

## **I. Policy Statement**

The Board of Education of Howard County fully supports the development and implementation of a safe and nurturing school environment. Gangs and gang activity disrupt this environment. Thus, the Board prohibits any gang activity and any similar destructive or delinquent group behavior on school property, on school buses, and at school-sponsored functions.

The Board also prohibits reprisal or retaliation against individuals who report gang activity or individuals who are victims, witnesses, bystanders, or have reliable information about gang activity and similar destructive or delinquent group behavior.

## **II. Purpose**

The purpose of this policy is to provide guidelines, standards, and implementation procedures for:

- A. Preventing and eliminating gang activity and similar destructive or delinquent group behavior on school property, on school buses, and at school-sponsored functions.
- B. Prohibiting reprisal or retaliation against individuals who report gang activity and similar destructive or delinquent group behavior or who are victims, witnesses, bystanders, or have reliable information about an act of gang activity and similar destructive or delinquent group behavior.

## **III. Definitions**

Within the context of this policy, the following definitions apply:

- A. Delinquent – Failure to do what is required by law or obligation.
- B. Gang – A group of three or more individuals who engage in a pattern of destructive or delinquent activity for the benefit of the group’s members and/or for furthering the reputation of the group or individual. A gang shares a common identity, and members view themselves as a cohesive group. The common gang identity may be one or more of the following:
  - 1. The gang has a name that separates the group from others

2. Members share common symbols such as clothing, graffiti, and hand signs
  3. Members regularly come together as a group and may claim a specific geographic location inside or outside of the school.
- C. Gang Activity – Committing, attempting to commit, or soliciting of two or more crimes; or acts by a juvenile that would be a crime if committed by an adult.
- D. School Property – Any property or vehicle owned or leased by the Howard County Public School System (HCPSS). The concept of property extends to school activities such as field trips, use of parks and recreation facilities, proms off campus, etc. When a facility is scheduled by the school system for student use, it will be considered an extension of school property and includes bus stops and walking to and from school.
- E. School-Related Activity – Any HCPSS activity, whether held on or off school property, in which a student directly participates (e.g., school field trip, athletic event, or class/graduation activity), or in which the student does not directly participate but represents the school or student body simply by being there (e.g., spectator at a school event).
- F. School Security Officer – The individual responsible for oversight of the security at a specific school. The security officer may be the principal, another school administrator, a local law enforcement officer, or another designated individual.
- G. School Security Partnership – A group that meets regularly to discuss gangs and gang activity, and similar destructive or delinquent group behavior in the community, interventions and supports being used to address issues related to gangs, and services available to students, parents, and staff. This group is made up of individuals from groups such as local law enforcement, service organizations, and faith-based organizations.
- H. Threat – Expression, conveyed by word or action, of intent to do harm to another.

#### **IV. Standards**

- A. Gang activity is prohibited on all HCPSS school property.
- B. It is a violation of this policy for any student, employee, or third party to engage in gang activity or similar destructive or delinquent group behavior on school property or at school-related activities.
- C. It is a violation of this policy for any gang or gang member to threaten, defame, harass, intimidate, bully, cyberbully, or physically attack another when these actions occur on school property, on a school bus, at a school bus stop, or in connection with any school-related activity. These behaviors also constitute a violation of this policy when they have a direct effect on the order and general welfare of the school (such as negatively

affecting the safety or learning environment of a classroom), even if they do not occur on school property or at a school-related activity.

