
**CARROLL COUNTY PUBLIC SCHOOLS
ADMINISTRATIVE REGULATION**

**POLICY ADDA: Gangs, Gang Activity, and Similar Destructive or Illegal
Group Behavior**

I. Background

The Board of Education of Carroll County is committed to establishing and promoting a safe, non-threatening environment for all students to learn. Therefore, the Board believes that gang activity and similar destructive or illegal group behavior present a threatening and potentially dangerous learning environment and will not tolerate such conduct on the part of any student or visitor. It is the Board's intent to provide to all staff and students a work and learning environment free from such acts.

This regulation provides parents, students, close adult relatives of students, and school staff members the opportunity to file a written report about alleged gang activity and similar destructive or illegal group behavior that has occurred or reasonably may have occurred on or near school property or vehicles or at a school-sponsored event. In addition, it requires that students and parents be notified of the reporting procedures.

II. Definitions

A. "Criminal gang" or "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 (as defined by Section 9-801(f) of the Criminal Law Article) 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" means the commission of, attempted commission of, conspiracy to commit, or solicitation of an underlying crime (as defined by Section 9-801(f) of the Criminal Law Article) or act by a juvenile that would be an underlying crime if committed by an adult.

C. "Pattern of criminal gang activity" means the commission of, attempted commission of, conspiracy to commit, or solicitation of two or more underlying crimes (as defined by Section 9-801(f) of the Criminal Law Article) or acts by a juvenile that would be an underlying crime if committed by an adult.

D. Activities on or near school vehicles or property. –

1. 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:
 - (i) in a school vehicle, as defined under Section 11-154 of the Transportation Article; or
 - (ii) 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 (1) of this definitional section applies whether or not:
 - (i) school was in session at the time of the crime; or
 - (ii) the real property was being used for purposes other than school purposes at the time of the crime.

III. Prevention, Intervention, and Support Services

- A. The Superintendent shall ensure training for staff and teachers on gang prevention and intervention resources annually. The gang awareness information shall be revised and updated regularly to reflect current trends in gang and gang-like activity.
- B. The CCPS Coordinator of School Security shall hold regular school security meetings involving each middle school and high school to ensure coordination of gang prevention, intervention, and suppression efforts. The following individuals shall be invited to participate in such meetings:
 - School principals
 - Coordinators of School Security
 - School counselors
 - Department of Social Services
 - Department of Juvenile Services
 - State’s Attorneys Office
 - State and Local Law Enforcement Agencies
 - Carroll County Youth Services Bureau
 - Junction, Inc.
 - Office of the Public Defender
 - Community and faith-based organizations
- C. Each school that enrolls students in grades 6 through 12 must designate at least one (1) Coordinator of School Security. A school administrator shall serve as this school based Coordinator of School Security. He/she shall coordinate prevention and/or intervention services at the school level.
- D. The following are resources for intervention and/or prevention of gang behavior:
Maryland Gang Website: www.gangs.umd.edu
Maryland Community Services Locator Project: www.mdcs.org
- E. The following are examples of supports and services available for students at risk for or engaging in suspected gang activity:
 1. Integrated drug and gang awareness education that shows research effectiveness,
 2. Services and supports for parents and families that are culturally and linguistically appropriate,
 3. Counseling and mentoring for students and their families,
 4. Community and faith-based organization programs that provide support and services,
 5. After-school programs developed in collaboration with community stakeholders,
 6. Job training and employment opportunities, and
 7. School sanctioned extra-curricular activities.

IV. Reporting

A. Obtaining Information from Internal Sources:

8. All school employees must report any incidence of suspected gang activity or similar destructive or illegal group behavior to a school administrator.
9. 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 shall report that information to a school administrator.
10. The school administrator shall contact the Coordinator of School Security to report the alleged behavior.
11. The Coordinator of School Security, upon receiving a "report," shall complete the Gang-Related Incident Reporting Form after consulting with the original complainant. Completed Reporting & Investigating Forms shall be maintained in a secured area in a central location by the Coordinator of School Security.
12. Once the Reporting Form is completed, the Coordinator of School Security will initiate the appropriate investigation. School administrators shall assist with the investigation as requested.
13. The Reporting Form and the information gathered during the investigation shall not become part of the student's permanent record.
14. The Coordinator of School Security shall establish a monitoring/tracking system to follow the progress of each investigation and to use as a database for evaluation purposes.
15. Student-specific gang-related records will be maintained until the student: graduates, permanently leaves school, or turns 22, whichever occurs first. If the allegation is unsubstantiated, the record shall be destroyed immediately.

