

Persistently Dangerous Pennsylvania Public Schools

Calculating danger based only on arrests ignores student safety.

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OVERVIEW

New analysis by the Commonwealth Foundation shows that Pennsylvania violates state and federal law by failing to identify persistently dangerous schools and neglecting to provide safe school choice alternatives for students attending dangerous schools. The analysis combines Right to Know (RTK) data, a 24-year longitudinal study on school safety, news reports, and government data.

KEY POINTS

- Federal and state laws require that students attending persistently dangerous public schools be provided the opportunity to enroll in a safe school within their local or neighboring school district.
- Yet, RTK record requests show the Pennsylvania Department of Education (PDE) does not identify any “persistently dangerous schools” despite overwhelming evidence of school violence.
- An independent [24-year longitudinal study](#) of official, publicly available data on Pennsylvania’s approximately 3000 public schools reveals:
 - Statewide, 37.3 percent identify as persistently dangerous based on the required reporting of school violence incidents (with or without arrest), with a weighted percentage of these incidents to enrollment at 47.1 percent, or nearly one-half of schools.
 - For the commonwealth’s two largest districts, the weighted percentages are more dramatic. The research identifies 71.4 percent of Philadelphia public schools and 89.1 percent of Pittsburgh public schools as persistently dangerous.
- Lawmakers must ensure all public school students in Pennsylvania are safe during their commute to and from school, safe while at school, and provide school choice options for students attending persistently dangerous schools.

FEDERAL LAW

- The United States, in 1965, enacted the [Elementary and Secondary Education Act](#) (ESEA), which is the “[primary source of federal aid](#)” grants to state K–12 education.¹

- The [No Child Left Behind Act](#)—the 2002 revision to the ESEA—has required each state to define “[persistently dangerous](#)” schools since the start of the 2003–04 school year.²
- The ESEA, as amended in 2015 by the [Every Student Succeeds Act](#) (ESSA), further requires states to provide [school choice options](#) for students attending persistently dangerous schools by:
 - Allowing students to attend a safe public school within their assigned public school district, including a public charter school.
 - Or attend a safe school outside of their school district of residence.³
- In May 2025, the [U.S. Department of Education](#) reminded states of their responsibilities under the ESEA’s Unsafe School Choice Option provision to:
 - Update their respective definitions of *persistently dangerous* for local education agencies (LEAs).
 - Provide notice to all parents whose children attend persistently dangerous schools.
 - Provide school choice options for students in persistently dangerous schools, as well as for students who have been victims of a violent crime while in or on the grounds of a public school.⁴

DEFINING PERSISTENTLY DANGEROUS SCHOOLS

- The U.S. Department of Education’s May [guidance letter](#) directs states to review whether they are “appropriately identifying persistently dangerous schools.” For states to comply with the ESEA’s Unsafe School Choice Option provision, the letter lists several factors to consider when updating persistently dangerous in LEA guidelines:
 - Include schools based on the number of violent incidents rather than number of arrests.
 - Ensure the updated definition will not incentivize schools to underreport incidents.
 - Utilize violence metrics for one school year (instead of three) to identify a persistently dangerous school. “Students should not be subjected to violent offenses over multiple years before a transfer option is made available.”
 - Work with local law enforcement, including school resource officers, to accurately assess whether a school is persistently dangerous.
 - Provide multiple school choice options for students attending persistently dangerous schools.
- Moreover, the letter exhorts states to “have clear and robust communication protocols to ensure that parents know if their child’s school has been identified as persistently dangerous and understand the school choice options available to them.”⁵
- Pennsylvania, as the research and RTK requests evidence, has failed to comply with federal law by neglecting to identify persistently dangerous schools, failing to notify parents, and failing to give students experiencing violence at school the option to transfer to a safe school.

