



Frederick County Public Schools
Board of Education
GANGS, GANG ACTIVITY AND
SIMILAR DESTRUCTIVE OR ILLEGAL GROUP BEHAVIOR
Policy 423

A. Policy Purpose

To provide expectations for addressing gang activity and similar destructive or illegal group behavior on Frederick County Public Schools (FCPS) school property and at school-sponsored activities/events to ensure safety and compliance with legal responsibilities.

B. Definitions

1. “Gang” or “Criminal Gang” or “Criminal Organization” is defined to mean a group or association of three (3) or more persons whose members:
 - a. Individually or collectively engage in a pattern of criminal gang activity;
 - b. Have as one of their primary objectives or activities the commission of one (1) or more underlying crimes, including acts by juveniles that would be underlying crimes if committed by adults; and
 - c. Have in common an overt or covert organizational or command structure, which may include, but is not limited to:
 - i. A name that separates the group from others;
 - ii. Identifiable marks and/or common symbols such as clothing of one color, hand signs, and graffiti;
 - iii. A claim to a specific geographic location inside or outside of a school; or
 - iv. Socialization with known gang members.
2. “Gang Activity” or “Pattern of Criminal Gang Activity” or “Pattern of Organized Crime Activity” is defined to mean 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, provided the crimes or acts were not part of the same incident.
 - a. **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 or use physical violence to coerce, induce, or solicit the individual to participate in or prevent the individual from leaving a criminal organization or gang:
 - i. In a school vehicle, as defined by State law; or
 - ii. In, on, or within 1,000 feet of real property owned by or leased to an elementary school, secondary school, or the Frederick County Board of Education (Board) and used for elementary or secondary education.
 - b. Subsection B(2)(a) 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.

3. “School Property” or “School Grounds” is defined to mean any school or other FCPS facility, including grounds owned or operated by FCPS, FCPS buses and other FCPS vehicles, chartered vehicles, and the facility and/or grounds of any FCPS-sponsored activity involving students.
4. “School-Related Activity” or “School-Sponsored Activity” is defined to mean any school system activity, on or off school property, in which a student directly participates (e.g., school field trip, athletic event, or class/graduation activity), or an activity in which the student does not directly participate but represents the school or student body simply by being present (e.g., spectator at a school event).
5. “Solicit” is defined as urging, advising, inducing, encouraging, requesting, or commanding another.

C. Policy Statement

1. The Board is committed to ensuring schools are safe and recognizes the harm that can occur by the presence and activities of gangs in the schools, such as violence and destruction of property. Gang activities also have the potential to create an atmosphere of intimidation in the entire school community, which can be disruptive to the learning environment. Therefore, the Board prohibits gang activity and similar destructive or illegal group behavior on school property, including school buses, and at school-sponsored events or activities.
2. The Board prohibits reprisal or retaliation against individuals who report gang activity and similar destructive or illegal group behavior or who are victims, witnesses, bystanders, or others with reliable information about an act of gang activity and similar destructive or illegal group behavior.

D. Implementation

1. **Standards/Prohibitions**
 - a. Gang activity is prohibited on all FCPS school property, including school buses, and school-sponsored activities.
 - b. It is a violation of this policy for any student, employee, or third party to engage in gang activity or similar destructive or illegal group behavior on school property or at school-related activities.
 - c. It is a violation of this policy for any gang or gang member to threaten, defame, harass, intimidate, bully, cyberbully, or physically attack another when these actions occur on school property, on a school bus, or in connection with any school-related activity. These behaviors also constitute a violation of this policy when they have a direct effect on the order and general welfare of the school (such as negatively affecting the safety or learning environment of a classroom), even if they do not occur on school property or at a school-related activity (such as causing substantial disruption to the school environment).

- d. It is a violation of this policy for any individual or suspected gang member to threaten or carry out reprisal or retaliation against individuals:
 - i. Who report gang activity and similar destructive or illegal group behavior; or
 - ii. Who are victims, witnesses, bystanders, or others with reliable information about gang activity and similar destructive or illegal group behavior.
- e. Violations of this policy are cumulative; subsequent offenses may affect the nature and severity of the consequences.
- f. The [FCPS Student Code of Conduct](#) provides guidance to schools on appropriate and progressive consequences for gang related activities that impact school safety and security.

2. **Delegation of Authority**

- a. The Superintendent is directed to establish regulation(s) to comply with provisions of this policy, the guidelines issued by the Maryland State Department of Education, and federal and state laws and regulations.
 - b. The Superintendent or their designee is directed to take appropriate disciplinary or other action when this policy has been violated.
3. In an effort to address gangs, gang activity, and similar destructive or illegal group behavior in schools, FCPS will maintain:
- a. An educational gang awareness program for students, staff, school volunteers, and parents/guardians; and
 - b. A teacher and administrator development program that trains teachers and administrators to implement this policy and/or its corresponding regulation(s).
4. The Superintendent or their designee will conduct regular school security meetings for each middle school and high school to ensure coordination of gang prevention, intervention, and suppression efforts.
5. FCPS will coordinate with local law enforcement agencies to foster coordination of gang prevention, intervention, and suppression efforts.

E. Related Information

1. **Board Policy**

- a. [Policy 111](#), *School and Workplace Safety*
- b. [Policy 300](#), *Personnel*
- c. [Policy 403](#), *Student Discipline*
- d. [Policy 404](#), *Student Rights and Responsibilities*
- e. [Policy 437](#), *Bullying/Harassment/Intimidation*
- f. [Policy 439](#), *Dress Code for Students*

2. **Code of Maryland Regulations (COMAR)**

- a. [COMAR 13A.01.04.03](#), *School Safety*
- b. [COMAR 13A.08.01.11](#), *Disciplinary Action*
- c. [COMAR 13A.08.01.17](#), *School Use of Reportable Offenses*

d. [COMAR 13A.08.04.03](#), *Student Behavior Interventions*

3. External Resources

a. Maryland State Department of Education, Division of Student, Family, and School Support. (February 2011). [Maryland's Model Policy to Address Gangs, Gang Activity, and Similar Destructive or Illegal Group Behavior](#).

4. FCPS Regulations

- a. [Regulation 400-48](#), *Bullying, Harassment, Intimidation Complaint Process for Students*
b. [Regulation 400-87](#), *Gang Activity*

5. FCPS Resources

- a. [Bullying, Harassment or Intimidation Website](#)
b. [Bullying, Harassment or Intimidation Reporting Form \(Online\)](#)
c. [Gang-Related Incident Reporting Form](#)
d. [Parent/Student Handbook and Student Code of Conduct](#)
e. [Youth Gang Awareness Brochure](#)
f. [Youth Gang Awareness Brochure \(Spanish\)](#)

6. Maryland Law

a. [Safe Schools Act of 2010, Chapter 188 of 2010 Laws of Maryland](#)

7. Maryland Statutes

- a. [Md. Code Ann., Educ. § 7-304.1](#)
b. [Md. Code Ann., Educ. § 7-305](#)
c. [Md. Code Ann., Educ. § 7-424.2](#)
d. [Md. Code Ann., Crim. Law § 9-801](#)
e. [Md. Code Ann., Crim. Law § 9-803](#)
f. [Md. Code Ann., Crim. Law § 11-301](#)

F. Policy History (Maintained by Legal Services)

<i>Responsible Office</i>	Safety and Emergency Management
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