

## GANG ACTIVITY OR ASSOCIATION

### I. Generally

Alexandria City Public Schools (ACPS) acknowledges the existence of gangs in the community and the threat they pose to the educational environment. Therefore, students shall not engage in gang activity on school grounds, on school buses, at bus stops, or at any school sponsored activity. In addition, students shall not engage in gang activity using the ACPS computer system, as defined in Policy GAB/IIBE: *Responsible Computer System Use*, at any time.

Students are subject to disciplinary action in accordance with Policy JFC and Regulation JFC-R: *Standards of Student Conduct* for participating in gang activity.

**Comment [JA1]:** This policy has been shared with the City of Alexandria Gang Prevention Task Force for review/comments

**Comment [JA2]:** Dept. of Student Svcs. to add prevention/intervention strategies. If identified as being in a gang or participating in gang activity, what is the intervention/response?

### II. Definitions

**Bullying:** means any aggressive and unwanted behavior that is intended to harm, intimidate, or humiliate the victim; involves a real or perceived power imbalance between the aggressor or aggressors and victim; and is repeated over time or causes severe emotional trauma. "Bullying" includes, but is not limited to verbal or electronic communication such as cyber bullying, or a physical act or gesture based on any actual or perceived differentiating characteristics, age, or by association with an individual or group who has or is perceived to have one or more of such characteristics.

**Disruptive behavior:** a violation of School Board policies or regulations governing student conduct that interrupts or obstructs the learning environment.

**Gang:** any group of ~~two~~ three or more persons whose purpose includes:

- Commission of illegal acts
- Participation in activities that threaten the safety of persons or property
- Disruption of the school environment
- Creation of an atmosphere of fear and intimidation

**Comment [JA3]:** 22.1-276.01

**Comment [4]:** Va. Code § 18.2-46.1.

**Comment [JA5]:** Should this be "criminal activities"?

**Comment [JA6]:** Reviewing this definition with VSBA. This is different than 18.2-461, which defines "criminal street gangs." In particular, will review inclusion of "disruption of the school environment" to ensure it is not overly broad. This seems ripe for being a very subjective determination and could lead to over-identification of students and other inequitable outcomes.

**Gang activity:**

- Wearing, using, distributing, displaying, or selling any clothing, jewelry, emblem, badge, symbol, sign, or other thing that is evidence of membership or affiliation in any gang;
- Committing any act ~~or omission~~, or using any speech, either verbal or non-verbal (such as gestures or handshakes) showing membership or affiliation in a gang;
- Using any speech or committing any act ~~or omission~~ in furtherance of the interests of any gang, including: (a) soliciting, hazing and initiating others for membership in any gang, (b) requesting any person to pay protection or otherwise intimidating or threatening any person, (c) committing any other illegal act or other violation of school policy and inciting other students to act with physical violence; and

**Comment [JA7]:** Who is making the determination on these incidences re: what is and is not gang activity? A handshake can communicate anything and look different to different observers. What about social media? What if gang activity is displayed through social media and not in school? It should be included. From the Gang Task Force: things are changing all the time

**Comment [JA8]:** I worry about the wardrobe, signs, etc., because sometimes students can be surviving in the environment they live in without a true gang affiliation. It is open to the interpretation and judgment of the authority figure.

**Comment [JA9]:** Can we add some language that includes social media? Several categories of social media posts should be included.

- Inappropriate congregating, bullying, cyberbullying, harassment, intimidation, degradation, disgrace and/or related activities which are likely to cause bodily danger, physical harm, or mental harm to students, employees or visitors.
- ~~Committing any other illegal act or other violation of school policy~~
- ~~Inciting other students to act with physical violence.~~

Comment [JA10]: What about graffiti?

~~The School Board Alexandria City Public Schools (ACPS) acknowledges the existence of gangs in the community and the threat they pose to the educational environment. Therefore, students shall not engage in gang activity on school grounds, on school buses, at bus stops, or on any school sponsored activity. In addition, students shall not engage in gang activity using the School Division computer system at any time. A gang is defined as any group of two three or more persons whose purpose includes:~~

~~Commission of illegal acts~~

~~Participation in activities that threaten the safety of persons or property~~

~~Disruption of the school environment~~

~~Creation of an atmosphere of fear and intimidation~~

~~Students shall be are subject to disciplinary action in accordance with Policy JFC and Regulation JFC R: Standards of Student Conduct for participating in gang activity.~~

~~Gang activity is defined as:~~

~~Wearing, using, distributing, displaying, or selling any clothing, jewelry, emblem, badge, symbol, sign, or other thing that is evidence of membership or affiliation in any gang;~~

~~Committing any act or omission, or using any speech, either verbal or non-verbal (such as gestures or hand shakes) showing membership or affiliation in a gang;~~

~~Using any speech or committing any act or omission in furtherance of the interests of any gang, including: (a) soliciting, hazing and initiating others for membership in any gang, (b) requesting any person to pay protection or otherwise intimidating or threatening any person, (c) committing any other illegal act or other violation of school policy and inciting other students to act with physical violence;~~

~~Inappropriate congregating, bullying, cyberbullying, harassment, intimidation, degradation, disgrace and/or related activities which are likely to cause bodily danger, physical harm, or mental harm to students, employees or visitors~~

~~Committing any other illegal act or other violation of school policy~~

~~Inciting other students to act with physical violence.~~

### III. Annual Review

The Superintendent or designee shall, in cooperation with local law enforcement and/or juvenile agencies, develop and regularly updates a ~~regulation~~-listing of known gang clothing, jewelry, emblems, badges, signs, gestures, handshakes and symbols at least annually. ~~The list shall be updated regularly.~~

### IV. Training

~~The Superintendent ACPS shall~~ provides in-service training in gang behavior and characteristics to facilitate staff identification of students at-risk of gang involvement and promote membership in authorized school groups and/or activities as an alternative.

Comment [JA11]: We must be careful about over identifying students as being in gangs. Focus is on clothing, gestures, etc. We must also address "wannabes"- students who may mimic behavior but who are not in gangs.

**File: JFCE**

Adopted: December 5, 1996  
Amended: June 18, 1998  
Amended: June 15, 2004  
Amended: December 18, 2014

Amended:

Legal Refs.: Code of Virginia, as amended, §§ [18.2-46.1](#), [22.1-70](#), [22.1-78](#), [22.1-79\(2\)](#),  
[22.1-276.01](#), [22.1-279.6](#).

~~Stephenson v. Davenport Community School District, 110F.3d 1303 (8<sup>th</sup> Cir. 1997).~~

~~Chalifoux v. New Caney Independent School District, Case No. 97-1763, U.S. District Court,  
S.C. Texas (Sept. 3, 1997).~~

Cross Refs: [GAB/IIBEA](#) [Responsible Computer System Use](#)  
[GAB-R/IIBEA-R](#) [Responsible Use Policy Agreement for Computer Systems](#)  
[GAC-R](#) [ACPS Social Media Regulations](#)  
[JFC](#) [Student Conduct](#)  
[JFC-R](#) [Standards of Student Conduct](#)