

## CHAPTER 5 - STUDENTS

### GANG CONTROL POLICY

5.371

- I. It is essential that schools be safe and orderly to provide environments that foster learning and high academic achievement. In order to promote an orderly learning environment in our schools while preparing students for later success in the world of work, the School Board of Sarasota County has taken a proactive approach and has established procedural guidelines concerning youth gang activity. These guidelines are to address problems associated with youth gangs through proactive education and disciplinary action, when necessary. This policy is divided into three sections: definition of gangs, operational policy, and review.

#### A. DEFINITION OF GANGS

As listed in Florida State Statute Section 874.03 defines

1. Criminal gang as any ongoing organization, association or group of three (3) or more persons, either formal or informal, which meets BOTH of the following criteria:
  - a. Has a common name or common identifying signs, colors, or symbols; and
  - b. Has, as one of its primary activities, the commission of criminal or delinquent acts.
2. Criminal gang member is a person who meets any two (2) of the following criteria:
  - a. Admits to gang membership;
  - b. Is identified as a gang member by a parent or guardian;
  - c. Is identified as a gang member by a documented reliable informant;
  - d. Adopts the style of dress of a criminal gang;
  - e. Adopts the use of a hand sign identified as used by a criminal gang;
  - f. Has a tattoo identified as used by a criminal gang;
  - g. Associates with one or more known criminal gang members;
  - h. Is identified as a criminal gang member by an informant of previously untested reliability and such identification is corroborated by independent information;
  - i. Is identified as a criminal gang member by physical evidence;
  - j. Has been observed in the company of one or more known criminal gang members four or more times;
  - k. Has authored any communications indicating responsibility for the commission of any crime by the criminal gang.

#### B. OPERATIONAL POLICY

1. The school administrator shall refer to School Board Policy 5.37 and the procedures in place as printed in the Student Code of Conduct handbook for the student dress code regarding any restrictions of symbolic expression as follows and prior to imposing such restrictions shall articulate:

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- a. Which item of dress, expression, or article is being restricted; and
  - b. The basis of the administrator's belief based on articulated facts that the exercise of the prohibited activity would materially interfere with or substantially disrupt school activities.
2. The type of dress, apparel, activities, acts, behavior or manner of grooming displayed, reflected, or participated in by the student shall not:
    - a. Lead school officials to reasonably believe that such behavior, apparel, activities, acts or other attributes are gang related and would materially interfere or substantially disrupt the school environment or activity and/or educational objectives;
    - b. Present a physical safety hazard to self, students, staff, employees, or other persons authorized to be on the school campus.
  3. If the student's behavior or other attribute is in violation of these provisions, the principal or designee will request the student to make the appropriate correction. If the student refuses, the parent/guardian may be notified and asked to make the necessary correction. The principal will take appropriate corrective and disciplinary action.
  4. Students identified as being gang involved, influenced or affiliated shall be referred to assistance and/or programs which discourage gang involvement or affiliation, enhance self-esteem, encourage interest and participation in school or other positive activities and promote membership in authorized school organizations.
  5. Training to provide increased awareness of the threat to the safety of students, staff and school property which gang-related activity poses shall be provided by the Department of Safety, Security & Emergency Management or any other appropriate agency on an as-needed basis. Additional presentations may be made available to individual schools, staff, students, and parents at the request of the principal. Presentations shall provide training in current identification symbols used by those involved in gang-related activity and may include the identification of hand signals, apparel, jewelry, and/or other pertinent gang-related information.
  6. The Gang Control Policy shall be incorporated into the Student Code of Conduct Handbook or any other document as needed.

### C. REVIEW PROCEDURE

Student and/or parents who are in disagreement with the handling of gang related issues and/or corrective and disciplinary action associated with the gang control policy may appeal such action through the appropriate measures. However, where symbolic expression is restricted, the principal/designee shall complete the said process within 48 hours during which time the implementation of disciplinary action shall not be delayed.

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**STATUTORY AUTHORITY:** 1001.41, 1001.42(8), 1006, F.S.

**LAW(S) IMPLEMENTED:** 874.02, 874.03, 874.04, 874.05, 874.09, 1001.42(8),  
Chapter  
1006, F.S.

**HISTORY:**

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**FORMERLY:** NEW

**NOTES:**