

# Phoenix-Talent School District 4

Code: **JFCEA**  
Adopted: 12/9/93

## Gangs

Gangs and gang membership will not be permitted. A “gang,” as defined in this policy, is any group of two or more persons whose purpose includes the commission of illegal acts or whose activities can cause a substantial disruption of or material interference with school and school activities. The existence of gangs and gang activities are prohibited as follows:

### Students shall not:

1. Wear, possess, use, distribute, display or sell any clothing, jewelry, emblem, badge, symbol, sign or other things that are evidence of membership or affiliation in any gang.
2. Commit any act or use any speech, either verbal or nonverbal (gesture, handshakes, etc.), showing membership or affiliation in any gang.
3. Use any speech or commit any act or omission in furtherance of the interest of any gang or gang activity including, but not limited to:
  - a. Soliciting others for membership in any gangs;
  - b. Requesting any person to pay protection or otherwise intimidating or threatening any person;
  - c. Inciting other students to act with physical violence upon any other person;
  - d. Committing any other illegal act or other violation of School District Policies.

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).

### Cross Reference(s):

KGB - Public Conduct on District Property