

# CSBA Sample

## Board Policy

### Gangs

BP 5136

#### Students

\*\*\*Note: The following optional policy and regulation may be used as a component of the district's comprehensive safety plan and should be revised to reflect district practice. See BP/AR 0450 - Comprehensive Safety Plan.\*\*\*

\*\*\*Note: The National Gang Center, in its publication Gangs in Schools, recommends adopting policy that addresses gang-related incidents.\*\*\*

The Governing Board desires to keep district schools free from the threats or harmful influence of any groups who exhibit behavior disruptive to the school environment and/or the safety and well-being of students. The Board additionally desires to provide support and intervention to students who are members of gangs to enable them to successfully disengage from gang involvement and be successful in school.

(cf. 0450 - Comprehensive Safety Plan)  
(cf. 3513.4 - Drug and Alcohol Free Schools)  
(cf. 5131.4 - Student Disturbances)  
(cf. 5131.6 - Alcohol and Other Drugs)  
(cf. 5131.7 - Weapons and Dangerous Instruments)  
(cf. 5137 - Positive School Climate)

\*\*\*Note: The following paragraph is based on the Los Angeles Police Department's "Why Young People Join Gangs," available on its web site.\*\*\*

The Superintendent or designee shall develop strategies for gang prevention that address the reasons that students may become involved in gangs, including the identity, recognition, or status achieved as being part of a gang, protection from gang violence in the community, the need for companionship and an extended family, intimidation to join a gang, desire to join a gang to be in a position to intimidate others, and/or connection with criminal activity.

\*\*\*Note: The following paragraph reflects recommendations in the National Gang Center's Strategic Planning Tool and Gangs in Schools, both available on its web site.\*\*\*

Gang violence prevention shall start as early as possible and include, but not be limited to, age-appropriate education that focuses on developing emotional and social competence, increasing prosocial peer bonds, strengthening attachment and commitment to school, and enhancing cooperative learning skills. Prevention shall also include improving parent/guardian involvement in and support for their children's academic progress, as well as ongoing gang awareness

education for parents/guardians, including gang identifiers.

(cf. 5020 - Parent Involvement)  
(cf. 6164.2 - Guidance/Counseling Services)

The Superintendent or designee shall take steps to deter gang activity on school campuses, including threats and intimidation of students and staff, recruitment or intimidation of students to join gangs, bullying, fighting, criminal activities, and confrontations between members of different gangs.

(cf. 5131.2 - Bullying)

\*\*\*Note: Education Code 35183 authorizes the Governing Board to approve a site-initiated plan that prohibits the school's students from wearing gang-related apparel. The definition of "gang-related apparel" must be limited to apparel that reasonably could be determined to threaten the health and safety of the school environment, and the Board's approval must be based on a determination the policy is necessary for the health and safety of the school environment. In *Marvin H. Jeglin et al v. San Jacinto Unified School District et al*, a federal district court held that in order to justify a gang-related dress code, there must be evidence of a gang presence at a school and actual or threatened disruption or material interference with school activity. Education Code 32282 specifies that for the purpose of establishing a schoolwide dress code, gang-related apparel shall not be considered a protected form of speech pursuant to Education Code 48950. For further information, see BP/AR 5132 - Dress and Grooming.\*\*\*

The Superintendent or designee shall ensure that school rules of conduct and any school dress code prohibiting gang-related apparel are enforced consistently. If a student exhibits signs of gang affiliation, staff shall so inform the principal or designee and the student's parent/guardian.

(cf. 5132 - Dress and Grooming)

\*\*\*Note: Education Code 51265 urges districts to give high priority to in-service training programs on gang violence and substance abuse prevention education.\*\*\*

The Superintendent or designee shall provide in-service training which helps staff to identify gangs and gang symbols, recognize early manifestations of disruptive activities, and respond appropriately to gang behavior. Staff shall be informed about conflict management techniques and alerted to intervention measures and community resources. The Superintendent or designee shall also provide staff development on social and emotional learning, classroom management, interactive teaching, and cooperative learning skills.

(cf. 4131 - Staff Development)  
(cf. 4231 - Staff Development)  
(cf. 4331 - Staff Development)

The Superintendent or designee may consider gang activity prevention and intervention when developing programs outside of the school day.

(cf. 5148 - Child Care and Development)  
(cf. 5148.2 - Preschool/Early Childhood Education)  
(cf. 5148.3 - Before/After School Programs)  
(cf. 6145 - Extracurricular and Cocurricular Activities)  
(cf. 6145.2 - Athletic Competition)

The Superintendent or designee shall collaborate with child welfare services, mental health agencies, social services, and local law enforcement authorities in the prevention and intervention of gang activity.

(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)

Legal Reference:

EDUCATION CODE

32282 School safety plans  
35183 Gang-related apparel  
48907 Student exercise of free expression  
48950 Student freedom of speech  
51264 Educational in-service training; CDE guidelines  
51265 Gang violence and drug and alcohol abuse prevention in-service training  
51266-51266.5 Model gang and substance abuse prevention curriculum

PENAL CODE

186.22 Participation in criminal street gang  
13826-13826.7 Gang violence suppression

UNITED STATES CODE, TITLE 20

7101-7122 Student Support and Academic Enrichment Grants

Management Resources:

LOS ANGELES POLICE DEPARTMENT PUBLICATIONS

Why Young People Join Gangs

NATIONAL GANG CENTER PUBLICATIONS

Strategic Planning Tool

Gangs in Schools, March 2019

Parents' Guide to Gangs, July 2015

WEB SITES

California Cities Gang Prevention Network: <http://www.ccgpn.org>

California Department of Education: <http://www.cde.ca.gov/ls/ss/sa>

Gang Resistance Education and Training: <http://www.great-online.org/GREAT-Home>

Los Angeles Police Department, Gangs:

[http://www.lapdonline.org/get\\_informed/content\\_basic\\_view/1396](http://www.lapdonline.org/get_informed/content_basic_view/1396)

Homeboy Industries: <http://homeboyindustries.org>

National Gang Center: <http://www.nationalgangcenter.gov>

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