



STUDENTS: CONDUCT

Gang Activity and Similar Destructive or Illegal Group Behavior

I. Purpose

- A. The Baltimore County Public Schools (BCPS) recognizes the harm that can occur by the presence and activity of gangs in schools, such as violence and destruction of property. Gang activities create an atmosphere of intimidation in the school community and are disruptive and obstructive to the educational process and to school activities. Therefore, BCPS prohibits gangs and gang activities in all schools and on school grounds as stipulated below.
- B. Pursuant to state law, BCPS designates each school principal or, in his/her absence, a designated administrator, as its security officer.

II. Definitions

- A. *Appropriate Education Programming* – A general or alternative educational program that allows the student the opportunity to continue to receive education in BCPS.
- B. *Gang* – “Criminal Gang” means a group or association of three or more persons whose members:
  - 1. Individually or collectively engage in a pattern of criminal activity.
  - 2. Have as one of their primary objectives or activities the commission of one or more underlying crimes, including acts by juveniles that would be underlying crimes if committed by adults.
  - 3. Have in common an overt or covert organizational or command structure.
- C. *Gang Activity* – “Pattern of Criminal Activity” means the commission of, attempted commission of, conspiracy to commit, or solicitation of two or more underlying crimes or acts by a juvenile that would be an underlying crime if committed by an adult.
- D. *Confirmed Gang Member* – A person identified by the Baltimore County Police Department as a confirmed gang member based on criteria used to authenticate a gang member.
- E. *Parent* – The biological parent, legal guardian, or person acting in the absence of the parent.

- F. *Reportable Offense* – A crime of violence and additional enumerated offenses committed by a student and reported to the Superintendent as defined by Section 7-303 of the Education Article of the *Annotated Code of Maryland*.
- G. *School Security Officer (SSO)* – The principal of the school or, in his/her absence, a designated administrator assigned the role of maintaining the security and safety of the school.

III. Prohibition of Gang Related Behavior

- A. Students shall not engage in any act furthering the interest of any gang or gang activity including but not limited to the following:
  - 1. Soliciting, with or without coercion, membership in, or affiliation with, any gang;
  - 2. Painting, writing or otherwise inscribing gang-related graffiti, messages, symbols, or signs on school property;
  - 3. Engaging in violence, extortion, or any other illegal act or other violation of school discipline policies in furtherance of gang activity;
  - 4. Soliciting any person to engage in physical violence against another person in furtherance of gang activity.
- B. Students who violate this rule shall be subject to the student discipline code, Board of Education Policy 5550, as well as any applicable criminal or civil penalties.

IV. Training

- A. The Department of Student Support Services, in collaboration with the Baltimore County Police Department (Police), shall provide training on the reporting of gang activity for school staff as needed.
- B. The Department of Student Support Services shall train BCPS school administrators on reporting and investigating gang activity as mandated by state law and regulation.

V. Reporting

- A. Obtaining Information from Internal Sources
  - 1. All school employees must report any incidents of suspected gang activity or similar illegal group behavior to the principal.
  - 2. If a student, parent, or another 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. The principal shall make the state reporting form, *Gang-Related Incident Reporting Form*, available in his/her school and notify students, staff, and parents of its availability at the school. (See, Rule 5551, Form A)
  4. The *Gang-Related Incident Reporting Form* will also be available electronically on the BCPS Web site.
  5. The school principal, or the principal's designee, shall maintain all completed *Gang-Related Incident Reporting Forms* in a secure location in the administrator's office.
- B. Sharing Information Within the School System
1. The Facilitator, Office of Safe Schools, shall advise the principal of the school in which a student is enrolled of arrests, dispositions, and reports about gang-related activity so that staff may be advised and an appropriate educational program may be implemented for the students.
  2. The principal shall meet regularly with the school counselor(s) or pupil personnel worker to share information about gang-related activity in general and to 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.
- C. Sharing Information with External Entities
1. The principals of middle and high schools shall meet twice a year with the stakeholders to review the effectiveness of their gang prevention and intervention strategies, and programs to ensure coordination of gang prevention, intervention, and suppression efforts.

## VI. Procedures for Investigating

- A. Upon receipt of a *Gang-Related Incident Reporting Form*, the principal as the school security officer shall within 24 hours initiate an investigation.
- B. The principal or the principal's designee, in collaboration with the police department, shall notify parents of the offender and/or victim of the allegation of confirmed gang activity.
- C. Using the *Gang-Related Incident Reporting Form*, the principal or the principal's designee shall create a written record of the incident.

VII. Prevention, Intervention, Consequences, and Remedial Actions

- A. Prevention and intervention support and resources that address gang activity, and similar destructive or illegal group behavior is outlined in Board of Education Policy and Superintendent’s Rule 5510, *Positive Behavior*, and the Department of Student Support Services’ procedures.
- B. Consequences and remedial actions for persons engaged in gang activity or similar destructive or illegal group behavior should be consistently and fairly applied after an appropriate investigation has determined whether a confirmed offense has occurred.
- C. Consequences and remedial actions for persons who have been found to have made false accusations should be consistently and fairly applied after an appropriate investigation has determined no confirmed offense has occurred.
- D. Confirmed gang activity and similar destructive or illegal group behavior will result in consequences consistent with Board of Education Policy 5550.

Legal References:

20 U.S.C. §7151, *Gun-Free Schools Act*  
*Annotated Code of Maryland*, Education Article, §7-305,  
*Suspension and expulsion.*  
*Annotated Code of Maryland*, Education Article, §7-424.1,  
*Model Policy Prohibiting Bullying, Harassment and*  
*Intimidation.*  
*Annotated Code of Maryland*, Education Article, §7-424.2,  
*Gang Prevention, Intervention, and Suppression Efforts.*  
COMAR 13A.01.04.03, *School Safety*  
COMAR 13A.08.01.11, *Disciplinary Action*  
COMAR 13A.08.01.17, *School Use of Reportable Offenses*  
COMAR 13A.08.03, *Discipline of Students with Disabilities*

RELATED POLICIES: Board of Education Policy 5000, *Students*  
Board of Education Policy 5500, *Conduct*  
Board of Education Policy 5510, *Positive Behavior*  
Board of Education Policy 5520, *Dress*  
Board of Education Policy 5550, *Disruptive Behavior*  
Board of Education Policy 5560, *Suspensions, Assignment to  
Alternative Programs, or Expulsion*  
Board of Education Policy 5561, *School Use of Reportable  
Offenses*  
Board of Education Policy 5580, *Bullying, Harassment, or  
Intimidation*  
Board of Education Policy 5600, *Students' Responsibilities  
and Rights*

Rule  
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Superintendent of Schools