

Regulation

ANNE ARUNDEL COUNTY PUBLIC SCHOOLS

Related Entries: Policy JCC and Policy JCCB
Responsible Office: OFFICE OF SCHOOL SECURITY

GANG AND/OR GANG-LIKE ACTIVITIES

A. PURPOSE

To establish fair and consistent procedures for prompt investigation of suspected gang and/or gang-like activity; to ensure all students involved in gang and/or gang-like activities in Anne Arundel County Public Schools (AACPS) are subject to appropriate disciplinary sanctions; and to ensure that students, school personnel, and school community are informed that gang and/or gang-like activities are prohibited on school property, school buses, and at school-sponsored functions in accordance with the Safe Schools Act of 2010.

B. DEFINITIONS

1. *Criminal gang* is a group or association of three or more individuals who individually or collectively:
 - a. engages in a pattern of criminal activity;
 - b. has as one of their primary objectives or activities the commission of one or more underlying crimes, including acts by juveniles that would be underlying crimes if committed by adults; and
 - c. has in common an overt or covert organizational or command structure, which includes but is not limited to:
 - (1) a common name;
 - (2) identifiable marks, colors, signs (gestures/terminology), or symbols;
 - (3) a claim to turf or territory; and
 - (4) associate on a regular basis.
2. *Pattern of criminal gang activity* (gang activity) is the commission of, attempted commission of, conspiracy to commit, or solicitation of two or more underlying

crimes or acts by a juvenile that would be an underlying crime if committed by an adult.

3. *Solicit* means urging, advising, inducing, encouraging, requesting, or commanding another.
4. *Underlying crime* means a crime as defined under the Criminal Law Article, *Annotated Code of Maryland*.
5. *Anti-social behavior* is any conduct that may cause property damage or physical or psychological harm to others, including but not limited to, injury, harassment, theft, vandalism, and alcohol or illegal drug use, distribution or intent to distribute controlled dangerous substances.
6. *Gang-like activities* refer to any demonstration of gang behaviors, inciting anti-social behaviors, or behaviors similar to those of gangs.
7. *Gang membership* may include but is not limited to a group or organization comprised wholly or in part of students who seek to perpetuate a gang by taking in additional members from students enrolled in school, with the intent of participating in anti-social, criminal activity or violation of AACPS policies and regulations.

C. POSITION

No student shall knowingly participate in gang and/or gang-like activity, irrespective of whether schools are in session, within Board of Education owned or leased property, including school buildings or on school grounds; on school buses or other school vehicles; or during any school, school-related, or school sponsored activity, whether held on school property or at locations off school property, which includes, but is not limited to:

1. Wearing, possessing, using, distributing, displaying, or selling any clothing, jewelry, emblem, badge, symbol, sign, or other item which evidences or reflects membership in or affiliation with any gang.
2. Commission of any act which furthers the interests of any gang, gang-like activity, or act of violence, including but not limited to:
 - a. solicitation for membership in a gang;
 - b. requesting any person to pay for protection or otherwise intimidating or threatening any person;
 - c. committing or inciting criminal acts or violation of AACPS policies;

- d. soliciting other students to engage in physical violence against any other person;
- e. engaging in any act, either verbal or nonverbal, including gestures handshakes, slogans, drawings, etc. showing membership or affiliation with any gang;
- f. challenging or provoking fights, stare-downs, mad-dogging (threatening glance; to stare fixedly at someone in a hostile manner), flashing colors, verbal remarks, etc;
- g. marking or defacing school property with messages, symbols, or slogans that may signify gang affiliation;
- h. displaying gang apparel, signs, symbols, or slogans on personal property;
- i. engaging in physical confrontations where one or more persons confront another individual or group; and
- j. using electronic equipment and devices such as pagers, cell phones, or computers to communicate gang activities while on school property.

