

Norwich City School District

Safe and Supportive Educational Environment

NOVEMBER 2018



OFFICE OF THE NEW YORK STATE COMPTROLLER
Thomas P. DiNapoli, State Comptroller

Contents

- Report Highlights 1**

- Safe and Supportive Educational Environment 2**
 - How Should District Officials Prevent VADIR and DASA Incidents? . . 2
 - District Officials Have Taken Actions to Prevent VADIR and DASA Incidents 3
 - How Should District Officials Investigate VADIR and DASA Incidents? 4
 - District Officials Investigated All VADIR and DASA Incidents in a Timely Manner 4
 - How Should District Officials Address VADIR and DASA Incidents? . 5
 - District Officials Adequately Addressed VADIR and DASA Incidents in a Timely Manner 5
 - How Should District Officials Report VADIR and DASA Incidents? . . 6
 - District Officials Properly Reported VADIR and DASA Incidents . . . 6
 - Conclusion 7

- Appendix A – Bullying Chart 8**

- Appendix B – Response From District Officials 9**

- Appendix C – Audit Methodology and Standards 10**

- Appendix D – Resources and Services 11**

Report Highlights

Audit Objective

Determine whether District officials appropriately prevented, investigated, addressed and reported incidents to ensure a safe and supportive educational environment.

Key Findings

- District officials implemented several policies and procedures, such as a bullying chart, code of conduct and leadership class, to prevent, investigate, address and report incidents to ensure a safe and supportive educational environment.
- We reviewed all of the 173 reported Uniform Violent and Disruptive Incident Reporting System and Dignity for All Students Act incidents and found that District officials appropriately investigated, addressed and reported all incidents.

Key Recommendations

There were no recommendations as a result of this audit.

District officials agreed with our report.

Background

The Norwich City School District (District) serves 10 towns and one city in Chenango County.

The District is governed by a Board of Education (Board), which is composed of seven elected members. The Board is responsible for the general management and control of the District's financial and educational affairs. The Superintendent of Schools (Superintendent) is the chief executive officer and is responsible, along with other administrative staff, for the District's day-to-day management under the Board's direction.

The Assistant Superintendent, building principals, building dean of students and school counselors are responsible for preventing, investigating, addressing and reporting all violent and disruptive incidents and material incidents of discrimination and harassment.

Quick Facts

2017-18 Enrollment	2,080
School Buildings	4
2018-19 Budgeted General Fund Appropriations	\$42.2 million

Audit Period

July 1, 2015 – April 5, 2018

Safe and Supportive Educational Environment

The Safe Schools Against Violence in Education Act (SAVE Act)¹ was enacted in July 2000 to provide a safe learning environment for all students in New York State. To comply with the SAVE Act, the New York State Education Department (NYSED) developed the Uniform Violent and Disruptive Incident Reporting System (VADIR)² to collect annual data from school districts. NYSED uses VADIR reports to calculate a School Violence Index (SVI).³ Schools with a certain SVI threshold for two consecutive years are designated “persistently dangerous” and must submit to NYSED a plan to increase school safety. A school’s SVI score is comprised of a sum of weighted incidents divided by the district’s K-12 enrollment. Each type of incident is given a “weight” that has been established by NYSED, with the most serious incidents having the greater weights. Each year, NYSED publishes all New York State school districts’ SVI scores.

The Dignity for All Students Act (DASA)⁴ seeks to provide a safe and supportive environment for all students, free from discrimination, harassment and bullying. All districts are required to submit an annual report of material incidents of discrimination, harassment and bullying to NYSED.⁵

How Should District Officials Prevent VADIR and DASA Incidents?

District officials should establish and integrate programs into classroom instructions that are geared towards the prevention and intervention of VADIR and DASA incidents and to help students build supportive relationships with each other. Staff should be provided training and instructions to recognize the warning signs of harassment, bullying and discrimination. In addition, staff should be made aware of their responsibility to become actively involved in the prevention of such acts. District curriculum should emphasize empathy, tolerance and respect for others. Whenever possible, parent and community involvement should be included in the programs developed. Additionally, a code of conduct should be developed, and all students and parents should be made aware of its provisions.

