

Prepared By:

Dr. Dean M. Donaher, Director of Student Services and Athletics

Mr. Monty Perfetti, Consultant

Mr. Thomas Doluisio, Consultant

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I. Superintendent Persing's Charge

To determine the current status of the Bethlehem Area School District's K-12 student code of conduct and recommend areas in need of improvement. Note: For the purpose of this report, the Student Code of Conduct will be referred to as the Code.

II. Background

The current student code of conduct, with the exception of some minor modifications, was developed during the 1995-96 school year. This policy was the end result of an extensive process which included a committee comprised of community members, parents, clergy, teachers, administrators, students, and School Board members. The committee was co-chaired by the President of the teachers' association and the Superintendent of Schools. Approximately 16,000 surveys were distributed to various constituencies in the greater Bethlehem community and the results were tabulated by East Stroudsburg University. Sixteen community values, as well as strong support for a uniform student code of conduct were overwhelmingly endorsed by the various groups that were surveyed. The beginning point was the code of conduct used at East Hills Middle School and authored by Monty Perfetti, the principal. As a result of committee work, numerous parent and administrative meetings, legal reviews, and two School Board hearings, the Code was approved unanimously and became school district policy on July 29, 1996.

The Code consists of three distinct components which are intended to support the 16 community values identified through the surveys. The components are character education programs, interventions intended to change negative behaviors, and consequences which result from violations of school rules. The implementation of this new code required several features, namely:

- A. Parent Communications- a student code of conduct brochure was developed and distributed to all parents in the Bethlehem Area School District. Spanish versions were also mailed to homes where appropriate. Also, parent meetings were held to further explain the code and provide opportunities for questions and answers.
- B. Staff In-Service - training programs were conducted for teachers, administrators, bus drivers, and other employee groups that had direct contact with students of the district.
- C. Student Orientation - At the beginning of the school year, orientation programs were provided for all students K-12. Age appropriate programs were developed for the elementary, middle and high school levels.
- D. Oversight of the Code - The Director of Secondary Education was assigned the responsibility of overseeing the uniform implementation of the Code. He was given authority over the building administrators with respect to the day to day workings of the Code. He also was responsible for conducting annual reviews by school and by level. His duties extended to developing and distributing all materials necessary to support the new Code.

III. Audit Process Used to Review Current Code

- A. Met with Superintendent Persing to review charge - May 17, 2010
- B. Interviewed BEA President and Past President - May 20, 2010
- C. Met with secondary administrators to discuss Superintendent's charge and audit process to be utilized - May 26, 2010

- D. Held voluntary meetings with teachers representing six secondary school faculties.
 - 1. Freedom High School - approximately 50 teachers - May 26, 2010
 - 2. Broughal Middle School - 4 teachers - May 27, 2010
 - 3. Liberty High School - Approximately 50 teachers - June 1, 2010
 - 4. Northeast Middle School-Approximately 24 teachers - June 2,2010
 - 5. East Hills and Nitschmann Middle Schools - approximately 12 teachers - June 3, 2010
- E. Conducted Administrative In-service - Code of Conduct - June 14, 2010
 - 1. Planning Session 1- Donaher, Perfetti, Doluisio - May 27, 2010
 - 2. Planning Session 2 - Donaher, Perfetti, Doluisio - June 4, 2010
- F. Met with Liberty and Freedom Hall Monitors - June 4, 2010
- G. Met with School Resource Officers - June 4, 2010
- H. Met with secondary school administrative teams to discuss input received and recommendations to improve the Code.
 - 1. Middle Schools - June 21, 2010
 - 2. Liberty High School- June 22, 2010
 - 3. Freedom High School - June 23, 2010
- I. Met with Distinguished Educators - June 28, 2010
- J. Met with Marie Bachman, Supervisor of Data Processing to review statistics relative to the code – June 30, 2010
- K. Met with secondary school administrators to review a draft of the Code of Conduct report. - July 7, 2010
- L. Met with representatives of the Bethlehem Education Association to review a draft of the Code of Conduct report. - July 12, 2010
- M. Met with Dr. Persing to review final Code of Conduct report. - July 16, 2010

