

**Policy**

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GANGS AND GANG-RELATED ACTIVITY

The Township of Union Board of Education recognizes the need for appropriate rules and regulations to ensure a safe and healthy environment that is conducive to teaching and learning.

In that connection, the District acknowledges the existence of criminal gangs in our society, and the importance and necessity of deterring all persons from emulating gangs or contributing to the proliferation of gangs. A gang in this policy is defined as "any ongoing organization, association, or group of three or more persons, whether formal or informal, having as one of its primary activities the commission of criminal acts and having a common name or common identifying signs, colors, and/or symbols."

- A. The Board of Education prohibits the following on school property or at school related functions, and off school property if it involves intimidation or an attack on another student in the District:
1. Initiating, advocating, or promoting a gang or any gang-related activities;
  2. Tagging or defacing school property with gang names, slogans and/or insignias;
  3. Conducting gang initiations;
  4. Threatening another with bodily injury and/or inflicting bodily injury on another in connection with a gang or gang-related activity;
  5. Inciting, soliciting, or recruiting others for gang membership or gang-related activities;
  6. Aiding or abetting any of the above activities by one's presence or support.

Any student found to have engaged in any of the above shall be subject to school discipline, including but not limited to detention, suspension, and/or expulsion. For any disciplinary matter covered by the above or by any other part of the school's disciplinary code, a finding that the conduct was gang-related or gang-affiliated shall be considered an aggravating factor in determining the appropriate punishment.

- B. The Board further prohibits the following in school and at school-related events:
1. Wearing of gang apparel, accessories, signs, insignias, or symbols on one's clothing or person;
  2. Display of gang apparel, accessories, signs, insignias, or symbols on personal property;
  3. Communication in any method (verbally or non-verbally) designed to convey gang membership or affiliation.

The Chief School Administrator or his/her designee shall determine, in consultation with law enforcement officials, what types of specific apparel, accessories, signs, insignias, and symbols are to be prohibited at each school under this policy, and shall promulgate and publicize such list to all students and parents. The list

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may be updated or modified at any time by the Chief School Administrator or his/her designee, and any additions or changes communicated to students via the District's web site or any other reasonable means. The list may be part of a broader dress code applicable to all students at the school.

A student may be disciplined for wearing or display of any apparel, accessory, sign, insignia, or symbol which is specifically prohibited on the list promulgated by the Chief School Administrator or his/her designee.

Intervention when Gang Activity is Suspected

The Chief School Administrator or his/her designee shall conduct an intervention when a student is suspected of gang activity. An intervention may be scheduled for suspected gang activity that includes the following:

- A. Apparel, clothing or accessories which may have a gang association, but which are not expressly prohibited on the Chief School Administrator or his/her designee's list even if the clothing is often worn for other purposes and with no intended gang affiliation or association (e.g. display of certain sports team colors, logos, or symbols);
- B. A student who is otherwise suspected of gang affiliation through other circumstantial evidence (such as associations with gang members and/or verbal or nonverbal communications to convey gang membership or affiliation).

The intervention shall include the principal, the student and (if the student is a minor) the student's parent or legal guardian. Such intervention may also include the School Resource Officer and the Union Police Department. The purpose of such intervention is to discuss the school's observations and concerns and to offer the student and the parents' information and an opportunity to ask questions or provide other information. No discipline shall be imposed unless and until there is a violation of a specific provision of the school's disciplinary code; including the wearing or display of items prohibited on the list promulgated by the Chief School Administrator or his/her designee.

**Adopted:**Key Words

Gang, Gang Activity, Criminal, Gang Apparel, Signs, Insignias, Colors, Symbols

Legal References:

N.J.S.A. 2C:33-28  
through 30  
N.J.S.A. 18A:11-9

Solicitation, recruitment to join criminal street gang; crime, degrees, sentencing  
Adoption of dress code policy prohibiting wearing of clothing indicating membership in Certain Gangs

GANGS AND GANG RELATED ACTIVITIES (continued)**Possible**

|                                 |               |   |
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| <b><u>Cross References:</u></b> | 3515.1        | Paging devices, cell phones                                   |
|                                 | 3517          | Security  |
|                                 | *3541.33      | Transportation safety   |
|                                 | *4131/4131.1  | Staff development; inservice education/visitation conferences |
|                                 | *4231/ 4231.1 | Staff development; inservice education/visitation conferences |
|                                 | *5020         | Role of parents/guardians                                     |
|                                 | *5113         | Absences and excuses  |
|                                 | *5114         | Suspension and expulsion                                      |
|                                 | *5124         | Reporting to parents/guardians                                |
|                                 | *5127         | Commencement activities                                       |
|                                 | *5131         | Conduct and discipline  |
|                                 | *5131.5       | Vandalism/violence  |
|                                 | *5131.6       | Drugs, alcohol, tobacco (substance abuse)                     |
|                                 | *5131.7       | Weapons and dangerous instruments                             |
|                                 | 5132          | Dress and grooming  |
|                                 | 5145          | Rights  |
|                                 | 5145.2        | Freedom of speech/expression                                  |
|                                 | *5145.4       | Equal educational opportunity                                 |
|                                 | *5145.6       | Pupil grievance procedure                                     |
|                                 | *5145.11      | Questioning and apprehension                                  |
|                                 | *5145.12      | Search and seizure  |
|                                 | *6145         | Extracurricular activities                                    |
|                                 | *6164.4       | Child study team  |
|                                 | *6171.4       | Special education   |
|                                 | *6172         | Alternative educational programs                              |

\*Indicates policy is included in the Critical Policy Reference Manual.