

GANGS AND GANG-RELATED ACTIVITY

The Passaic 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. 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 “three or more people who are associated in fact, that is, people who have a common group name, identifying sign, tattoos or other indicia of association and who have engaged in criminal offenses while engaged in gang related activity” (N.J.S.A. 2C:44-3h).

- 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, in accordance with the Code of Student Conduct and Suspension and Expulsion board policies. 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 superintendent or his/her designee shall determine, in consultation with law enforcement officials, may identify what types of specific apparel, accessories, signs, insignias, and symbols are to be prohibited at each school under this policy, and shall provide such list to all students and parents. The list may be updated or modified at any time by the superintendent or his/her

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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 superintendent or his/her designee.

Intervention when Gang Activity is Suspected

The superintendent 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 superintendent 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 counselor and the Passaic 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 Code of Student Conduct; including the wearing or display of items prohibited on the list promulgated by the Chief School Administrator or his/her designee.

First Reading: January 30, 2017

Second Reading: March 8, 2017

Adopted: March 8, 2017

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 Prohibition of gang-related apparel
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- Cross References:** 3541.33 Transportation safety
4131/4131.1 Staff development; in-service education/visitation conferences
4231/4231.1 Staff development; in-service 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 School uniforms
5145.4 Equal educational opportunity
5145.6 Student 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