [A]	Enrollment Weighted Percent "Dangerous Building" (No Arrest Requirement) [B]
	[2]	[3]	[4]	[5]	[6]	[7]	[8]
2000	3,002	66	897	2.20%	29.88%	4.38%	39.78%
2001	3,014	71	965	2.36%	32.02%	4.95%	42.28%
2002	3,048	83	1,029	2.72%	33.76%	5.46%	44.27%
2003	3,032	166	1,042	5.47%	34.37%	10.38%	44.74%
2004	3,038	239	950	7.87%	31.27%	14.44%	42.05%
2005	3,036	232	1,008	7.64%	33.20%	13.84%	43.80%
2006	3,033	225	1,053	7.42%	34.72%	13.87%	45.29%
2007	3,019	255	1,181	8.45%	39.12%	14.52%	49.18%
2008	3,024	239	1,259	7.90%	41.63%	13.43%	51.11%
2009	3,036	241	1,330	7.94%	43.81%	13.36%	52.69%
2010	3,002	109	1,288	3.63%	42.90%	6.78%	51.56%
2011	2,966	123	1,241	4.15%	41.84%	8.08%	50.88%
2012	2,894	107	1,214	3.70%	41.95%	6.87%	50.77%
2013	2,793	108	1,087	3.87%	38.92%	6.82%	47.29%
2014	2,796	84	1,037	3.00%	37.09%	5.68%	45.26%
2015	2,780	58	952	2.09%	34.24%	4.12%	42.30%
2016	2,756	62	976	2.25%	35.41%	4.75%	43.68%
2017	2,736	54	960	1.97%	35.09%	4.69%	44.32%
2018	2,718	55	1,080	2.02%	39.74%	4.15%	49.33%
2019	2,702	72	1,198	2.66%	44.34%	5.10%	54.01%
2020	2,694	38	1,036	1.41%	38.46%	2.31%	47.24%
2021	2,683	8	398	0.30%	14.83%	0.42%	17.86%
2022	2,673	83	1,229	3.11%	45.98%	5.63%	55.90%
2023	2,675	101	1,359	3.78%	50.80%	6.83%	60.22%
<b>Total</b>	<b>69,150</b>	<b>2,879</b>	<b>25,769</b>	<b>4.16%</b>	<b>37.27%</b>	<b>7.68%</b>	<b>46.46%</b>

**Table 7:** Number and Percent of Pennsylvania School Buildings “Persistently Dangerous” with and without Arrest Requirement: 2001/2002-2022

School Year Ending	Number of School Buildings with History 3 Years of Data	NCLB Number of School Buildings “Not Persistently Dangerous” [C]	NCLB Number of School Buildings “Persistently Dangerous” [C]	NCLB Percent of School Buildings Persistently Dangerous [C]	Number of School Buildings Not Persistently Dangerous (No Arrest) [D]	Number of School Buildings Persistently Dangerous (No Arrest) [D]	Percent of School Buildings Persistently Dangerous (No Arrest) [D]	Enrollment Weighted NCLB Percent Persistently Dangerous [C]*	Enrollment Weighted Percent Persistently Dangerous (No Arrest) [D]*
	[2]	[3]	[4]	[5]	[6]	[7]	[8]	[9]	[10]
2002	2,950	2,895	55	1.9%	2,030	920	31.2%	4.0%	42.2%
2003	2,938	2,857	81	2.8%	1,959	979	33.3%	5.7%	44.8%
2004	2,972	2,853	119	4.0%	1,992	980	33.0%	8.2%	44.4%
2005	2,966	2,765	201	6.8%	2,015	951	32.1%	13.0%	43.5%
2006	2,969	2,771	198	6.7%	1,995	974	32.8%	12.6%	43.6%
2007	2,958	2,768	190	6.4%	1,933	1,025	34.7%	12.1%	45.7%
2008	2,952	2,756	196	6.6%	1,834	1,118	37.9%	12.5%	48.2%
2009	2,960	2,751	209	7.1%	1,758	1,202	40.6%	12.5%	50.6%
2010	2,902	2,730	172	5.9%	1,668	1,234	42.5%	10.3%	51.8%
2011	2,904	2,791	113	3.9%	1,660	1,244	42.8%	7.3%	51.8%
2012	2,863	2,771	92	3.2%	1,653	1,210	42.3%	6.2%	51.1%
2013	2,760	2,664	96	3.5%	1,639	1,121	40.6%	6.6%	49.2%
2014	2,693	2,610	83	3.1%	1,647	1,046	38.8%	6.0%	47.5%
2015	2,656	2,589	67	2.5%	1,684	972	36.6%	4.7%	45.1%
2016	2,711	2,660	51	1.9%	1,757	954	35.2%	4.0%	43.4%
2017	2,694	2,645	49	1.8%	1,766	928	34.4%	4.3%	43.3%
2018	2,665	2,619	46	1.7%	1,695	970	36.4%	3.9%	45.7%
2019	2,648	2,598	50	1.9%	1,594	1,054	39.8%	4.2%	49.4%
2020	2,655	2,605	50	1.9%	1,555	1,100	41.4%	3.9%	51.3%
2021	2,658	2,627	31	1.2%	1,673	985	37.1%	2.1%	46.8%
2022	2,654	2,628	26	1.0%	1,686	968	36.5%	1.7%	45.5%
2023	2,655	2,596	59	2.2%	1,521	1,134	42.7%	4.2%	52.6%
Total	61,783	59,549	2,234	3.6%	38,714	23,069	37.3%	6.9%	47.1%