IV. Summary of Observations and Input

A. Teacher observations and recommendations

1. Middle Schools

- a. Three middle schools report no major concerns regarding the implementation of the Code although there were a few specific issues of a minor nature that need to be addressed.
- b. Each middle school expressed concern about losing the administrator eliminated in the 2010 -11 budget.
- c. Teachers in all middle schools were generally supportive of the Code with only a few suggestions for minor modifications. The consensus seems to be that the Code which was developed fifteen years ago is relevant today.
- d. The student dress code is not being enforced on a regular basis.
- e. The major concerns expressed at one school had to do with inconsistencies in the Code's implementation. It is felt that these inconsistencies occur to a lesser degree within the faculty and to a greater degree within the administration. Teachers feel Positive Behavior Intervention Strategies - PBIS, a program that rewards good student behavior is, on occasion, supplanting the Code.

2. High Schools

- a. Concerns at both high schools centered on student behavior in common areas such as hallways, cafeteria, and outside the buildings.
- b. Both faculties expressed major concerns regarding lates to school and lates to class as well as the effectiveness of the Saturday detention program.
- c. Both faculties cited a growing frustration centered around inconsistencies regarding the implementation of the Code within the various administrative offices and among some teachers.
- d. Both faculties felt that the Code orientation provided to the students at the beginning of each school year should receive stronger emphasis and be more thorough in its presentation.
- e. The student dress code is not being enforced on a regular basis.

B. Secondary Administrators observations and recommendations:

1. The District has lost the instructional and intervention components of the Code.
2. The BEA only wants the consequences component of the Code.
3. The BEA should not be allowed to receive copies of student discipline referrals for the purpose of comparing administrators.
4. By the time students reach the high school level, they should know the school rules and how to behave.
5. The fundamentals of the Code of Conduct need to be reaffirmed. These fundamentals are instruction in Character Education, interventions, and consequences.
6. There is inconsistency within the teaching faculty regarding the implementation of the Code.
7. There needs to be more uniform in-service for both faculty and administrators.

C. Hall Monitors and School Resource Officers observations/ recommendations:

1. There is a lack of consistency regarding the implementation of the Code by administrators at both high schools and at one of the middle schools.
2. Some teachers are inconsistent in following the Code.
3. At the high school level, administrative staffing is not adequate to deal with the volume of referrals generated by the faculty.
4. At some schools there are students who do not think there are consequences for their actions.
5. At the high school level, there is general agreement with input received from the teachers who attended the voluntary meetings.

V. Summary of Documentation Audits and Statistical Analysis

A. Documentation Audits

1. In order to determine current practices in administratively implementing the Code, student discipline folders of potential habitual offenders (students issued three or more suspensions in the current school year) were audited from all secondary schools. The following findings were identified as issues in specific administrative offices:
2. The proper interpretation of specific Level III infractions is inconsistently implemented.
 - a. Student use of profanity in the presence of an adult is not by Code definition automatically an act of “disrespect”.
 - b. The infraction of “unauthorized area” is reserved for locations not typically accessible to students during the school day not simply that a student is not in class
 - c. The category of “other” is not intended for use in acting upon referrals describing misconduct which corresponds to Code infractions already available for use in administrative action.
 - d. The category of “harassment and bullying” should not be utilized when misconduct meets the criteria for “physical assault”.
 - e. In describing an “assault” on a Code referral it is insufficient to simply write that a “physical altercation” occurred without providing specific details of the behavior which occurred and the individuals involved.
3. The primary intent of the Code to change student behavior is compromised when administrative interventions are incomplete.
 - a. Failure to indicate the “step” of the infraction ignores the progressive nature of the Code and the concept that “you do not get to misbehave forever”. The “step” also prescribes a specific range of consequences which can be utilized in a collaborative approach with the student to determine the level of consequence needed to change behavior. Not employing the “step” in administering the Code ignores basic concepts serving as foundations to changing behavior.
 - b. Failure to employ “Student Reaction Forms” where students are offered an opportunity to provide their accounts of events related to Level III misconduct referrals demonstrates a lack of collaboration designed to change behavior. A proper search for truth and accuracy in administering the Code is supported by use of “Student Reaction Forms”.
 - c. Failure to employ “Disciplinary Action Sequence Charts” in processing referrals impedes proper implementation of designated consequences for levels and steps of infractions. “Disciplinary Action Sequence Charts” are also a valuable visual aide to assist students and parents in understanding the student’s current status in the Code and anticipated consequences should the student fail to change behavior.

