

The board strives to create a safe, orderly, caring and inviting school environment. Gangs and gang-related activities have proven contrary to that mission and are prohibited within the schools. A gang is any ongoing organization, association or group of three or more persons, whether formal or informal, having as one of its primary activities the commission of criminal acts and having a common name or common identifying sign, colors or symbols. The violence and crime that accompany gangs pose a serious threat to the safety of students and employees of the school system. Even absent acts of violence or crime, the existence of gang-related activity within the schools creates an atmosphere of fear and hostility that obstructs student learning and achievement. Thus, the board condemns the existence of gangs and will not tolerate gang-related activity in the school system.

Buncombe County Schools ("BCS") does not support or condone gang membership or gang activity and believes that prohibiting such activity serves as a legitimate goal of the health and safety of the school environment. The Superintendent or his/her designee shall regularly consult with local law enforcement officials to identify gang-related items, symbols and behaviors, and provide each principal with this information.

No student shall commit any act that furthers gangs or gang-related activities. A gang is any ongoing organization, association or group of three or more persons, whether formal or informal, having as one of its primary activities the commission of criminal acts or the purposeful violation of any BCS policy and having a common name or common identifying sign, colors or symbols.

A. Prohibited Activity

1. Wearing, possessing, using, distributing, displaying, or selling any clothing, jewelry, emblems, badges, symbols, signs, visible tattoos and body markings, or other items, or being in possession of literature that shows affiliation with a gang, or is evidence of membership or affiliation in any gang or that promotes gang affiliation;
2. Communicating, either verbally or non-verbally (gestures, handshakes, slogans, drawings, etc.), to convey membership affiliation in any gang or that promotes gang affiliation;
3. Tagging, or otherwise defacing school or personal property with gang or gang-related symbols or slogans;
4. Requiring payment of protection, money or insurance, or otherwise intimidating or threatening any person related to gang activity;
5. Inciting other students to intimidate or to act with physical violence upon any other person related to gang activity;
6. Soliciting others for gang membership; and

7. Conspiring to commit any violation of this policy or committing or conspiring to commit any other illegal act or other violation of school district policies that relates to gang activity.

B. Consequences

Engaging in any prohibited activity outlined in Section A subjects the student to disciplinary consequences in accordance with his or her school's discipline policy. These consequences may range from an initial warning accompanied by parent contact to assigned periods of short-term suspension and/or administrative recommendation for long-term suspension.

This policy shall be applied in a non-discriminatory manner based on the objective characteristics of the student's conduct in light of the surrounding circumstances.

Legal References: G.S. 115C-390.2

Cross References: Student Behavior Policies (policy 4300), Student Dress Code (policy 4316), Theft, Trespass and Damage to Property (policy 4330), Assaults, Threats and Harassment (policy 4331), Criminal Behavior (policy 4335)

Adopted: May 2, 2013

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