

## **GANGS, GANG ACTIVITY, AND SIMILAR DESTRUCTIVE OR ILLEGAL GROUP BEHAVIOR**

**FILE: JLDDBA-R1**

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### Obtaining Information from Internal Sources:

1. Under the Safe Schools Act of 2010, all school employees must report “any incidence of suspected gang activity or similar destructive or illegal group behavior...” to the principal.
2. If a student, parent, or guardian, or other person tells a school employee about any gang-related activity or similar destructive or illegal group behavior, the school employee must report that information to the principal.
3. A report about gang-related activity or similar destructive or illegal group behavior must be made in writing.
4. The principal or school security officer, upon receiving a “report,” whether from a school employee, a student, parent, or other person, will complete the Gang-Related Incident Reporting Form. This form is a revised version of the form all school employees currently use to chronicle bullying and harassment incidents. The form will be posted on the MSDE website and is attached to this Model Policy.
5. All gang-related activity information and the Reporting Forms will be kept secure in the principal’s office.
6. Once the Reporting Form is completed, the principal will initiate the appropriate investigation.
7. The Reporting Form and the information gathered during the investigation shall not become part of the student’s permanent record.
8. Destruction of the student-specific gang-related records will occur when the student: graduates, permanently leaves school, or turns 22, whichever occurs first.

### Obtaining Information From External Sources:

1. The Assistant Supervisor of Student Services and the Coordinator of Security, Safety and Risk Management will be notified of arrests, dispositions, and/or delinquency adjudication by the police, State’s Attorney, or courts and will transmit the information to others as allowed by the Safe Schools Act of 2010.
2. The information received about arrests, dispositions, and/or delinquency adjudication is confidential information.
3. The information cannot be made a part of the student’s permanent record.
4. Information received from police, State’s Attorney, or courts will be secured in the principal’s office.
5. Destruction of the arrest/disposition information and the information received from the courts will occur when the student graduates, permanently leaves school, or turns 22.
6. Each Principal will keep a yearly log of gang-related information, incidents and reports. A copy of the yearly logs of each Principal will be forwarded to the Coordinator of Security, Safety and Risk Management by July 1 of each respective year.

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### Sharing Information Within the School System:

1. At the start of each school year the Coordinator of Security, Safety and Risk Management shall inform all school based administrators of the school system's plan for sharing and using information about non-student specific gang-related activity to make schools safer places for students, teachers, and staff. That plan must include the ways school officials will share gang-related activity information with parents.
2. Notwithstanding the provisions of subsection (d), page 8 of the Safe Schools Act of 2010, nothing shall prohibit a local superintendent or school principal from transmitting the information obtained pursuant to subsections (b) and (c), pages 7 and 8 of the Safe Schools Act of 2010 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 offenses was a conviction or an adjudication of delinquency or the criminal charge or delinquency is still pending.
3. The Assistant Supervisor of Student Services and/or the Coordinator of Security, Safety and Risk Management will share the information on arrests, dispositions, and reports about gang-related activity with school administration in the school in which the student(s) is enrolled for use in providing the student(s) appropriate educational programming.
4. For the purpose of maintaining a safe and secure environment for students and school personnel, the school administration may 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 carry out purposes set forth in the law.
5. The Assistant Supervisor of Student Services and/or the Coordinator of Security, Safety and Risk Management shall meet monthly, 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.

### Sharing Information with Entities External to the School:

1. In order to coordinate gang prevention, intervention, and suppression efforts, the Coordinator of Security, Safety and Risk Management will conduct quarterly meetings, to share general non-student specific information and de-identified student data with representatives of law enforcement, the State's Attorney, the Public Defender, gang prevention and intervention programs, or any other appropriate individual, about gang-related activity that has been reported internally in the school.
2. The Coordinator of Security, Safety and Risk Management will contact the appropriate law enforcement officer whenever a report of on-going or threatened gang-related violence appears accurate and reliable. The designee should share with the law enforcement officer information about the specific event and the students involved, and elicit the officer's advice on intervention strategies and how to involve parents or guardians or community systems.

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### Procedures for prompt investigation of suspected gang activity or similar destructive or illegal group behavior.

As stated above, schools will receive information about suspected gang activity or similar destructive or illegal group behavior from a variety of sources. A thorough investigation conducted quickly is important for school safety reasons and for implementing prevention and intervention strategies as required. Investigations will comply with COMAR 13A.08.01.11, Disciplinary Action, and 13A.08.03, Discipline of Students with Disabilities. The procedures for promptly investigating suspected gang activity or similar destructive or illegal group behavior are as follows:

1. Upon receipt of a Gang-Related Incident Report, the principal or designee, assistant principal, and the Coordinator of Security, Safety and Risk Management shall initiate an investigation within 24 hours. If the report is of a high level of severity (criminal activity, imminent danger or disruption) the investigation shall be initiated immediately but not later than 24 hours.
2. Principals, Assistant Principals or the administrative designee shall notify parents of the offender and/or victim of the allegation.
3. Using the Gang-Related Incident Investigation Form, the investigating school official will create a written record of the gang-related incident and the investigation including victim, witnesses, and offender statements.
4. Principals, Assistant Principals or the administrative designee will apply consequences and/or remedial actions consistent with due process rights and in accordance with COMAR 13A.08.01.11 and 13A.08.03 using a range of consequences/remedial actions consistent with the ACPS discipline matrix and/or the ACPS Reportable Offense procedures.
5. School administration, will provide the student and his/her parent/guardian information about the supports and services available for students who are 'at risk' for and/or suspected of participating in gang activity and their families.

### Gang Prevention and Intervention Services Training

1. The Coordinator of Security, Safety and Risk Management will work with school administrators to coordinate trainings for staff and teachers (first level responders) on gang prevention and intervention resources within a jurisdiction, annually. The gang awareness information will be revised and updated regularly to reflect current trends in gang and gang-like activity.
2. The trainings will be collaboration between ACPS, local law enforcement agencies and community-based prevention and intervention service providers.

<b>Board Reviewed</b> <b>06/15/11</b>	<b>Superintendent Approved</b> <b>06/15/11</b>
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