

West Bonner County School District

STUDENTS

3310

Gangs and Gang Activity

The Board 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, defined below, shall be restricted from school grounds or school activities.

A gang is defined as any group of three (3) or more persons, whether formal or informal, that has a common name or common identifying sign or symbol, who associate together to advocate, conspire, or commit:

1. One or more criminal acts; or
 2. Acts which threaten the safety or well-being of property or persons, including, but not limited to, harassment and intimidation.
- Or; As defined in I.C. 18-8502.

Students on school property or at any school-sponsored activity shall not:

1. Wear, possess, use, distribute, or sell any clothing, jewelry, emblem, badge, symbol, sign, or other items which are evidence of membership in or affiliation with any gang and/or representative of any gang;
2. Display tattoos which may be affiliated with any gang and/or representative of any gang;
3. Engage in any act, whether verbal or nonverbal, including gestures or handshakes, showing membership in or affiliation with any gang and/or that is representative of any gang; or
4. Engage in any act furthering the interest of any gang or gang activity, including, but not limited to:
 - A. Soliciting membership in or affiliation with any gang;
 - B. Soliciting any person to pay for protection or threatening another person, explicitly or implicitly, with violence or with any other illegal or prohibited act;
 - C. Painting, writing, or otherwise inscribing gang-related graffiti, messages, symbols, or signs on school property;
 - D. Engaging in violence, extortion, or any other illegal act or other violation of school property.

Violations of this policy shall result in disciplinary action, up to and including suspension, expulsion, and/or notification of police.

Cross Reference: 3260 Student Dress

Legal Reference: I.C. 33-506 Organization and Government of Board of Trustees
 I.C. 33-512 Governance of Schools
 I.C. 18-8501, *et seq.* Idaho Criminal Gang Enforcement Act
 I.C. 18-8502 Idaho Criminal Gang Enforcement Act - Definitions
 Stephenson v. Davenport Community Sch. Dist., 110 F.3d 1303
 (8th Cir. 1997)

Policy History:

Adopted on: March 12, 2008

Revised on: March 10, 2010