- D. It is a violation of this policy for any individual or suspected gang member to threaten or carry out reprisal or retaliation against individuals:
  - 1. Who report gang activity and similar destructive or delinquent group behavior.
  - 2. Who are victims, witnesses, bystanders, or others with reliable information about gang activity and similar destructive or delinquent group behavior.
- E. Violations of this policy are cumulative; subsequent offenses may affect the nature and severity of the consequences.
- F. A written notice will be posted at each school stating that gang activity and similar destructive or delinquent group behavior is prohibited on school property, on school buses, or at school-sponsored functions.
- G. A written notice will be posted at each school stating that reprisal or retaliation against individuals who report gang activity and similar destructive or delinquent group behavior or those who are victims, witnesses, bystanders, or others with reliable information about gang activity and similar destructive or delinquent group behavior are prohibited.
- H. All suspected violations of this policy will be investigated by school-based administration.
- I. School administrators and/or the Superintendent/Designee may recommend appropriate interventions for individuals who have been victimized.
- J. A student, employee, or third party engaging in behaviors which violate this policy is subject to disciplinary and/or legal action. Interventions will be recommended, as appropriate, for students and employees who violate this policy.
- K. Whenever a report of on-going or threatened gang-related violence appears accurate and reliable, the principal/designee will contact the appropriate law enforcement officer.
- L. Regular HCPSS school security partnership meetings will be held to coordinate resources and funding opportunities to support gang prevention/intervention activities.

## **V. Compliance**

- A. The Superintendent/Designee is responsible for ensuring that students, parents, employees, and third parties are notified of the provisions of this policy annually.

- B. The Superintendent/Designee will report incidents of gang activity to the Maryland State Department of Education (MSDE) as stipulated in the Safe Schools Reporting Act of 2005.
- C. The school administrator or Superintendent/Designee is responsible for any action taken in response to a violation of this policy and for ensuring that the action taken is in accordance with Policy 9200 Discipline, the Student Code of Conduct, the Procedures for the Threat Management Process, and Policy 7030 Employee Conduct and Discipline.
- D. School administrators and/or the Superintendent/Designee will report all confirmed gang activity to law enforcement.
- E. School or central office administrators are responsible for offering appropriate assistance to students, employees, parents, or third parties who have been the object of or affected by behavior prohibited in this policy.
- F. Principals are responsible for complying with investigating and reporting incidents of gang activity in compliance with the Safe Schools Reporting Act of 2010.
- G. Principals will provide regular training for staff on gang prevention and intervention resources.
- H. Principals will designate a school security officer in schools enrolling students in grades 6-12.
- I. The Coordinator of School Security will coordinate the school security partnership meetings.

**VI. Delegation of Authority**

The Superintendent is authorized to develop procedures for the implementation of this policy.

**VII. References**

- A. Legal
  - Title IX of the Education Amendments of 1972, 20 U.S.C. Sec. 1681
  - Title VI and VII of the Civil Rights Act of 1964, 42 U.S.C., Sec 601 and Sec. 2000e.2
  - The Annotated Code of Maryland, Education Article, §7-304 Positive Behavioral Supports and Interventions
  - The Annotated Code of Maryland, Education Article, §7-305 Suspensions and Expulsions
  - COMAR 13A.01.04.03, School Safety
  - COMAR13A.08.01.11, Disciplinary Action
  - COMAR 13A.08.04.03, Student Behavior Interventions
  - Safe Schools Act of 2010, Chapter 188 of 2010 Laws of Maryland

- B. Other Board Policies
  - Policy 1000 Civility
  - Policy 1010 Discrimination
  - Policy 1040 Safe School Environments
  - Policy 1060 Bullying, Cyberbullying, Harassment, or Intimidation
  - Policy 3020 Trespassing or Willful Disturbance
  - Policy 7030 Employee Conduct and Discipline
  - Policy 9020 Students' Rights and Responsibilities
  - Policy 9200 Discipline
  - Policy 9210 Student Dress Code
  - Policy 9280 Students Charged with Community or Reportable Offenses
  
- C. Other
  - Gang-Related Incident Investigation Form
  - Gang-Related Incident Reporting Form
  - Procedures for the Threat Management Process
  - Student Code of Conduct

### **VIII. History**

ADOPTED: June 9, 2011  
REVIEWED: July 1, 2017  
MODIFIED:  
REVISED: August 18, 2011  
EFFECTIVE: August 18, 2011

**GANGS, GANG ACTIVITY, AND SIMILAR  
DESTRUCTIVE OR DELINQUENT  
GROUP BEHAVIOR**

Effective: May 10, 2012

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**I. Definitions**

Within the context of this policy, the following definitions apply:

- A. External Source – Person who provides information from outside of a school building.
- B. Internal Source – Person who provides information from within a school building.