B. Obtaining Information From External Sources

1. The Coordinator of School Security shall serve as the point of contact for information received from the police, State's Attorney's Office, or courts. The Coordinator of School Security shall transmit the information to others as allowed by the Safe Schools Act of 2010. The Coordinator of School Security shall inform the aforementioned agencies of that he or she is the designated point of contact.
2. All information received about arrests, dispositions, and/or delinquency adjudication is confidential information which shall not be made a part of the student's educational record.
3. The Coordinator of School Security shall maintain all arrest/disposition information from external sources in a secured area in a central location.
4. The Coordinator of School Security shall maintain a non-student specific log by school year of each notification received from external sources and provide recommendations to MSDE on ways to improve the notification process.
5. Arrest/disposition information and the information received from external sources shall be maintained until the student graduates, permanently leaves school, or turns 22. If the allegation is unsubstantiated, the record shall be destroyed immediately.

C. Sharing Information Within the School System

1. Notwithstanding the provisions of subsection Section 7-303(d) of the Education Article, nothing shall prohibit a local superintendent or school principal from transmitting the information obtained pursuant to Section 7-303(b) and (c) of the

- Education Article 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.
2. The Superintendent, Principal, or Coordinator of School Security shall share the information on arrests, dispositions, and reports about gang activity with school personnel in the school in which the student is enrolled for use in providing the student appropriate educational programming.
 3. For the purpose of maintaining a safe and secure environment for students and school personnel, the Superintendent, Principal, or Coordinator of School Security may share the information on arrests, disposition, and internal reports about gang activity and 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.
 4. As part of the student support teaming process, the Principal shall meet regularly with the school counselor(s) or pupil personnel worker to share information about gang activity in general and discuss the educational plan for and progress of each student who has been arrested or adjudicated delinquent for gang activity or who has been named in an accurate, reliable report of gang activity.

D. Sharing Information with Entities External to the School

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

V. Investigation and Discipline

A. Procedures for investigation and discipline of suspected gang activity or similar destructive or illegal group behavior:

1. Upon receipt of a Gang-Related Incident Report, the Coordinator of School Security shall initiate an investigation within 1 school day. If the report is of a high level of severity (criminal activity, imminent danger or disruption), the investigation shall be initiated immediately.
2. If the report is of a high level of severity (criminal activity, imminent danger or disruption), the following school system personnel shall be notified: Superintendent, Assistant Superintendents, Level Director, and Director of Student Services.

3. As directed by the Coordinator of School Security, principals, assistant principals, or the administrative designee shall notify the parent/guardian of the alleged offender, as well as the parent/guardian of the alleged victim.
4. In consultation with the Coordinator of School Security, principals, assistant principals, or the administrative designee shall 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 the following range of consequences/remedial actions:
 - Student/parent conference
 - Mediation/conflict resolution (when appropriate and both parties agree)
 - Referral to school counselor or Crisis Intervention Specialist
 - Detention
 - Exclusion from the classroom
 - Saturday School
 - Community Conferencing
 - In-school intervention
 - In-school suspension
 - Out of school suspension
 - Suspension or removal from a club or team
 - Request administrative placement to an alternative program
 - Request extended suspension/expulsion
 - Other as deemed appropriate
5. Using the Gang-Related Incident Investigation Form, the Principal or Coordinator of School Security will create a written record of the gang-related incident and the investigation including victim, witness, and offender statements. Discussions with all parties shall be documented as soon as possible after the event. Material records or evidence shall not be discarded while a criminal investigation or prosecution resulting from the incident is ongoing.

VI. Communication

This regulation shall be publicized and/or published in the following locations: Parent/Student Handbook, Students Services website, and the online policy book located at: <http://www.boarddocs.com/mabe/ccps/Board.nsf/Public>.

This regulation may be shared with students and parents by way of classroom presentations, newsletter summaries, and school websites. In addition, reporting forms shall be made available in the school administrative offices and on the Student Services web page.

Any student, parent/guardian, or staff member having inquiries regarding the application of this regulation should contact a principal or the Director of Student Services.