PERSISTENTLY DANGEROUS SCHOOLS IN PENNSYLVANIA

- The [Pennsylvania Code](#) defines a *dangerous incident* 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 assault) as reported on the Violence and Weapons Possession Report (PDE-360).”⁶
- PDE’s [Safe Schools LEA Reports](#) (i.e., statewide, district, and school-level) include code of conduct infractions as well as “lesser” academic infractions that result in in-school suspension, out-of-school suspension, or expulsion. Listed among the many misconduct categories are terrorist threats, possession of a weapon, arson, burglary, vandalism, sexual assault, and possession of a controlled substance.⁷
- The commonwealth’s criteria to designate a public elementary, secondary, or charter school as *persistently dangerous* measure the number of dangerous incidents within two or more of the respective school’s three preceding school years; but only for those that result in arrest.
 - “For a school with enrollment of 250 or less, at least five dangerous incidents.
 - “For a school with enrollment of 251 to 1,000, a number of dangerous incidents that represents at least 2 percent of the school’s enrollment.
 - “For a school with enrollment over 1,000, 20 or more dangerous incidents.”
- Meanwhile, the definition for a safe public school is one “that has not been designated as a persistently dangerous school ... or that has had that designation removed.”⁸
- The occurrence of a dangerous incident at school is what makes a school dangerous; whether the incident results in arrest is for law enforcement to determine. Calculating danger based only on arrests exploits a loophole in the law that results in school districts turning a blind eye to violence unless or until the violent incident results in an arrest. This practice neglects the law and, more importantly, ignores student safety.

RTK RESULTS: NO RECORDS IDENTIFYING PERSISTENTLY DANGEROUS SCHOOLS

- In May 2025, the Commonwealth Foundation sent a multipart [RTK data request](#) to PDE to provide records “identifying any and all ‘persistently dangerous’ schools,” which included documentation on the number of dangerous incident, arrests reported on Violence and Weapons Possession Reports (PDE-360), and the communications between the PDE and districts concerning the “obligations to report arrests necessary to determine which schools are persistently dangerous.”
- PDE’s June response reveals that the department has no records identifying persistently dangerous schools and failed to provide safe alternatives for students attending dangerous schools.
 - The response concluded that “PDE does not have any information responsive in its possession or under its custody or control” regarding persistently dangerous schools. The department cited legal precedent (*In the Matter of Jenkins v. Pennsylvania Dept. of State*, OOR Dkt. AP 2009-065), “It is not a denial of access when an agency does not possess records and [there is no] legal obligation to obtain them.”
 - Concerning arrests, PDE provided a link to [raw data](#) collected from school districts that listed offenses but did not identify any schools as persistently dangerous.⁹

TWENTY-FOUR YEAR STUDY ON SCHOOL VIOLENCE IN PENNSYLVANIA

- In the 2024 study “Student Misconduct in Pennsylvania’s Public School Buildings: Evidence from 24 Years of Administrative Records,” researchers, headed by Prof. Robert Strauss from Carnegie Mellon University, examine school safety data from 1999–2023.
- The 24-year longitudinal study reveals violent incidents in Pennsylvania are under-reported because schools must only report arrests, rather than incidents leading to arrest.
- When calculating all reported violent incidents—rather than only those resulting in arrests—the findings identify more than one in three Pennsylvania public schools as dangerous.
 - The report measures reported incidents, including those without arrests, and identifies:
 - Among Pennsylvania’s approximately 3000 public schools, 37.3 percent as “persistently dangerous.”
 - These dangerous schools represent 46.5 percent of the public school student population statewide.
 - In addition, the report weights dangerous misconduct to enrollments and finds nearly one-half (47.1 percent) of the commonwealth’s public school buildings persistently dangerous.¹⁰
 - Misconduct patterns that include incidents without arrests for the state’s two largest districts are more troubling:
 - In the School District of Philadelphia, 70.5 percent of schools qualify as persistently dangerous, and the percentage rises to 71.4 percent when weighted to enrollment.
 - In the Pittsburgh Public School District, 83.8 percent of schools qualify as persistently dangerous, and the percentage rises to 89.1 percent when weighted to enrollment.¹¹
 - The annual rate of dangerous schools (i.e., the statewide sum of dangerous public school buildings divided by the total number of public school buildings) has increased 250 percent since the pandemic.
 - In the 2020–21 school year, 14.8 percent of schools ranked as dangerous.
 - The ratio jumped to 50.8 percent in 2022–23.¹²

CASE STUDY OF SCHOOL VIOLENCE IN DAUPHIN COUNTY

- PDE identifies zero public schools as persistently dangerous within the commonwealth’s 500 school districts. Yet, the 2023–24 Safe Schools LEA Statewide Report (latest data available) reveals:
 - Incidents totaled 244,894, of which 219,186 were during school hours.
 - Law enforcement contacted 16,345 times.
 - These resulted in 4,708 arrests.¹³
- In the Central Dauphin School District, the Central Dauphin East Middle School, which enrolls 663 students, is not identified as persistently dangerous, even though the school reported 1,106 incidents that required law enforcement intervention 99 times and resulted in 54 arrests.