**II. Announcement/Dissemination of Information**

- A. Written notices will be posted in every Howard County Public School System (HCPSS) school that contains information regarding gang activity and similar destructive or delinquent group behavior.
- B. Annually, the principal will notify students, parents, employees, and third parties of the general provisions of this policy. Notification may be:
  - 1. Given via announcement over the school public address system
  - 2. Published in newsletters, on the school/system websites, or in student/employee handbooks
  - 3. Posted on bulletin boards in offices and other commonly used areas.

**III. Reporting Procedures**

- A. From Internal Sources:
  - 1. Under the Safe Schools Act of 2010, all school employees will report any incidents of suspected gang activity or similar destructive or delinquent group behavior to the principal and/or to the school security officer.
  - 2. If a student, parent, guardian, or other person tells a school employee about any gang-related activity or similar destructive or delinquent group behavior, the school employee must report that information to the administrator/designee.

3. If a student, employee, or third party reports that he/she is currently the target/victim or member of a gang, the staff member will respond quickly and report the incident to a school administrator/designee.
4. The administrator/designee will complete the Gang-Related Incident Reporting Form.
5. Upon receipt of a report, the administrator/designee and the school security officer will initiate an immediate investigation within 24 hours and determine whether the suspected gang activity actually occurred. A gang report of a high level of security will initiate immediate notification of appropriate school system personnel within 24 hours. They will take steps to verify who committed the act and whether others played a role in perpetrating this act. Other related complaints, if any, will be reviewed in making this determination.
6. Administration will apply consequences and/or remedial actions consistent with the Student Code of Conduct, Policy 9200 Discipline, Policy 7030 Employee Conduct and Discipline, and the Procedures for the Threat Management Process.
7. Administrators will notify parents of both the offender and/or victim of the allegation.
8. The administrator/designee will create a record of the gang-related incident, which will include the Gang-Related Incident Investigation Form and any disciplinary actions taken, statements of the offender, the victim, and witnesses. Discussions with all parties will be documented.
9. The school principal will be responsible for creating a repository for the gang-related activity information and the reporting forms.
10. HCPSS will maintain a monitoring/tracking system to use as a database for evaluation purposes.

B. From External Sources:

1. The Coordinator of School Security is the HCPSS point of contact for information from law enforcement, State's Attorney, or courts, who can then transmit the information to the principal as allowed by the Safe Schools Act of 2010.
2. Information received about arrests, dispositions, and Child In Need of Assistance (CINA), or delinquency adjudication is confidential information. This information cannot be made a part of the student's permanent record.

3. The Office of School Security will:
  - a. Maintain a central repository for the arrest/disposition information and information from courts
  - b. Maintain a log by school year of each notification received from the courts, law enforcement, and the State's Attorney's Office
  - c. Provide recommendations to the Maryland State Department of Education (MSDE) on ways to improve the notification process, if any, in order to better serve students
  - d. Destroy arrest/disposition information and the information received from the courts when the student graduates, permanently leaves school, or turns twenty-two.

C. Sharing Information with Persons Internal to the School:

1. The Superintendent/Designee will inform all principals of the HCPSS plan for sharing and using information about gang-related activity, including ways school officials will share gang-related information with parents.
2. In accordance with the Safe Schools Act of 2010, the Superintendent, principal, or school security officer will share information regarding arrests, dispositions, and reports about gang-related activity with school personnel in the school that a violating student(s) is enrolled. This information is provided to ensure the student(s) appropriate educational programming and to maintain a safe and secure environment for all students and school personnel.

D. Sharing Information with Persons External to the School:

1. To coordinate gang prevention, intervention, and suppression efforts, the principals and the Coordinators of School Security will meet at least twice a year. The purpose of these meetings is to share general non-student specific information and de-identified student data and to share gang-related activity that has been reported internally in the school.
2. Whenever a report of on-going or threatened gang-related violence appears accurate and reliable, the principal/designee will contact the appropriate law enforcement officer. The principal/designee will share with the law enforcement officer information about the specific event and the students involved.
3. The Superintendent/Designee may share the information on arrests, dispositions, and reports on gang-related activity as a confidential file with another Superintendent/Designee if the student transfers to another school system.