- d. Failure to employ “Suspension Reinstatement Plans” results in a potential lack of focus and accountability for students returning from suspension. The active role of the guidance counselor in providing support and direction for students returning from suspension is also diminished without the use of a specific suspension reinstatement process.
- 4. The basic belief system forming the foundation of the Code is negated when administrators improperly process referrals for misconduct.
 - a. Combining Level II referrals and issuing one consequence for multiple acts of misconduct with some referrals not included in a student’s “Disciplinary Action Sequence” has multiple negative impacts. The Code limitation on the number of infractions is compromised. The individuals investing time to intervene by completing the referrals are less inclined to do so in the future if the referral is technically “voided”.
 - b. Including Level II infractions as an addendum to a suspension issued for an unrelated Level III infraction is inappropriate. Such an action expands the number of permissible Level II infractions and is in opposition to the basic Code tenets of “everything counts” and “you don’t get to do it forever”.
 - c. When a referral includes evidence of multiple acts of misconduct, each infraction should be addressed. A student, for example, who acts disrespectfully and insubordinately when confronted about a cell-phone should not simply be cited for “hall misconduct”.
 - d. Level II infractions must be acted upon administratively in collaboration with the student and in accordance with the guidelines outlined on the “Disciplinary Action Sequence”. It is totally inappropriate to simply issue one detention for all Level II infractions for the purpose of processing referrals.

B. Statistical Analysis

1. In reviewing statistical data related to implementation of the Code, the focus of the statistical analysis was on Level III infractions of the Code since these categories of misconduct represent the greatest threats to student safety and welfare as well as most serious disruptions of the learning environment.
2. In an effort to determine longitudinal trends in student behavior and administrative implementation of the Code, the statistical analysis was conducted using four year intervals for comparison. Such a method minimizes the effect of one year anomalies and emphasizes patterns of behavior and Code implementation.
3. In analyzing District-wide data for Level III infractions, the recent four year time interval between the 2005-06 and 2008-09 school years has shown an overall decrease in Level III misconduct compared to the number of referrals for Level III misconduct reported in prior four year intervals.
 - a. Dangerous objects and weapons reported referrals have decreased by 80%.

- b. Destruction of property reported referrals have decreased by 69%.
 - c. Endangerment reported referrals have decreased by 6%.
 - d. Insubordination reported referrals have decreased by 37%.
 - e. Physical assault reported referrals have decreased by 24%.
 - f. Profanity and obscenity reported referrals have decreased by 9%.
 - g. Theft of items of \$10 or more in value reported referrals have decreased by 65%.
 - h. Tobacco use reported referrals have decreased by 74%.
4. The Level III infractions of Disrespect (+24%) and Unauthorized Area (+13%) exceeded the number of reported referrals of prior four year intervals.
 5. Overall, the total number of Level III reported misconduct decreased by 23% during the recent four year interval compared to prior four year intervals.
 6. Overall, the total number of student suspensions has decreased by 16% during the recent four year interval compared to prior four year intervals.
 7. Also examined statistically were the incidents of Level IV infractions which result in recommendation to the Superintendent and Board of School Directors for student expulsion.
 - a. The number of Level IV infractions referred for expulsion remains low across the District.
 - b. For the recent four year interval there were an average of 16 referrals for assaults upon employees, 22 referrals for weapons and explosives, and 12 referrals for students designated as habitual offenders of the Code.
 8. The number of students expelled from the District remained consistent with an average of 47 students expelled yearly in the recent four year period. In prior four year periods, an average of 42 students per year were expelled.