1 See NYSED website relating to the SAVE Act at <http://www.p12.nysed.gov/sss/ssae/schoolsafety/save/>

2 See NYSED website relating to VADIR at <http://www.p12.nysed.gov/sss/ssae/schoolsafety/vadir/home.html>

3 See NYSED website relating to SVI at http://www.p12.nysed.gov/irs/school_safety/school_safety_accountability.html

4 See NYSED website relating to DASA at <http://www.p12.nysed.gov/dignityact/>

5 See NYSED website relating to these annual reports at http://www.p12.nysed.gov/irs/school_safety/school_safety_data_reporting.html

District Officials Have Taken Actions to Prevent VADIR and DASA Incidents

District administrators and teachers were provided on-going training regarding VADIR and DASA related issues. In addition, District officials have taken appropriate actions to foster a safe and supportive educational environment, such as the development of a bullying chart (Appendix A) to educate all students, a comprehensive code of conduct and a leadership class for intermediate students.

Bullying Chart – In 2014, District officials developed a bullying chart to teach students at all grade levels how to identify, classify and handle bullying incidents. The chart is also intended to raise students’ awareness to avoid becoming the aggressor. The chart includes four categories – conflict, rude, mean and bullying – with explanations for each category.

Code of Conduct – The Board adopted a Code of Conduct (Code), last updated in March 2013, which is written in plain language to ensure all students understand the requirements and expectations for their behavior. The Code is comprehensive and covers topics such as definitions of bullying, potential penalties for such behavior and Dignity Act Coordinators.⁶ For students in kindergarten through fifth grade, a copy of the Code is sent home with each student. For students in sixth through 12th grade, a copy is included in the annual planner that is provided to each student, and each student must sign acknowledgment that they have received and understand the Code’s contents. Additionally, the Code is published on the District’s website.⁷

Leadership Class – The District’s school counselors and social workers developed a leadership class, implemented in 2016-17, required for all students in third through fifth grade. Topics discussed during our audit period included, but were not limited to, conflict resolution, gun safety and self-esteem. The class’s overall goal is to help build stronger relationships between students and school counselors and to help students develop the skills needed to be positive role models.

District officials also ensured that all students, parents and staff were made aware of anti-bullying messages. Anti-bullying posters were present throughout the hallways of all four school buildings, and contact information to report

⁶ Dignity Act Coordinators are staff members who have been trained to handle issues related to race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender and sex. Each school building has at least one Dignity Act Coordinator.

⁷ See <http://www.norwichcsd.org/Downloads/CODE%20OF%20CONDUCT%20UPDATED%20APRIL%202013.pdf>

inappropriate behavior is clearly displayed on the District's website. In addition, we observed hallway monitors, teachers and building principals monitoring students while traveling hallways between classes.

How Should District Officials Investigate VADIR and DASA Incidents?

District officials should establish procedures to investigate any reported VADIR and DASA incidents to determine whether the incident occurred, the severity of the incident and who was involved. If the district has surveillance cameras, officials should review videos from cameras in the area and around the time the incident was reported to have occurred as part of their investigation. District officials should interview all students, staff and witnesses involved in the incident. District officials should conduct investigations in a timely manner (i.e., within one to three days depending on the severity of the incident, according to the Code) and maintain detailed records of the investigation.

District Officials Investigated All VADIR and DASA Incidents in a Timely Manner

District officials use various procedures to investigate reported VADIR and DASA incidents. For example, investigations can be initiated based on teacher-witnessed incidents, student-witnessed incidents or incident report forms available on the District's website.⁸ In addition, there are surveillance cameras located in all four school buildings and all buses. Videos from these cameras are available for 45 days and reviewed as needed.