- In the neighboring Harrisburg City School District, Rowland Academy (middle school serving seventh and eighth graders) enrolls 577 students, is not identified as persistently dangerous, even though the school reported 424 incidents, with law enforcement contacted zero times, yet also reported one arrest.¹⁴
- Students at each school experience extreme rates of violent incidents. Yet, PDE has identified zero schools as dangerous.

2023-24 School Year: School districts with a high number and/or percentage of incidents yet not designated as “persistently dangerous.”

County	School District	Low-Achieving District	2023-24 Enrollment	Number of Incidents	Percentage of Incidents	Arrests
Allegheny	East Allegheny	Yes	1,432	445	31.1%	0
Allegheny	Pittsburgh	Yes	19,774	6,087	30.8%	11
Allegheny	Wilkesburg Borough	Yes	507	37	7.3%	0
Dauphin	Central Dauphin	Yes	12,545	6,011	48%	293
Dauphin	Harrisburg City	Yes	6,399	2,699	42.2%	1
Dauphin	Williams Valley	Yes	923	152	16.5%	0
Delaware	Southeast Delco	Yes	4,089	377	9.2%	3
Delaware	William Penn	Yes	4,553	1,339	29.4%	1
Erie	Erie City	Yes	10,493	3,539	33.7%	0
Greene	West Greene	No	649	52	8%	0
Lehigh	Allentown	Yes	16,602	779	4.7%	25
Montgomery	Norristown Area	Yes	7,675	1,305	17%	0

Schools listed are identified in the study “Student Misconduct in Pennsylvania’s Public School Buildings: Evidence from 24 Years of Administrative Records” have a high number and/or percentage of incidents annually for 10 or more years. Incidents include but are not limited to: Simple Assault, Aggravated Assault, Sexual Assault, Rape, Terroristic Threat, Bomb Threat, Arson, Vandalism, Criminal Trespass, Theft, Robbery, Suicide Attempt, Vandalism, Possession of Weapon.

Sources: For 2023-24 data: Pennsylvania Department of Education, [LEA School Discipline Reports, Public LEA / District - SY23-24](#). Strauss, Robert, P., Student Misconduct in Pennsylvania’s Public School Buildings: Evidence from 24 Years of Administrative Records, 2024. https://www.andrew.cmu.edu/user/rs9f/rps_hz_2_7_2024.pdf

CONCLUSION

- Pennsylvania has been ignoring state and federal law by failing to identify persistently dangerous schools, by not notifying parents that their child attends a violent school, and by not transferring students in violent schools to a safe school within the district or neighboring school district.
- PDE must prioritize student safety by following the U.S. Department of Education directive to redefine persistently dangerous and require school districts to provide safe school alternatives for students attending dangerous schools.
- By neglecting to follow and enforce federal law, Pennsylvania is risking the loss of millions of dollars in [federal funding](#).
- Strauss, in a March 2024 interview on the Commonwealth Foundation’s podcast [School Choice Report](#), emphasized “the [fundamental] right of any child to learn without interference” ties directly to school safety. He added, “We as a society have to figure out ways to get civility back into the classroom.”¹⁵

SOLUTIONS

- Pennsylvania lawmakers should:
 - **Work with PDE to redefine *persistently dangerous* to include:**
 - Violent incidents rather than arrests as a metric for determining school safety.
 - Reported **community violence** statistics as a metric to determine schools within dangerous communities.¹⁶
 - **Work with PDE and appropriate state agencies to enforce the law to:**
 - Ensure that students attending a school experiencing violent incidents and/or arrests are offered a transfer to a safe school within their assigned school district, or at a neighboring school district.
 - Discourage under-reporting by removing school safety grants from districts that fail to report.
 - Ensure that School Police Officers, School Resource Officers, and School Security Officers report all violent incidents to the local police department and PDE, rather than handling the violence as an internal, school-related offense.
 - Provide a **lifeline for students** stuck in persistently dangerous schools to attend a private school of their choice. Harrisburg has two separate but similar initiatives under consideration: The Pennsylvania Award for Student Success Scholarship (PASS) Program, proposed in **SB 10**, and **Lifeline Scholarships**, in HB 1489, would provide tuition scholarships of up to \$10,000 per student for kids residing in catchment areas of low-achieving public schools.¹⁷

¹ Pub. L. No. 89-10, 79 Stat. 27 (1965); Rebecca R. Skinner, “The Elementary and Secondary Education Act (ESEA), as Amended by the Every Student Succeeds Act (ESSA): A Primer,” Congressional Research Service, February 12, 2024, <https://www.congress.gov/crs-product/R45977>.