**BETHLEHEM AREA SCHOOL DISTRICT
STUDENT CODE OF CONDUCT**

**LEVEL III AND LEVEL IV INFRACTIONS
SUSPENSIONS AND EXPULSIONS**

LONGITUDINAL ANALYSIS

Dangerous Objects/Weapons

1997-98 to 2000-01 average - 35 (High of 65 in 1997-98)
 2001-02 to 2004-05 average - 51 (High of 56 in 2003-04)
 2005-06 to 2008-09 average - 10 (High of 29 in 2005-06)
 Decrease of 80% in the most recent 4 years from the highest time period.

Destruction of Property

1997-98 to 2000-01 average - 90 (High of 121 in 1997-98)
 2001-02 to 2004-05 average - 35 (High of 79 in 2001-02)
 2005-06 to 2008-09 average - 28 (High of 42 in 2005-06)
 Decrease of 69% in the most recent 4 years from the highest time period.

Disrespect

1997-98 to 2000-01 average - 449 (High of 600 in 1997-98)
2001-02 to 2004-05 average - 402 (High of 461 in 2003-04)
2005-06 to 2008-09 average - 501 (High of 536 in 2008-09)
Increase of 24% in the most recent 4 years from the lowest time period.

Endangerment

1997-98 to 2000-01 average - 450 (High of 542 in 1997-98)
2001-02 to 2004-05 average - 438 (High of 462 in 2003-04)
2005-06 to 2008-09 average - 423 (High of 476 in 2005-06)
Decrease of 6% in the most recent 4 years from the highest time period.

Insubordination

1997-98 to 2000-01 average - 2567 (High of 3235 in 1997-98)
2001-02 to 2004-05 average - 1936 (High of 2139 in 2003-04)
2005-06 to 2008-09 average - 1629 (High of 2126 in 2005-06)
Decrease of 37% in the most recent 4 years from the highest time period.

Physical Assault

1997-98 to 2000-01 average - 353 (High of 427 in 1997-98)
2001-02 to 2004-05 average - 402 (High of 436 in 2004-05)
2005-06 to 2008-09 average - 303 (High of 438 in 2005-06)
Decrease of 24% in the most recent 4 years from the highest time period.

Profanity and Obscenity

1997-98 to 2000-01 average - 637 (High of 722 in 1997-98)
2001-02 to 2004-05 average - 694 (High of 757 in 2003-04)
2005-06 to 2008-09 average - 629 (High of 754 in 2005-06)
Decrease of 9% in the most recent 4 years from the highest time period.

Theft (\$10 or more in value)

1997-98 to 2000-01 average - 126 (High of 158 in 1997-98)
2001-02 to 2004-05 average - 57 (High of 106 in 2001-02)
2005-06 to 2008-09 average - 44 (High of 53 in 2006-07)
Decrease of 65% in the most recent 4 years from the highest time period.

Tobacco

1997-98 to 2000-01 average - 71 (High of 95 in 1997-98)
2001-02 to 2004-05 average - 43 (High of 48 in 2004-05)
2005-06 to 2008-09 average - 18 (High of 24 in 2007-08)
Decrease of 74% in the most recent 4 years from the highest time period.

Unauthorized Area

1997-98 to 2000-01 average - 700 (High of 987 in 1999-00)
2001-02 to 2004-05 average - 458 (High of 616 in 2003-04)
2005-06 to 2008-09 average - 528 (High of 701 in 2005-06)
Increase of 13% in the most recent 4 years from the lowest time period.

Total Level III Infractions

1997-98 to 2000-01 average - 6635 (High of 7607 in 1997-98)
2001-02 to 2004-05 average - 5946 (High of 6664 in 2003-04)

2005-06 to 2008-09 average - 5051 (High of 6293 in 2005-06)
Decrease of 23% in the most recent 4 years from the highest time period.

Total Student Suspensions From School

1997-98 to 2001-02 average - 1218 (High of 1315 in 1997-98)

2001-02 to 2004-05 average - 1222 (High of 1255 in 2003-04)

2005-06 to 2008-09 average - 1017 (High of 1156 in 2005-06)

Decrease of 16% in the most recent 4 years from the highest time period.

