

Greater Albany SD 8J
Board Policy

Code: **JFCEA**
Adopted: 2/28/94
Revised/Readopted: 3/12/01
Orig. Code(s): BP 5323

Secret Society/Gang Activity

The Board believes that the presence of secret societies and/or gang and gang activities creates a threat of substantial disruption or material interference with school and school activities and is harmful to the educational process. "Gang" means a group that identifies itself through the use of a name, unique appearance or language, including hand signs, the claiming of geographical territory or the espousing of a distinctive belief system that frequently results in criminal activity. Therefore, it is the policy of this district that student membership in such secret societies and/or gangs in the school environment is prohibited.

Therefore, no student on or about district property or at any district activity shall be permitted to:

1. Wear, possess, use, distribute, display or sell any clothing, jewelry, emblem, badge, symbol, sign or other thing which is evidence of membership or affiliation in any gang;
2. Commit any act or use verbal or nonverbal speech, including gestures, handshakes, or other such signs, showing membership or affiliation in a gang;
3. Use any speech or commit any act in furtherance of the interests of any gang or gang activity including, but not limited to:
 - a. Soliciting others for membership in a gang;
 - b. Requesting any person to pay protection or otherwise intimidating, threatening or harassing any person;
 - c. Committing any illegal act or other violation of school rules or district policy;
 - d. Inciting other students to act with physical violence or other form of harassment against any other person.

Nothing contained in this policy is intended to discourage the formation of, or membership in, organizations and activities which are not related to gang activities.

Students who violate this policy will be subject to disciplinary action within the guidelines of district policy up to and including suspension and expulsion.

END OF POLICY

Legal Reference(s):

ORS 336.109
ORS 339.240 - 339.270

ORS 339.885
ORS 659.150

OAR 581-021-0050 to -0075

Olesen v. Board of Education of School District No. 228, 676 F. Supp. 820(N.D. Ill. 1987)

Neuhaus v. Federico, 12 Or. App. 314, 319, 505 P.2d 939 (1973).

Burkitt, et al v. School District No. 1, 195 Or. 471, 246 P.2d 566 (1952)

Tinker v. Des Moines Community School District, 393 U.S. 503, 507, 21 L. Ed. 2d 731, 89 S. Ct. 733 (1969).