**Table 8:** Unweighted and Weighted Percentage of Philadelphia Public School Buildings under Alternative Definitions

Philadelphia SD	Accepted NCLB "Persistently Dangerous" [C]	Accepted NCLB "Persistently Dangerous" Enrollment Weighted [C]*	Based on Incidents "Persistently Dangerous" [D]	Based on Incidents "Persistently Dangerous" Enrollment Weighted [D]*
Arrests Counted?	Yes	Yes	No	No
2001/2	14.79%	26.61%	30.35%	40.50%
2002/3	17.05%	30.11%	36.05%	49.08%
2003/4	16.60%	28.32%	45.56%	56.83%
2004/5	19.14%	30.87%	65.23%	70.38%
2005/6	17.25%	28.84%	86.67%	88.70%
2006/7	17.65%	26.50%	92.16%	92.71%
2007/8	19.92%	29.11%	91.35%	92.20%
2008/9	20.45%	27.80%	90.71%	91.59%
2009/10	18.25%	24.45%	86.31%	86.14%
2010/11	15.06%	20.94%	80.69%	79.67%
2011/12	11.29%	16.59%	78.63%	76.72%
2012/13	11.20%	15.80%	75.93%	72.93%
2013/14	9.76%	15.40%	72.68%	72.99%
2014/15	8.78%	13.41%	68.29%	69.25%
2015/16	4.23%	4.36%	58.22%	58.36%
2016/17	0.94%	1.18%	58.96%	57.65%
2017/18	0.47%	0.81%	63.98%	62.05%
2018/19	0.46%	0.81%	68.98%	68.42%
2019/20	0.00%	0.00%	76.39%	75.57%
2020/21	0.00%	0.00%	72.81%	72.64%
2021/22	0.00%	0.00%	70.51%	66.98%
2022/23	0.00%	0.00%	75.93%	72.67%
<b>Total</b>	10.82%	17.43%	70.48%	71.39%

**Table 9:** Unweighted and Weighted Percentage of Pittsburgh Public School Buildings under Alternative Definitions of “Persistently Dangerous”

Pittsburgh SD	Accepted NCLB "Persistently Dangerous" [C]	Accepted NCLB "Persistently Dangerous" Enrollment Weighted [C]*	Based on Incidents "Persistently Dangerous" [D]	Based on Incidents "Persistently Dangerous" Enrollment Weighted [D]*
Arrests Counted?	Yes	Yes	No	No
2001/2	0.00%	0.00%	81.03%	85.26%
2002/3	0.00%	0.00%	87.50%	90.85%
2003/4	0.00%	0.00%	94.87%	96.42%
2004/5	24.69%	39.26%	97.53%	98.16%
2005/6	25.61%	40.10%	98.78%	98.81%
2006/7	22.22%	34.78%	93.65%	97.26%
2007/8	20.63%	32.56%	90.48%	96.23%
2008/9	14.71%	25.67%	91.18%	97.06%
2009/10	5.00%	7.70%	90.00%	96.14%
2010/11	0.00%	0.00%	84.75%	91.86%
2011/12	1.75%	0.45%	82.46%	88.15%
2012/13	2.00%	0.54%	78.00%	86.35%
2013/14	2.00%	0.58%	74.00%	80.69%
2014/15	1.96%	0.50%	70.59%	78.18%
2015/16	0.00%	0.00%	75.00%	83.31%
2016/17	0.00%	0.00%	64.81%	72.05%
2017/18	0.00%	0.00%	72.22%	78.71%
2018/19	3.70%	5.75%	75.93%	83.07%
2019/20	10.71%	14.97%	82.14%	88.90%
2020/21	8.93%	10.24%	78.57%	85.19%
2021/22	5.36%	5.43%	78.57%	86.39%
2022/23	3.57%	2.23%	75.00%	83.65%
<b>Total</b>	<b>7.81%</b>	<b>11.46%</b>	<b>83.76%</b>	<b>89.13%</b>