(As a reference, there were 1880 students suspended from school in the 1995-96 school year.... the last school year preceding the adoption of the current Student Code of Conduct).

OTHER NOTES:

1. In the 2005-06 to 2008-09 time period there was an average of 34 referrals/school year for drugs and alcohol violations. The high was 51 referrals in 2005-06. In past time intervals, the average was 14 referrals/ school year from 1997-2001 and 43 referrals/school year from 2001-2005.
2. In the 2005-06 to 2008-09 time period there was an average of 16 referrals/school year for assault of a District employee. The high was 20 referrals in 2006-07. In past time intervals, the average was 2 referrals/school year from 1997-2001 and 9 referrals/school year from 2001-2005.
3. In the 2005-06 to 2008-09 time period there was an average of 22 referrals/school year for weapons/explosives. The high was 28 referrals in 2006-07. In past time intervals, the average was 5 referrals/school year from 1997-2001 and 10 referrals/school year from 2001-05.
4. In the 2005-06 to 2008-09 time period there was an average of 12 students designated habitual offenders of the Student Code Of Conduct. The high was 15 students in 2005-06. In past time intervals, there was an average of 24 designated habitual offenders/school year from 1997-2001 and 18 designated habitual offenders/school year from 2001-05.
5. In the 2005-06 to 2008-09 time period, an average of 47 students were expelled/school year. The high was 56 students expelled in 2008-09. In past time intervals, there were an average of 42 students expelled/school year from 1997-2001 and 42 students expelled/school year from 2001-05. The highest year ever for student expulsions was 61 in 1997-98.

VI. Summary of Recommendations to improve Code Implementation

A. Administrative/Organizational

1. Beginning with the 2010-11 school year, the central office administrator in charge of the Code must have line authority to building administrators with respect to the enforcement of the program. This is being recommended to address the concerns expressed by middle school and high school teachers, hall monitors, and School Resource Officers regarding administrative inconsistencies with respect to Code enforcement. This line authority should include having input into building administrator's annual evaluations.

2. At the secondary level, beginning in September 2010, teacher's schedules must include as assigned duties which may include, but are not limited to, hall monitoring, and/or supervision of cafeteria, study halls, in-school suspension and student arrival and dismissal. The performance of these duties by teachers will help to improve school climate and tone. The sole use of administrators, hall monitors and a school resource officer is insufficient for this purpose.

3. The administration must review and modify the numeric codes utilized in the Code to conform with the state's new system that has been mandated for all school districts in the Commonwealth. This should be completed by September, 2010.

4. Building administrators must hold staff accountable for code enforcement. This must be accomplished by having principals make expectations clear with consequences for staff that are not adhering to code guidelines and/or assigned duties.

5. Teacher discipline referrals must be acted upon in a timely manner with the administrative disposition clearly communicated back to the teacher. This should include code violation, step number, and consequence. This communication process must occur routinely and consistently.

6. Principals must provide closer supervision of Assistant Principals to assure consistent compliance to administrative guidelines established for the Code.

7. Currently, the high school resource officer is unavailable for his/her assigned duties on some days due to required court appearances. A strategy should be devised to ensure for substitute coverage on those days. This program adjustment should be in place by October 1, 2010.

B. Program

1. A Character Education Program for grades K-8 must be implemented beginning with the second semester of the 2010-2011 school year.

2. At the high school level, new guidelines and procedures to address lates to school and lates to class must be developed and implemented for the 2010-2011 school year. This new policy should be common to both high schools. High school administrators should recommend these new procedures to the Superintendent by August 15, 2010.

3. A committee comprised of parents, students, teachers, administrators, and school board members should be formed to review the student dress code. A report with recommendations must be submitted to the school board by January 15, 2011.

4. Alternative intervention strategies must be developed to provide supports previously implemented by staff members involved in the Character Academic Motivation Program - CAMP. This work should be completed by December 1, 2010.

5. At the secondary level, the in-school suspension and detention programs (after school and Saturday) must be reviewed. Recommendations should be submitted for approval to the Superintendent of Schools by August 15, 2010.