D. PROCEDURES

1. Each elementary school shall have a designated school security coordinator who shall be the principal, another school administrator, or another designated individual. In the absence of the principal, the school security coordinator should be designated by the respective regional assistant superintendent. The school security coordinator **cannot** be a teacher.
2. In middle and high schools, at least one school security coordinator shall be designated who may be the principal, another school administrator, the school resource officer, or another individual designated by the respective regional assistant superintendent. The school security coordinator **cannot** be a teacher.
3. All school employees must report any incidence of actual or suspected gang activity or similar destructive or illegal group behavior to the principal, the designated school security coordinator if other than the principal, and to the school resource officer, if there is one, as reported to them or observed.
4. A report about gang-related activity or similar destructive or illegal group behavior must be made in writing preferably on the Gang-Related Incident Reporting Form available from the school office. Such report shall be submitted within 24 hours of the oral report, unless there is an intervening weekend, holiday, school closing, etc., in which case the report shall be due the following school day.

5. The principal, school security coordinator, or school resource officer, upon receiving a report, will complete the Gang-Related Incident Reporting Form, if it has not already been completed by the person making the report, after which:
 - a. the principal shall initiate the appropriate investigation within 24 hours; but if the activity is of a high level of severity (criminal activity, imminent danger, or disruption), the investigation will begin immediately, but not later than 24 hours utilizing the Gang-Related Incident Investigation Form; the school resource officer may assist with the investigation as requested;
 - b. the reporting form shall be maintained in a secure location in the principal's office;
 - c. the reporting and information gathered during the investigation shall not become part of the student's permanent record unless disciplinary action is taken against the student after affording due process.
 - d. All reports shall be tracked to monitor the progress of each investigation and to use as a database for evaluation purposes.
 - e. All student-specific gang-related records shall be destroyed when:
 - (1) the allegation is unsubstantiated; or
 - (2) the student graduates, permanently leaves school, or turns 22, whichever occurs first.
6. Each school principal, with the assistance of a designee, shall develop and present a program that trains teachers and administrators to implement Policy and Regulation JCCB. To maintain school safety, as new employees join the school's staff, they shall receive the mandatory training as soon as practicable.
7. Regular school security meetings shall be held for middle and high schools to ensure coordination of gang prevention, intervention, and suppression efforts. The following individuals shall be invited to participate in the regularly held school security meetings:
 - School principal and/or school security coordinator;
 - School resource officer, if so assigned;
 - School counselors;
 - Representative of the Anne Arundel County Council of PTAs
 - Local law enforcement officers;
 - Representative from the State's Attorney's Office;
 - Representative from the Office of the Public Defender;
 - Gang prevention and intervention programs representatives; and
 - Any other individuals that the Superintendent considers appropriate.

8. The Superintendent shall inform all principals and school security coordinators of AACPS' plan for sharing and using information about non-student specific gang-related activity. The plan shall include how school officials will share gang-related activity information with parents.
9. In accordance with the Education Article, *Annotated Code of Maryland*, the Superintendent or school principal shall:
 - a. be permitted to transmit information as a confidential file, to the local superintendent of another public school system in the state or another nonpublic school in the state in which the student has been enrolled or been transferred in order to carry out the purposes of this section if the disposition of the reportable offense was a conviction or an adjudication of delinquency or the criminal charge or delinquency is still pending;
 - b. share information on arrests, dispositions, and reports about gang-related activity with school personnel in the school in which the student is enrolled for use in providing the student appropriate educational programming;
 - c. have the option to share the information on arrests, dispositions, and internal reports about gang-related incidents with school personnel in the school in which the student is enrolled as necessary to maintain a safe and secure environment for students and school personnel.
10. The school principal or school security coordinator of each school shall meet regularly with the school counselor(s) or pupil personnel worker to share information about gang-related activity in general and discuss the educational plan for and progress of each student who has been arrested or adjudicated delinquent for gang-related activity or who has been named in an accurate, reliable report of gang-related activity.
11. The Superintendent shall designate the principal and/or school security coordinator to contact appropriate law enforcement officials whenever a report of on-going or threatened gang-related violence appears accurate and reliable. The designee shall share with the law enforcement officer information about the specific event and the students involved. The principal or designee shall be responsible for making appropriate requests for non-emergency assistance from law enforcement for gang activities by contacting the Communication Center.
12. Students who violate this regulation or Policy JCCB shall be subject to the full range of school disciplinary sanctions as outlined in the Code of Student Conduct.

*Regulation History: Developed by the Superintendent 4/13/11
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Note previous history: This is a new regulation.