In most cases, incidents are witnessed and reported by District personnel and, therefore, no investigation is needed. Additionally, no investigation is necessary in cases where the student admits guilt when confronted. For incidents not witnessed and reported by District personnel or when there is no admission of guilt, the building principal and/or building dean of students will initiate an investigation. Investigations include, but are not limited to, interviews of all witnesses (students and District personnel) that might have been in the area where the incident occurred and a review of videos from the surveillance cameras where applicable to determine whether the reported incident is valid. We reviewed 100 percent (173) of the valid and material incidents in our audit period and found that only four required investigation.⁹ We determined that investigations

⁸ See <http://www.norwichcsd.org/DignityAct.aspx>

⁹ All other incidents were witnessed and reported by District personnel or resulted in an admission of guilt.

were conducted in a timely manner, generally on the same day the incident was reported.

In addition, District officials maintained detailed records of all the incidents and investigations performed. Specifically, records of the incident are maintained in two forms – hard copy and electronic copy. For all cases where it is determined that an incident occurred, a hard copy incident form is completed and maintained in each building’s main office. The District also utilizes electronic software to maintain records of incidents. Each building principal’s secretary enters the incident into the electronic software from the hard copy form,¹⁰ which allows officials to see each student’s history of incidents.

How Should District Officials Address VADIR and DASA Incidents?

Once an incident has been investigated and determined to be valid and material, district officials should have procedures to address the incident in a timely manner (i.e., within one to three days, according to the Code), such as administering appropriate disciplinary penalties and/or remedial consequences to the applicable offenders. For example, a minor incident could result in a student receiving in-school suspension, while a more severe incident could result in out-of-school suspension. In some cases, consequences might include counseling and/or contacting an outside agency, such as the local police department. Additionally, district officials should notify parents of any incidents involving their child and the disciplinary penalties and remedial consequences administered.

District Officials Adequately Addressed VADIR and DASA Incidents in a Timely Manner

District officials have established a schedule of disciplinary penalties, and who is authorized to administer the penalties, in the Code. The Code states that District officials will follow progressive discipline, meaning that disciplinary action for a student’s first violation will be less severe than a repeat violation. We reviewed 100 percent (173) of the valid and material incidents in our audit period and found that offending students generally received either in-school or out-of-school suspension for valid and material violations. In a few instances,

¹⁰ Hard copy incident report forms are prepared and signed by either the building principal or building dean of students.

Figure 1: Penalties Administered by Type of VADIR or DASA Incident

Type of Incident	2015-16			2016-17			Combined Totals
	Out-of-School Suspension	In-School Suspension	Other	Out-of-School Suspension	In-School Suspension	Other	
Bullying	7	1	0	1	2	1	12
Drugs Possession	7	0	0	4	0	0	11
Alcohol Use	0	0	0	9	0	0	9
Harassment	3	7	2	2	0	0	14
Larceny	2	1	0	1	2	1	7
Minor Altercation – No Injury	40	5	2	24	16	2	89
Physical Assault with Injury	3	0	1	5	0	0	9
Threaten Physical Harm	10	1	1	0	1	2	15
Weapons ^a Possession	2	2	0	2	1	0	7
Totals	74	17	6	48	22	6	173

a None of these weapons were firearms.

we found that some other form of disciplinary penalty was administered, such as removal from the classroom, lunch detention or exclusion from class trips (Figure 1). Furthermore, we found that all disciplinary penalties were administered in a timely manner – generally the day the incident occurred or, in cases where an investigation was done, the same day that the investigation concluded the student was guilty. We also found that parents were notified of the type of violation and disciplinary penalty their child received.

How Should District Officials Report VADIR and DASA Incidents?

NYSED has established guidance regarding the classification of VADIR and DASA incidents for districts to follow when reporting the number and type of incidents each year. Therefore, district officials should have procedures and an appropriate recordkeeping system in place to ensure all applicable VADIR and DASA incidents are consistently and accurately classified and reported to NYSED annually.