6. Class Management Plans must be posted in all classrooms. These plans may be uniform within a school or department or different from teacher to teacher. Prior to posting these plans, principal approval is required. Each teacher must periodically review these plans with the students.

7. Summer meetings for post-5th and post-8th grade students with three or more suspensions in the previous year must be conducted. The purpose of these meetings is to underscore the importance of changing negative behaviors to guarantee success in the receiving school. The receiving principal, sending principal, receiving school guidance counselor, student and parent(s) must be in attendance at these meetings. Also, it is suggested that all potential habitual offenders (3 or more suspensions) at the high school level, grades post 9, 10, 11 attend similar meetings conducted by high school administrators and guidance counselors. These meetings must occur each summer, beginning August, 2010.

8. The Student Suspension Reinstatement Contract and return process must be reaffirmed and required of all students reentering school from suspension beginning in September, 2010.

9. At the high school level, a committee of administrators and teachers should explore the possibility of creating an Academic/Behavior Improvement Contract and guidelines to be used as a tool to eliminate ongoing behavior problems that occur within classrooms. Final recommendations should be reviewed by the District's Solicitor and ultimately approved by the Board of School Directors. This will help to improve the classroom climate and maximize instructional time available for learning. This program should be ready for implementation beginning with the second semester of the 2010- 2011 school year.

10. Code misconduct that occurs at the Bethlehem Area Vocational-Technical School must be included in each student's Code of Conduct profile. These infractions must count towards consequences assigned by the home high school. This requirement must take effect September 2010.

11. The use of the Disciplinary Action Sequence Chart needs to be reaffirmed in all schools. This chart is a tool to be used by building administrators and/or guidance counselors when working with parents and students involved with the Code. It provides feedback on the current status of students as they move through the Code. This provision of the Code guidelines and procedures should be reestablished with the beginning of the 2010-11 school year.

12. The district should investigate the inappropriate use of electronic devices by students during the instructional day. This investigation should include a legal review of the possibility of a de-activation of cell phones and other electronic devices in instructional areas.

C. In-Service

1. Beginning this September, staff in-service must be provided by the Administration so as to guarantee a uniform message being received by all District employees responsible for Code enforcement.

2. At the beginning of each school year principals must provide a meaningful and thorough orientation program for all students. Also, students transferring into buildings from outside the school district must be provided similar orientation by either the guidance counselor or building administrator. Sufficient time needs to be allocated for this purpose.

VII. Limitations of the Report

As a result of time constraints, the review only focused on the status of the Code of Conduct at the four middle schools and the two high schools. Elementary schools play a vital role in guaranteeing the overall success of this program. The Code of Conduct is a

K-12 policy with the expectation that our youngest students become familiar with its' requirements at an early age in their academic careers. Therefore, it is recommended that a similar review of elementary schools occur during the 2010-2011 school year.

VIII. The Student Code of Conduct in Perspective

An effective Student Code of Conduct is essential in providing an orderly and efficient learning environment in which student learning can occur.

The Student Code of Conduct, however, is not the only critical component of an effective and supportive learning environment.

In addition to considering the recommendations included in this report designed to enhance the effectiveness of the Student Code of Conduct, it is also suggested that attention be focused on assuring that the following components of the educational program are also implemented at a high level:

- . Consistent district-wide standards of high academic achievement for all students
- . District-wide systems for evaluation of academic performance of all students
- . District-wide procedures for diagnosing deficiencies in student learning of all Students
- . Prescriptive academic interventions and subsequent evaluations for addressing individual deficiencies in student learning
- . District-wide promotion policies based upon clearly defined levels of demonstrated individual student performance
- . Instructional practices and strategies which recognize the varied learning styles of individual students
- . Programs and procedures which assure that every student is assisted in defining individual goals and aspirations with adult advice and support
- . A school environment which encourages students to identify and develop their unique talents and abilities as well as recognizes and celebrates meaningful and varied student achievements.

All students have worth and unlimited potential. The Bethlehem Area School District is where students can thrive and become meaningful contributors to our community and society.