



ADMINISTRATIVE PROCEDURE

GANGS, GANG ACTIVITY AND SIMILAR DESTRUCTIVE OR ILLEGAL BEHAVIOR

5142

Procedure No.

August 1, 2011

Date

- I. **PURPOSE:** The purpose of this procedure is to maintain a safe and orderly learning environment and to ensure that school administrators and staff take measures to prohibit gang activity and similar destructive or illegal group behavior on school property, school buses or at school sponsored functions held on and off school property. Reprisal or retaliation against individuals who report these acts, who are victims, witnesses, bystanders or others with reliable information is prohibited.
- II. **INFORMATION:** In accordance with the provisions of The Safe Schools Act of 2010, the Maryland State Board of Education developed and adopted a model policy to address Gangs, Gang Activity and Similar Destructive or Illegal Group Behavior. All local school systems were required to establish a Board policy prohibiting said behavior based on the model policy by September 1, 2011. The Prince George's County Public Schools, Board of Education approved Policy No. 5175, to address Gangs, Gang Activity, and Similar Destructive or Illegal Behavior, on June 20, 2011. This policy applies to all students enrolled in Prince George's County Public Schools.
- III. **DEFINITIONS:**
- A. **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; and
 3. have in common an overt or covert organizational or command structure.
- B. **Gang Activity or Similar Destructive Group Behavior** – "Pattern of criminal gang 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.
1. Activities on or near school vehicles or property. – A person may not threaten an individual, or a friend or family member of an individual with use of physical force or violence to coerce, induce, or solicit the individual to participate in or prevent the individual from leaving a criminal gang: (1) in a school vehicle, as defined under Maryland Law; or (2) in, or within 1,000 feet of real property owned or leased to an elementary school, secondary school, or county board of education and used for elementary or secondary education.
 2. Applicability. – Subsection (a) of this section applies whether or not: (1) school was in session at the time of the crime; or (2) the real property was being used for purposes other than school purposes at the time of the crime.
- C. **School security officer-** may be the principal, another school administrator, a security services representative (Investigative Counselor) or another designated individual. **The security officer may not be a teacher.** A designated school



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security officer is required in all schools serving grades 6-12 to complete the Maryland State Board of Education, reporting and investigation forms.

IV. PROCEDURES:

- A. Reporting of allegations of gang activity or similar destructive or illegal group behavior
1. All school employees must report any incidence of suspected gang activity or similar destructive or illegal group behavior to the principal or to the school security officer.
 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 or school security officer.
 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, **MUST** complete the Gang-Related Incident Reporting Form.
 5. The principal or school security officer shall contact the appropriate law enforcement officer whenever a report of on-going or threatened gang violence appears to be accurate and reliable for support, advice and appropriate interventions. Information about the specific event and students involved will be shared with the law enforcement officer.
 6. The principal and security officer will retain all completed Gang-Related Incident Reporting Forms in a secured area.
 7. All gang related incident reports must be completed on Maryland State Department of Education forms.
 8. Copies of the completed reporting form **MUST** be sent to the Department of School Security, Office of the Court Liaison and filed in the principal’s office.
- B. Investigation of suspected gang activity or similar destructive or illegal group behavior
1. Once the Reporting Form is completed, the school security officer, or the principal **MUST initiate the appropriate investigation WITHIN 24 HOURS.**
 - a. The principal or school security officer will meet individually with the alleged offender(s) to gather information regarding the allegation.
 - b. The principal or school security officer will hold confidential meetings with witnesses or victims to gather additional information.
 - c. The principal and/ or security officer will review security tapes to gather additional information about the allegations.
 - d. The principal and/or the security officer will complete the Gang-Related Incident Investigation Form to document findings.



