

GANGS AND GANG ACTIVITY

The Bonneville Joint School District No. 93 Board of Trustees is committed to ensuring a safe and orderly environment, where learning and teaching may occur void of physical or psychological disruptions, unlawful acts, or violations of school regulations. Gang activities create an atmosphere of intimidation in the entire school community. Both the immediate consequences of gang activity and the secondary effects are disruptive and obstructive to the process of education and school activities. Groups of individuals which meet the definition of gangs shall be prohibited on any school premises or at any school sponsored activity regardless of location.

Guidelines

1. It is against Board policy and unlawful for any student, person, group, or organization to:
 - a. establish a fraternity, sorority or other secret society (e.g. gangs) whose membership is comprised in whole or in part of students enrolled in the District's schools;
 - b. solicit a student in any of the District's schools to become a member of such organization; or
 - c. pledge him/herself to become a member of any such organization.
2. Students on school property or at any school-sponsored activity shall not:
 - a. Wear, possess, use, distribute, or sell any clothing, jewelry, emblem, badge, symbol, sign, or other items which are evidence of membership in, affiliation with, and/or representative of any gang;
 - b. Engage in any act, whether verbal or nonverbal, including gestures or handshakes, showing membership in, affiliation with, and/or that is representative of any gang; or
 - c. Engage in any act furthering the interest of any gang or gang activity, including, but not limited to:
 - 1) Soliciting any person to pay for protection;
 - 2) Threatening another person, explicitly or implicitly, with violence or with any other illegal or prohibited act;
 - 3) Painting, writing, or otherwise inscribing gang-related graffiti, messages, symbols, or signs on school property;

- 4) Engaging in violence, extortion, or any other illegal act or other violation of school property.
3. Violations of this policy shall result in disciplinary action, up to and including suspension, expulsion, and/or notification of police.

DEFINITIONS

Fraternity, sorority or secret society: shall be interpreted as any organization the active membership of which is comprised in whole or in part of pupils enrolled in the District and which exists or perpetuates itself wholly or partly by selecting members on the basis of the decision of its membership rather than upon the basis of the right of any pupil, qualified by the rules and regulations of the school, to be a member. Exceptions include Boy Scouts of America, Girl Scouts of America, Campfire Girls, DeMolay, the YMCA and similar organizations.

A Gang: is defined as any group of two (2) or more persons, whether formal or informal, who associate together to advocate, conspire, or commit:

1. Any criminal act(s); or
2. Acts which threaten the safety or well-being of property or persons, including, but not limited to, harassment and intimidation.

On any school premises or at any school sponsored activity, regardless of location: shall include, but not be limited to buildings, facilities, and grounds on the school campus, school busses, school parking areas; and the location of any school sponsored activity. This includes instances in which the conduct occurs off the school premises but impacts a school related activity.

Adopted 06-08-2005 Reviewed 03-11-2020 Revised

Cross-Reference: Student Owned Electronic Communication Devices #3265
Sexual Harassment/Intimidation of Students #3290

Legal Reference: Idaho Code § 18-8501, *et seq.* Idaho Criminal Gang Enforcement Act
Idaho Code § 18-8502 Idaho Criminal Gang Enforcement Act – Definitions
Idaho Code § 33-506 District Trustees – Organization and Government of Board of Trustees
Idaho Code § 33-512 District Trustees – Governance of Schools
IDAPA 08.02.03.160 Safe Environment and Discipline
Stephenson v. Davenport Community Sch. Dist., 110 F3d 1302(8th Cir. 1997)