

POLICY GUIDE

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Suspected Gang Activity
Jul 15

[See POLICY ALERT Nos. 176 and 206]

5615 SUSPECTED GANG ACTIVITY

Students that initiate, advocate, or promote **unacceptable activities or conduct**, openly or otherwise, and/or threaten the safety or well-being of others, disrupt the school environment and are harmful to the educational process in this school district. **This unacceptable conduct, including but not limited to, Any physical or verbal harassing, intimidating, or bullying conduct; unlawful use of force; threats; violence; or other violations of the school district's student code of conduct** by a student or group of students directed toward any school staff member or any other student or group of students anywhere on school grounds, at any school related or sponsored activity, on school buses, at school bus stops, and any other place where students are supervised by school district staff will not be tolerated.

In the event the Principal or designee, believes any **unacceptable activities or conduct** ~~physical or verbal harassing, intimidating, or bullying conduct~~ was, or is being committed, for the benefit of, at the direction of, or in association with a group of three or more persons, the school staff will investigate further to determine if the conduct was committed by ~~those~~ students representing a "criminal street gang" (hereinafter referred to as a "gang") as defined in N.J.S.A. ~~2C:44-3.1~~ **2C:33-29**.

In accordance with N.J.S.A 2C:33-29, "criminal street gang" means three or more persons associated in fact. Individuals are associated in fact if: (1) two of the following seven criteria that indicate criminal street gang membership apply: (a) self-proclamation; (b) witness testimony or official statement; (c) written or electronic correspondence; (d) paraphernalia or photographs; (e) tattoos; (f) clothing or colors; (g) any other indicia of street gang activity; and (2) individually or in combination with other members of a criminal street gang, while engaging in gang-related activity, have committed or conspired or attempted to commit, within the preceding five years from the date of the present offense, excluding any period of imprisonment, one or more offenses on separate occasions of robbery, carjacking, aggravated assault, assault, aggravated sexual assault, sexual assault, arson, burglary, kidnapping, extortion, tampering with witnesses and informants or a violation of Chapter 11, Section 3, 4, 5, 6, or 7 of Chapter 35, or Chapter 39 of Title 2C of the New Jersey Statutes.



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If it is determined unacceptable **activities or** conduct was committed by students representing a gang **or by students that may be representing a gang**, the Principal or designee will assign appropriate disciplinary action and will notify the parent ~~(s) or legal guardian(s)~~ of the victim(s) and the offender(s). The Principal or designee will also inform the Superintendent of Schools and local law enforcement.

To further ensure the safety and well-being of all students in the district and to increase awareness within the school community regarding potential gang activity, students are prohibited from wearing **while** on school grounds, at any school related or sponsored activity, on school buses, and any other place where students are supervised by school district staff, any type of clothing or accessory that would indicate a student has membership in, or affiliation with, any gang associated with criminal activities pursuant to N.J.S.A. 18A:11-9.

The parent ~~(s) or legal guardian(s)~~ of any student identified as being potentially involved in gang-related activities shall be notified by the Principal or designee. A student identified as being potentially involved in gang-related activities shall be offered appropriate counseling by school district staff.

The Superintendent of Schools, Assistant Superintendent, Principal, or other administrator employed by the school district shall attend a gang education seminar program pursuant to N.J.S.A. 52:17B-4.7 within the first year of initial employment as an administrator in the district. The Superintendent of Schools, Assistant Superintendent, Principal, or other administrator shall be exempt from this requirement if the administrator has successfully completed a gang education seminar conducted by a public school district which is substantially equivalent to the seminar required pursuant to N.J.S.A. 52:17B-4.7. Other school staff members shall be provided in-service training on gangs and gang-related conduct and activities including, but not limited to, recruitment procedures; threats/intimidation; clothing; insignia; hand signs; symbols; graffiti; terminology; or other indicia of gang association.

Information regarding gangs shall be shared by school district staff to local law enforcement officials and the school district's administrative staff members will encourage local law enforcement to share gang-related information with school officials.



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Nothing in this Policy shall supersede or negate any existing New Jersey law or Board Policy regarding student discipline and/or the school district's student discipline code of conduct. This Policy shall be made available to school staff, students, and parent(s) or legal guardian(s).

N.J.S.A. 18A:11-9

N.J.S.A. ~~2C:44-3.h~~ 2C:33-29

New Jersey State Police Street Gang Units Bureau – Know the Signs: A Guide to Gang Identification

Adopted:

2nd Reading: 19 NOV 2015