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- e. The principal and/or the security officer shall notify the parents of the offender(s) and the victim(s) of the allegations.
 - f. If the report is of a high level of severity (criminal activity, imminent danger or disruption) the investigation shall be initiated immediately but no later than 24 hours after the incident is reported.
2. Neither the Gang-Related Incident Reporting Form, the Gang-Related Incident Investigation Form, nor the information gathered during the investigation shall become part of the student's permanent record.
 - a. The Reporting Form, Investigation Form and information gathered during the investigation will be stored in a secured area.
 - b. Any material records (i.e., offenders/victims statements) or evidence should not be discarded while a criminal investigation or prosecution resulting from the incident is ongoing.
 - c. The custodian of the reporting form and investigation form shall be the principal.
 - d. All student-specific gang-related records must be destroyed when the student turns 22, graduates, or permanently leaves school, whichever occurs first.
 3. Copies of the completed Gang Related Investigation Form **MUST** be sent to the Department of School Security, Office of the Court Liaison and filed in the principal's office.
- C. Consequences and remedial actions for individuals engaged in gang activity or similar destructive or illegal group behavior
1. If it has been determined based on the investigation that the student engaged in gang activity, or similar destructive or illegal group behavior, the offense may be elevated to a consequence at a higher level according to the Code of Student Conduct.
 2. A request for expulsion shall be made for any student found involved in any level of reprisal or retaliation for the reporting of a gang offense that was substantiated.
- D. Consequences and remedial actions for individuals found to have made false accusations of gang activity or similar destructive or illegal group behavior
1. If it has been determined through investigation of the allegation, that a student falsely reported gang activity with malicious intent, appropriate disciplinary action shall be taken. Malicious intent is defined as the student having full knowledge that the information reported is untrue and would cause damage or harm to another person.
 2. The principal and/or the school security officer will meet with the student and parent/guardian to discuss the severity of false reporting and shall impose appropriate consequences according to the Code of Student Conduct.
- E. Parental Notification



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The principal or school security officer will notify parents/guardians of the victim and the parents/guardians of the offender of the allegation.

1. The principal or school security officer will schedule separate meetings with the parents/guardians of the victim and the parents/guardians of the offender.
2. If there is a victim, the parents/guardians of the victim shall be informed of the actions that the school proposes to support their child.
3. The parents/guardians of the offender shall be informed of the actions that the school proposes as interventions for the offender's behaviors as well as the proposed consequences as stipulated in the Code of Student Conduct.
4. The parents/guardians of the offender shall be provided with information about community resources and programs for students that maximize community participation.

F. Follow-up actions by the principal or designated school security officer

1. The principal and the school security officer will meet with the administrative team and implement a plan of action to closely monitor the school for possible acts of retaliation.
2. The school team will implement appropriate safety plans to ensure the safety of individuals and the school at large, as deemed appropriate on a case-by-case basis.
3. The school team will determine if heightened security needs to be detailed to the school.
4. The principal will elevate findings to the Department of Security Services, the appropriate Associate Superintendent, Instructional Director, the School Communications Officer and the Superintendent of Schools as deemed appropriate.
5. The school team will administer the appropriate disciplinary consequences in accordance with the Code of Student Conduct.

G. Sharing Information within the School System

1. The superintendent, principal, or school security officer should share information on arrests, dispositions, and reports about gang-related activity with appropriate school personnel in which the student(s) is enrolled for use in providing the student(s) appropriate educational programming.
2. The school security officer or principal of each middle and high school 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 and progress for 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.
3. The Department of Security Services, as the superintendent's designee, will develop a plan for sharing and using information about non-student specific gang-related activity to make schools safer places for students, teachers, and staff. The plan must include the way school officials will share non-student specific gang-related activity information with parents.



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4. The Department of Security Services will monitor and track the progress of each investigation and use the official Prince George's County Public School reporting system for evaluative purposes.
5. The Court Liaison will maintain a log by school year, of each notification received from the courts, law enforcement and the State's Attorney in accordance with the Safe Schools Act of 2010. Law enforcement agencies must notify the Superintendent or his designee, when a student enrolled in one of the Prince George's County Public Schools is arrested for a reportable offense. Reportable offenses include specified violent crimes and various gang, weapons, or drug-related charges.
 - a. Notification of offenses may be sent via mail, fax or through an electronic notification exchange system.
 - b. The Court Liaison's Office will transmit notifications to the appropriate school administrator.

H. Sharing information with entities external to the school system

1. The superintendent or his designee (the Court Liaison), has the right to transmit information obtained from an arrest report related to a student's membership in a criminal gang, to the local superintendent of another public school system in the state; or another nonpublic school in the state, in which the student has enrolled or transferred, if the disposition of the offense was a conviction or an adjudication of delinquency or if the criminal charge is still pending.
2. The Department of Security Services will convene regular school security meetings with schools impacted by gang activity/violence to share general non-student specific information and de-identified student data. These meetings will include the following school personnel and other representatives, as listed below:
 - a. Middle and high school principals;
 - b. School security officers;
 - c. School counselors;
 - d. Local law enforcement officers;
 - e. Representatives from the local State's Attorney's Office;
 - f. Representatives from the Office of the Public Defender;
 - g. Gang prevention and intervention program representatives; and
Other individuals as deemed appropriate.
3. The Department of Security Services will maintain an active information exchange with all law enforcement agencies within Prince Georges County, inclusive of, but not limited to, the Sheriff's Office, county, state and municipal law enforcement agencies, Maryland National-Capital Park Police and the Metro Transit Police Authority. The process for information exchange includes:
 - a. Weekly conference calls with municipal agencies;



