

**Neah-Kah-Nie  
School District 56**

Code: **JFCE/JFCEA**  
Adopted: 11/12/01  
Readopted: 4/14/08  
Orig. Code(s): JFCE/JFCEA

**Secret Societies/Gang Activity**

It is the policy of the district that membership in secret fraternities or sororities, or in other clubs or gangs not sponsored by established agencies or organizations, is prohibited.

Gangs which initiate, advocate or promote activities which threaten the safety or well being of persons or property on school grounds or which disrupt the school environment are harmful to the educational process. This includes incidents involving initiations, hazing, intimidation and/or related activities of such group affiliations which are likely to cause bodily danger, physical harm or personal degradation or disgrace resulting in physical or mental harm to students.

The district has specifically identified gang activity and/or involvement as:

1. Wearing, possessing, using, distributing, displaying or selling any clothing, jewelry, emblems, badges, symbols, signs, graffiti or other items that are evidence of membership in or affiliation with a gang;
2. Committing any act or using any speech, either verbal or nonverbal (gestures, handshakes, etc.), showing membership in or affiliation with a gang;
3. Using any speech or committing any act to further the interest of any gang or gang activity, including but not limited to:
  - a. Soliciting and/or initiating others for membership in any gang;
  - b. Requesting any person to pay for protection or otherwise intimidating or threatening any person;
  - c. Committing any illegal act or violation of Board policies, administrative regulations or school rules;
  - d. Inciting other students to act with physical violence upon any other person;
  - e. Engaging in concert with others in menacing, intimidating, fighting, assaulting or threatening to assault others.

The use of hand signals, graffiti or the presence of any apparel, jewelry, accessory or manner of grooming which, by virtue of its color, arrangement, trademark, symbol or any other attribute which indicates or implies membership or affiliation with such a group, presents a clear and present danger to the school environment and educational objectives of the community are forbidden.

Incidents involving initiations, hazing, harassment, menacing, bullying, intimidation and/or related activities of such group affiliations which are likely to cause bodily danger, physical harm or personal degradation or disgrace resulting in physical or mental harm to students are prohibited.

Any student wearing, carrying or displaying gang paraphernalia or exhibiting behavior or gestures which symbolize gang membership, or causing and/or participating in activities which intimidate or affect the attendance of another student will be subject to disciplinary action including suspension and expulsion.

The district may provide in service training in gang behavior and characteristics to facilitate staff identification of students at risk and promote membership in authorized school groups and activities as an alternative.

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 Educ. of Sch. Dist., 676 F. Supp. 820 (N.D. Ill. 1987).

Neuhaus v. Federico, 12 Or. App. 314 (1973).

Burkitt v. Sch. Dist. No. 1, 195 Or. 471 (1952).

Tinker v. Des Moines Community Sch. District, 393 U.S. 503 (1969).