#### IV. Violations of Policy

##### A. Student Violations

If an individual believes that a student has violated this policy, the following procedures will be followed:

1. The individual will refer the student to a school administrator
2. The school administrator will promptly conduct an investigation of the alleged violation and take appropriate action to address the behavior as quickly as possible
3. If the investigation reveals that a violation of policy has occurred, the administrator will notify the student's parents/guardians and take specific action in accordance with:
  - a. Student Code of Conduct
  - b. Policy 9200 Discipline
  - c. Procedures for the Threat Management Process
  - d. Safe Schools Reporting Act of 2010
4. A student who violates the policy is also subject to interventions designed by the school administrator to increase the student's understanding of the impact of involvement in a gang or gang-related activity. The following interventions are required:
  - a. Parent/student conference
  - b. Behavioral contract

The following interventions are recommended:

- a. Counseling with school counselor, school psychologist, or school safety/police resource staff
- b. Education about the effects of gang or gang-like activity
- c. Positive Behavioral Supports such as a functional behavioral assessment; behavioral intervention plan; remediation of problem behaviors that takes into account the nature of the offenses, the developmental level of the student, and the student's behavioral history
- d. Referral to an external agency
- e. Participation in professional counseling (delivered by the school or a community mental health provider)

- f. Participation in a behavioral management program, such as mentoring or gang awareness prevention, developed in consultation with a mental health professional or a community-based resource which may include law enforcement and safety professionals
  5. The student may be referred to law enforcement and may be subject to criminal or other legal action
  6. The student may be issued a trespass notice.
- B. Employee and Third Party Violations

If an individual believes that an employee or third party has violated this policy, it must be reported and investigated. The following procedures will be followed:

1. The individual will refer the employee or third party to an appropriate supervisor or the Superintendent/Designee
2. The supervisor and/or Superintendent/Designee will promptly conduct an investigation and address the behavior as quickly as possible
3. If the investigation reveals that a violation has occurred, the supervisor or Superintendent/Designee will take appropriate action. Disciplinary action against an employee, if appropriate, will be taken in accordance with Policy 7030 Employee Conduct and Discipline. Action against a third party will be taken in accordance with relevant school system policies and other applicable state and federal laws.

## **V. Intervention**

- A. Principals will provide professional development to school staff on how to respond appropriately to students who may be involved with gang activity.
- B. Principals/Designees or central office administrators will provide appropriate assistance to students or staff who have been affected by behavior prohibited in this policy.
- C. A student or staff member who shows the potential to become involved in gang activity may be required to participate in appropriate counseling/intervention to increase the student's or staff member's understanding of the potential consequences of being involved with gangs.
- D. When warranted, follow-up assistance will be provided to victims.

## **VI. Prevention Procedures**

- A. The Office of School Security will coordinate professional development periodically to ensure that staff are aware of the prevalence, causes, and consequences of gang involvement and can use evidenced-based positive behavior supports in dealing with these situations.
- B. Administrators will collect, analyze, and use school-specific data regarding the number of incidents of gang or gang-related activities to guide school improvement efforts to ensure safe and nurturing environments and an “anti-gang culture.” Components of “anti-gang culture” include but are not limited to:
  - 1. Behavioral expectations
  - 2. A plan for teaching behavioral expectations
  - 3. An ongoing system for recognizing appropriate behaviors
  - 4. A process for responding to problem behaviors
  - 5. Collection and analysis of data to implement strategies for improving school climate.
- C. Gang prevention education will be included in the elementary and secondary curriculum as developmentally appropriate.
- D. Staff members will encourage students to be involved in activities which address creating a general culture of peer support and mutual respect.
- E. Principals will collaborate with families and the community to inform them of the prevalence, causes, and consequences of gangs on public health. This information can be communicated through newsletters, PTA presentations, parent information nights, and other school activities.

## **VII. History**

ADOPTED: June 9, 2011  
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                  May 10, 2012  
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