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- b. Weekly Compstat meetings at the Prince George's County Police Department Head Quarters;
 - c. Monthly county-wide crime reduction meetings, with the FBI, DEA, ATF and the Department of Corrections' Parole and Probation Division;
 - d. Review of the weekly crime data from the Intelligence Unit in the County Police Department; and
 - e. Scheduled information sharing meetings with impacted schools.
- I. Prevention activities to address gang activity or similar destructive or illegal group behaviors may include, but are not limited to, the following:
1. School-based annual gang awareness training with teachers, other staff and volunteers.
 2. School-based annual gang awareness assemblies with students in grades 6-12 as a part of the bi-annual review of the Code of Student Conduct and disciplinary procedures.
 3. Provision of information to parents on anti-gang activities.
 4. Coordination of external resources in concert with the PTA, PTO or PTSA.
 5. Providing families with information about free community resources such as the Library, Parks and Recreation Facilities, etc.
 6. Implementation of Gang Resistance Education and Training (G.R.E.A.T.) in conjunction with local law enforcement contingent upon available resources.
 7. Student assemblies and activities on gang prevention education and awareness in conjunction with community-based partners.
 8. Increased surveillance and monitoring by adults in unsupervised areas.
 9. Comprehensive classroom guidance lessons conducted by professional school counselors to enhance students' skills in the behavioral and personal/social domains.
- J. Interventions to address gang activity or similar destructive or illegal group behaviors **must** be provided to both offenders and victims of gang violence at times and places governed by this procedure. Such procedures may include, but are not limited to, the following:
1. Parent/student conferences.
 2. Counseling with the professional school counselor, school psychologist, pupil personnel worker and other appropriate staff.
 3. Behavioral contracts.
 4. Support through the Student Assistance Program (SAP)
 5. Provision of information on community based resources focusing on anti-gang supports and interventions.
 6. Review of security tapes to identify problem areas in the school in order to increase and intensify surveillance.
 7. Mediation, multi-party dispute resolution and conflict resolution.
 8. Review the academic performance and behavioral records to determine if the student requires a functional behavioral assessment (FBA), career assessment



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and/or a Personal Education Plan (PEP) in order to meet with the student to support the development of clear goals.

9. Refer students to the appropriate school team (i.e., SIT/SST/MDT/IEP/other) to ensure that all stakeholders are aware of the student's needs, both academic and social and institute appropriate supports.
10. Identify mentoring opportunities to increase connectedness to prosocial activities and caring adults within the building or community.
11. Recommend external agencies and resources to the student and family to seek more intensive services and supports to improve their ability to navigate the school and other systems.

K. Inputting incidents regarding suspected gang activity into SchoolMax

All incidents **regarding suspected gang activity will be entered into the SchoolMax discipline module with a primary event code** describing the specific behavior (i.e. assault and gang activity suspected). Information on entering multiple event codes can be found in the online training manuals for SchoolMax. (Query, "**gang activity suspected**" for the event code assigned to gangs).

L. Professional Development for staff

Professional development will be provided for principals, teachers and other staff to support the implementation of this procedure. Professional development includes, but is not limited to, awareness training, technical assistance and consultation from the Department of Security Services, and materials and resources available on the Prince George's County Public Schools web site.

- V. **RELATED PROCEDURES:** Administrative Procedure 0700, Information Technology Services Acceptable Usage Guidelines; Administrative Procedure 4170, Discrimination and Harassment; Administrative Procedure 5150, Student Responsibilities, Rights and Involvements; Administrative Procedure 5132, Cell Phones and Other Portable Electronic Devices; Administrative Procedure 5131.1, School Bus Conduct; Administrative Procedure 5143, Bullying, Harassment or Intimidation; Administrative Procedure 10101, Code of Student Conduct; Administrative Procedure 10201, Disruptive Acts Requiring Security Measures.
- VI. **MAINTENANCE AND UPDATE OF THESE PROCEDURES:** This procedure originates with the Division of Student Services, Department of Student Engagement and School Support and will be updated as deemed appropriate.
- VII. **CANCELLATIONS AND SUPERSEDURES:** None. This is a new Administrative Procedure.
- VIII. **EFFECTIVE DATE:** August 1, 2011.



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Approved by:
William R. Hite
Superintendent of Schools

Attachments:

1. Gang-Related Incident Reporting Form
2. Gang-Related Incident Investigation Form
3. Reportable Offenses

Distribution: Lists 1, 2, 3, 4, 5, 6, 10, 11, 12, and 13