² Pub. L. No. 107-110, 115 Stat. 1425 (2001); U.S. Department of Education, “Unsafe School Choice Option: Non-Regulatory Guidance,” May 2004, <https://www.ed.gov/sites/ed/files/policy/elsec/guid/unsafeschoolchoice.pdf>.

³ Pub. L. No. 114-95, 129 Stat. 1802 (2015); 20 U.S.C. § 7912; Skinner, “The Elementary and Secondary Education Act (ESEA), as Amended.”

⁴ U.S. Department of Education, Guidance letter on the Unsafe School Choice Option to all chief state school officers, signed by Hayley B. Sanon, as principal deputy assistant secretary and acting assistant secretary of the Office of Elementary and Secondary Education, May 7, 2025, <https://www.ed.gov/media/document/dear-colleague-letter-unsafe-school-choice-option-may-7-2025-109969.pdf>; U.S. Department of Education, “U.S. Department of Education Shares State Guidance on the Unsafe School Choice Option,” release, May 7, 2025, <https://www.ed.gov/about/news/press-release/us-department-of-education-shares-state-guidance-unsafe-school-choice-option#:~:text=%E2%80%9CThe%20Unsafe%20School%20Choice%20Option,education%20freedom%20in%20the%20Commonwealth.%E2%80%9D&text=Title%20VIII%2C%20Section%208532%20of,school%20that%20the%20student%20attends>.

⁵ U.S. Department of Education, Guidance letter on the Unsafe School Choice Option.

⁶ 42 Pa. Code § 403.2.

⁷ Pennsylvania Department of Education, “LEA/School PDF Report,” accessed July 21, 2025, <https://www.safeschools.pa.gov/HistoricV2/SchoolPDF.aspx>.

⁸ 42 Pa. Code § 403.2.

⁹ Pennsylvania Department of Education, Response letter to Right-to-Know Law Request No. 2025-096, signed by Angela Riegel, as agency open records officer, June 18, 2025, <https://commonwealthfoundation.org/wp-content/uploads/2025/07/RTK-Persistently-Dangerous-Schools.pdf>; see also Pennsylvania Department of Education, “LEA / School Discipline Reports (Excel),” accessed June 19, 2025, <https://www.safeschools.pa.gov/HistoricV2/SchoolExcel.aspx>.

¹⁰ Robert P. Strauss and Hanlu Zhang, “Student Misconduct in Pennsylvania’s Public School Buildings: Evidence from 24 Years of Administrative Records” (Pittsburgh, PA: Carnegie Mellon University, February 7, 2024), 1, 11, 12, 24, https://www.andrew.cmu.edu/user/rs9f/rps_hz_2_7_2024.pdf.

¹¹ Strauss and Zhang, “Student Misconduct in Pennsylvania’s Public School Buildings,” 11, 12, 25, 26.

¹² Strauss and Zhang, “Student Misconduct in Pennsylvania’s Public School Buildings,” 10.

¹³ Pennsylvania Department of Education, “Safe Schools – Statewide Report, School Year: 2023 – 2024,” October 31, 2024, <https://www.safeschools.pa.gov/HistoricV2/SchoolPDF.aspx>.

¹⁴ Pennsylvania Department of Education, “LEA / School Discipline Reports (Excel).”

¹⁵ David P. Hardy, “Season 2 Premier Featuring Professor Robert Strauss,” podcast, Commonwealth Foundation, March 4, 2024, <https://commonwealthfoundation.org/2024/03/04/season-2-premier/>.

¹⁶ See Olga Pierce, Jennifer Mascia, and Mensah M. Dean, “Just Outside the School Gate, America’s Gun Violence Epidemic Surrounds Its Students,” Trace (in partnership with *Chalkbeat*), June 18, 2024, <https://www.thetrace.org/2024/06/shootings-near-k-12-schools-us-data-map/>.

¹⁷ Commonwealth Foundation, “PASS/Lifeline Scholarship Program,” May 5, 2025, <https://commonwealthfoundation.org/research/lifeline-scholarship-program-pass/>; Sen. Judy Ward et al., Senate Bill 10, Pennsylvania General Assembly, Regular Session 2025–26, <https://www.palegis.us/legislation/bills/2025/sb10>; Rep. Clint Owlett, House Bill 1489, Pennsylvania General Assembly, Regular Session 2025–26, <https://www.palegis.us/legislation/bills/2025/hb1489>.