District Officials Properly Reported VADIR and DASA Incidents

District officials use both manual and electronic recordkeeping systems. Each school building has hard-copy incident forms that are used for all incidents of student misbehavior, including incidents deemed immaterial and not reportable to NYSED (i.e., disrespect, tardiness, skipping class, etc.). These forms include details about the incident, witnesses, the investigation conducted and penalties administered to offending students. These forms are then given to the building principal's secretary, who copies the information into the District's electronic software.

Each year, a report of all VADIR and DASA incidents that occurred in that school year is generated from the District's software and submitted to NYSED. We reviewed all 173 valid and material incident forms in our audit period and compared those incidents to the number and type of incidents reported to NYSED. We found that all incidents were reported correctly.

Conclusion

We commend District officials for appropriately preventing, investigating, addressing and reporting VADIR and DASA incidents.

Appendix A: Bullying Chart

FIGURE 2

Bullying Chart

Conflict	Rude	Mean	Bullying	Dangerous
				
<ul style="list-style-type: none"> Two or more people do not agree No-one is having fun 	<ul style="list-style-type: none"> Saying or doing something hurtful on accident Being disrespectful or inappropriate with words or gestures Forgetting to use polite manners 	<ul style="list-style-type: none"> Saying or doing something hurtful on purpose Happens once in a while Results in hurt feelings 	<ul style="list-style-type: none"> Saying or doing something mean on purpose because they are different Someone doesn't stop even when asked to stop being hurtful Happens often over time Leaves someone feeling scared and upset 	<ul style="list-style-type: none"> Unsafe-playing with lighters, matches, fire, guns or knives Not respecting your private parts Stealing Someone trying to "scoop" or take you Using medicines or alcohol
<i>What can you do to solve the problem in a safe and caring way?</i>				
<ul style="list-style-type: none"> Use an I-message Ask them to please stop Walk away Find someone else to play with 	<ul style="list-style-type: none"> Use your pretend ear muffs Use an I-message Walk away Say "please stop" Say "I'm sorry" if you were part of the problem Find someone else to play with 	<ul style="list-style-type: none"> Say "please stop" in a strong voice Move away Ask an adult for help if it keeps happening 	<ul style="list-style-type: none"> Ask an adult for help Practice kindness Accept others, do not tease because of differences Join another group of friends Keep eyes open for others needing help 	<ul style="list-style-type: none"> Tell an adult Check first Say "no", then "go tell" 

CONFLICT	RUDE	MEAN	BULLYING
Occasional	Occasional	Once or Twice	Is REPEATED
Not planned; in the heat of the moment	Spontaneous: unintentional	Intentional	Is planned and done on purpose
All parties are upset	Can cause hurt feelings; upset	Can hurt others deeply	The target of the bullying is upset
All parties want to work things out	Based in thoughtlessness, poor manners or narcissism	Based in anger; impulsive cruelty	The bully is trying to gain control over the target
All parties will accept responsibility	Rude person accepts responsibility	Behavior often regretted;	The bully blames the target
An effort is made by all parties to solve the problem			The target wants to stop the bully's behavior, the bully does not
Can be resolved through mediation	Social skill building could be of benefit	Needs to be addressed/ should NOT be ignored	CANNOT be resolved through mediation

Appendix B: Response From District Officials



NORWICH CITY SCHOOL DISTRICT

*Gerard O'Sullivan, Superintendent (gosullivan@norwichcsd.org)
Rob Wightman, Deputy Superintendent (rwightman@norwichcsd.org)
89 Midland Drive, Norwich, NY 13815
P: (607) 334-1600 ext. 5503 F: (607) 336-8652*

November 15, 2018

Office of the New York State Comptroller
Division of Local Government and School Accountability
State Office Building, Suite 1702
44 Hawley Street
Binghamton, New York 13901-4417

Please let this letter serve as the official response of the Norwich City School District regarding the recent Safe and Supportive Educational Environment Audit 2018M-199. The District has reviewed the audit and information contained within the report. The District agrees with the audit findings.

