

### **Gangs and Gang Related Activities**

The School Board has determined and hereby finds that the presence and activities of gangs in schools within the State of Oregon and elsewhere threatens and has caused substantial disruption or material interference with school activities and a threat to the safety and well being of students and school personnel. Therefore, it is the policy of the School District that gangs and gang related activities, as defined herein, shall not be permitted on or upon school property or at or in conjunction with any school activity. Failure to abide by this policy may result in disciplinary action up to and including expulsion.

As used in this policy, “gang” means any group or association of two (2) or more persons whose purposes or activities include the commission of crimes or offenses, except as otherwise provided. “Gang” shall not include a group or association which may recognize the legitimacy of and whose members may commit acts of civil disobedience incidental to and in furtherance of the lawful objectives and policies of such group or association.

As used in this policy, “gang related activity” shall include, but is not limited, to the following:

1. The wearing, possession, use, distribution, display, or sale of any clothing, jewelry, emblem, badge, symbol, insignia, or other object which constitutes or evidences membership in or affiliation with any gangs;
2. Any conduct intended to show or display membership in or affiliation with a gang;
3. Any speech or conduct committed in the furtherance of the interest or activities of any gang intended or likely to incite a violent or otherwise disrupted response;
4. The solicitation of others for membership in a gang or participation in gang activities;
5. Requesting or requiring any person to pay or give anything of value for protection or otherwise intimidating or threatening any person;
6. Inciting others to act with physical violence against or upon any persons; and
7. The commission of any other criminal act or offense or violation of any school rule or policy.

END OF POLICY

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Legal Reference(s):

ORS 336.109  
ORS 339.240 - 339.280

ORS 339.885  
ORS 659.850

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 (1969).