

Gang Activity

The Board of Education recognizes that a school campus is a place that has appropriate rules and regulations to ensure a safe and healthy environment, which is conducive to learning for all students. All persons shall be knowledgeable of the conduct and expectations on which this School District operates.

It is the policy of this District that membership or affiliation in secret fraternities or in other clubs or gangs not sponsored by established agencies or organizations and recognized by this school district is strictly prohibited.

Persons who initiate, advocate, or promote activities, openly or otherwise, which threaten the safety or well-being of persons or property, which disrupt the school environment and/or are harmful to the education process will be dealt with as if they committed an offense of the most serious category.

The use of hand signals, written or oral comments, stances, stares, graffiti or the presence or use of any apparel, jewelry, accessory or manner of grooming which, by virtue of its color, arrangement, trademark, symbol or any other attribute which indicates or implies membership or affiliation with a gang or group, whether real or implied, presents a clear and present danger to the school environment, its staff and students, and the educational objectives of the community and State and is strictly prohibited.

Any incident involving initiations, intimidation and/or related activity of such gang affiliates will hereby be considered actions which present the danger or likelihood of bodily danger, physical harm or personal degradation or disgrace resulting in physical or mental harm to students or staff and is strictly prohibited.

Any person wearing, carrying, distributing, displaying gang/group paraphernalia; exhibiting behavior or gestures which symbolize gang/group membership; or causing and/or participating in activities which intimidate or affect the attendance or sense of personal safety or well-being of another student or staff member will be subject to disciplinary action including suspensions and/or permanent expulsions.

Delegation of Responsibility:

The Superintendent/Principal shall ensure that:

1. Information regarding gang affiliation and activities are available to staff, students and parents.
2. Students identified as possibly involved in gang-related activities receive counseling to enhance self-esteem, encourage interest and participation in wholesome activities, and promote membership in authorized student organizations.
3. Parents/guardians will be notified of the school's concerns.
4. Staff in-service training regarding gang activities, methods of operation, and current methods of identification is available to staff, if needed.
5. All gang affiliation or gang type incidents are referred to the appropriate law enforcement agency.
6. Affiliation with a gang, gang activities or claiming gang membership by students is considered exceptional misconduct and subject to penalties that may include suspension or expulsion.
7. Any student disciplined for gang activities or affiliation may be required to sign a negotiated behavior contract among the student, parent and administrator before he/she will be re-admitted.

8. The Superintendent/Principal has the authority to reduce long-term suspension to a shorter duration provided the he/she is convinced that a plan is in progress which will result in elimination of future involvement with gangs.

Students who have been expelled or suspended for gang-related activities may be subject to emergency expulsion and may lose their right to remain in school during the appeal process.

Adopted: March 28, 2012

Legal References:

<u>N.J.S.A. 2A:4A-60 et al.</u>	Disclosure of juvenile information; penalties for disclosure
<u>N.J.S.A. 2A:53A-15</u>	Liability of parent or guardian for willful destruction of property by infant under 18
NJ 2A:4A-43.2	Additional penalty for juvenile adjudicated delinquent
NJ 2C:33-28	Soliciting, recruitment to join criminal street gang; crime, degrees
<u>N.J.S.A. 2C:39-5</u>	Unlawful possession of weapons
<u>NJ18A:11-9</u>	Prohibition of gang-related apparel
<u>N.J.S.A. 18A:17-46</u>	Act of violence; report by school employee; notice of action taken; annual report,
<u>N.J.S.A. 18A:25-2</u>	Authority over pupils
<u>N.J.S.A. 18A:36-5.1</u>	School violence awareness week
<u>N.J.S.A. 18A:37-1 et seq.</u>	Discipline of Pupils
<u>See particularly:</u>	
<u>N.J.S.A. 18A:37-2, -2.1 through -2.5, -3, -7 through -12</u>	
<u>N.J.A.C. 6A:14-2.8</u>	Discipline/suspension/expulsion
<u>N.J.A.C. 6A:16-1.1 et seq.</u>	Programs to Support Student Development
<u>See particularly:</u>	
<u>N.J.A.C. 6A:16-1.4, -5.1, -5.2, -5.3, -5.5, -5.6, -5.7, -6.1</u>	

No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.

A Uniform State Memorandum of Agreement Between Education and Law Enforcement Officials

Unsafe School Choice Option Policy, New Jersey Department of Education, June 30, 2003

Cross References:

5114	Suspension, Expulsion
5124	Reporting to parents/guardians
5131	Conduct
5131.1	Harassment, Intimidation and Bullying
5131.5	Vandalism, Violence
5131.6	Drugs, alcohol, tobacco (substance abuse)
5131.7	Weapons and dangerous instruments
6172	Alternative educational programs