Sincerely

Gerard O'Sullivan
Superintendent

Email: Muni-Binghamton@osc.state.ny.us

Appendix C: Audit Methodology and Standards

We conducted this audit pursuant to Article V, Section 1 of the State Constitution and the State Comptroller's authority as set forth in Article 3 of the New York State General Municipal Law. To achieve the audit objective¹¹ and obtain valid audit evidence, we performed the following audit procedures:

- We interviewed District officials and employees to determine what preventive measures and/or programs District officials have taken to foster a safe and supportive educational environment and to make students, parents and staff aware of anti-bullying messages and reporting procedures.
- We toured all school buildings to determine whether District officials have taken appropriate steps to deter discrimination and harassment, such as posting anti-bullying messages and using video cameras in all buildings and hallways. We also monitored hallways between class periods to determine whether building principals, teachers or hall monitors were present when students were traveling the hallways. We also made inquiries to determine how long video recordings were maintained and observed how they were used to investigate accusations of VADIR and DASA incidents.
- We reviewed 100 percent of all hard-copy incident forms and noted all valid and material instances of VADIR and/or DASA violations to determine whether investigations and penalties administered were adequate and made in a timely manner. We also reviewed reports to determine whether parents were notified of the incidents.
- We traced 100 percent of incidents identified to the District's electronic recordkeeping systems to determine whether all incidents were recorded in the system. We also compared the number and types of incidents identified to the number and types reported to NYSED.

We conducted this performance audit in accordance with GAGAS (generally accepted government auditing standards). Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objective. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objective.

¹¹ We also issued a separate audit report, *Norwich City School District – Fund Balance Management* (2018M-198).

Appendix D: Resources and Services

Regional Office Directory

www.osc.state.ny.us/localgov/regional_directory.pdf

Cost-Saving Ideas – Resources, advice and assistance on cost-saving ideas

www.osc.state.ny.us/localgov/costsavings/index.htm

Fiscal Stress Monitoring – Resources for local government officials experiencing fiscal problems

www.osc.state.ny.us/localgov/fiscalmonitoring/index.htm

Local Government Management Guides – Series of publications that include technical information and suggested practices for local government management

www.osc.state.ny.us/localgov/pubs/listacctg.htm#lmgm

Planning and Budgeting Guides – Resources for developing multiyear financial, capital, strategic and other plans

www.osc.state.ny.us/localgov/planbudget/index.htm

Protecting Sensitive Data and Other Local Government Assets – A non-technical cybersecurity guide for local government leaders

www.osc.state.ny.us/localgov/lgli/pdf/cybersecurityguide.pdf

Required Reporting – Information and resources for reports and forms that are filed with the Office of the State Comptroller

www.osc.state.ny.us/localgov/finreporting/index.htm

Research Reports/Publications – Reports on major policy issues facing local governments and State policy-makers

www.osc.state.ny.us/localgov/researchpubs/index.htm

Training – Resources for local government officials on in-person and online training opportunities on a wide range of topics

www.osc.state.ny.us/localgov/academy/index.htm

Contact

Office of the New York State Comptroller
Division of Local Government and School Accountability
110 State Street, 12th Floor, Albany, New York 12236

Tel: (518) 474-4037 • Fax: (518) 486-6479 • Email: localgov@osc.ny.gov

www.osc.state.ny.us/localgov/index.htm

Local Government and School Accountability Help Line: (866) 321-8503

BINGHAMTON REGIONAL OFFICE – Ann C. Singer, Chief Examiner

State Office Building, Suite 1702 • 44 Hawley Street • Binghamton, New York 13901-4417

Tel (607) 721-8306 • Fax (607) 721-8313 • Email: Muni-Binghamton@osc.ny.gov

Serving: Broome, Chenango, Cortland, Delaware, Otsego, Schoharie, Sullivan, Tioga, Tompkins counties



Like us on Facebook at facebook.com/nyscomptroller

Follow us on Twitter [@nyscomptroller](https://twitter.com/nyscomptroller)