

JHG-RA

# REGULATION **MONTGOMERY COUNTY PUBLIC SCHOOLS**

---

**Related Entries:** COB-RA, JFA, JFA-RA, JOA-RA  
**Responsible Office:** Special Education and Student Services  
 School Safety and Security  
**Related Sources:** *Annotated Code of Maryland*, Education Article, §7-424.2; Criminal Law Article, §9-801. *Definitions*; and Criminal Law Article, §9-803. *Criminal gang activity – Schools*

## **Gangs, Gang Activity, or Other Similar Destructive or Illegal Group Behavior Prevention**

### **I. PURPOSE**

Montgomery County Public Schools (MCPS) believes that academic achievement and social growth occur when students and staff feel safe. Gangs, gang activity, and other similar destructive or illegal group behaviors (gang-related behaviors) interfere with the safe operation of schools. Students who are gang members, who are involved in gang activity, or who participate in similar destructive or illegal group activities, as well as students who are exposed to these activities, are at risk of experiencing a range of negative health, safety, and educational outcomes.

Therefore, MCPS students are strictly prohibited from participation in gang activity. This regulation provides procedures that address the prohibition of gang-related behaviors in schools by implementing prevention, early intervention, remedial activities, and specific consequences as needed, and guard against reprisal or retaliation against individuals who report suspected gang-related behaviors.

### **II. DEFINITIONS**

A. *Gangs*—“*Criminal gang*” means a group or association of three or more persons whose members:

- (1) individually or collectively engage in a pattern of criminal activity;
- (2) have as one of their primary objectives or activities the commission of one or more underlying crimes, including acts by juveniles that would be underlying crimes if committed by adults; and
- (3) have in common an overt or covert organizational or command structure.

- B. *Gang activity*—“Pattern of criminal gang activity” means the commission of, attempted commission of, conspiracy to commit, or solicitation of two or more underlying crimes or acts by a juvenile that would be an underlying crime if committed by an adult.
- (a) Activities on or near school vehicles or property. A person may not threaten an individual, or a friend or family member of an individual, with use of physical force or violence to coerce, induce, or solicit the individual to participate in or prevent the individual from leaving a criminal gang: (1) in a school vehicle or (2) in, or within 1,000 feet of real property owned or leased to an elementary school, secondary school, or county board of education and used for elementary or secondary education.
  - (b) Applicability—Subsection (a) of this section applies whether or not: (1) school was in session at the time of the crime; or (2) the real property was being used for purposes other than school purposes at the time of the crime.
- C. *Prevention activities* are those schoolwide activities that provide awareness of the prevalence, causes, and consequences for gang-related behaviors, and are part of a system of positive behavioral supports and school improvement efforts at all grade levels.
- D. *Intervention activities* are individual or small group approaches directed at specific occurrences and range in intensity, duration, and frequency based on the severity of the behavior.

### III. PROCEDURES

#### A. Prevention

All schools must implement gang-related behavior prevention and intervention strategies and/or activities that teach and reinforce responsible prosocial behavior. Included are:

- 1. Implementation and analysis of school climate surveys to guide local decision making related to prevention, intervention, and professional development.
- 2. Annual professional development activities for all staff members that focus on the prevalence, causes, and indicators of gang-related behaviors, social skill development, positive school climate, tolerance of differences, age-appropriate behavioral expectations, and strategies to prevent instances of gang-related behaviors.

3. Professional development provided to staff hired during the school year.
- 4.- Schoolwide prevention programs implemented as part of a system of positive behavioral supports, character education, violence prevention, and school improvement at all secondary schools, and, as appropriate, at the elementary school level.

B. Intervention

1. Collaboration with families and community stakeholders about the prevalence, indicators, causes, and the consequences of gang-related behaviors and the means to prevent them.
2. Education, counseling, or other direct interventions for students exhibiting gang-related behaviors. Interventions may include, but will not be limited to, remedial approaches planned through collaboration with families and other community stakeholders that are designed to correct gang-related behavior; skill building that targets self-advocacy and self-esteem; prevents future occurrences, and protects victims from retaliation and/or further episodes of gang-related behavior.
3. A range of interventions proven to be effective in addressing the social, emotional, behavioral, and academic needs of students who are gang members, and involved or engaged in other similar destructive or illegal group behaviors in order to prevent further incidents.
4. Information should be provided for staff, students, and parents on social services, health, and behavioral health resources for those students who persist in engaging in gang-related activities after the implementation of school interventions. Information also should be provided for students who are victims of gang-related activities or bystanders whose mental or physical health, safety, or academic performance has been negatively impacted.
5. Recognition of positive behavioral changes by students who previously exhibited gang-related behaviors, students who were victims of gang-related behaviors who are implementing strategies to offset the trauma of the incident, and for students who were bystanders who have taken an active role in preventing future occurrences of gang-related behaviors.

C. Consequences

Consequences and remedial actions for individuals engaged in gang-related behavior or for individuals who have made false accusations should be consistently and fairly applied after timely and appropriate investigation has determined that such an offense has occurred. The consequences must be consistent with MCPS Regulation JFA-RA, *Student Rights and Responsibilities*.

IV. REPORTING PROCEDURES

The following procedures will be used for reporting incidents of gang-related behavior:

- A. All school employees must report any incidence of suspected gang-related behavior to the principal or designee. All reports of gang-related behavior must be in writing.
- B. MCPS Form 230-37: *Gang-Related Incident Reporting Form*, may be completed by a student, parent/guardian, close adult relative, or staff member. Once completed, the form is submitted to the school principal.
- C. When a student reports an incident of gang-related behavior to a staff member, the staff member will respond quickly to intervene; recommend that MCPS Form 230-37: *Gang-Related Incident Reporting Form*, be completed; and promptly report the incident to a school administrator. If the student cannot complete the reporting form independently, the staff member will assist the student in completing the form.
- D. At the beginning of each school year, principals will inform students, parents, and staff members about reporting incidents of gang-related behavior using MCPS Form 230-37: *Gang-Related Incident Reporting Form*. Each school will have available MCPS Form 230-37 in the school office, counselor's office, media center, and health room, as well as a link to the form on the local school website, if possible.

V. INVESTIGATION PROCEDURES

The following procedures will be used when investigating gang-related behavior:

- A. Upon receipt of a Gang-Related Incident Report, the principal or designee, assistant principal, and the school security officer shall initiate an investigation within 24 hours. If the report is of a high level of severity (criminal activity, imminent danger or disruption) the investigation shall be initiated immediately but not later than 24 hours. MCPS Form 230-38: *Gang-Related Incident Investigation Form* shall be used to investigate all gang-related incident reports.

If the report is of a high level of severity (criminal activity, imminent danger or disruption) appropriate school system personnel shall be notified, in accordance with MCPS Regulation COB-RA, *Reporting a Serious Incident*.

- B. MCPS Form 230-37: *Gang-Related Incident Reporting Form* and the accompanying MCPS Form 230-38: *Gang-Related Incident Investigation Form*, are maintained in a confidential file in the school office in accordance with confidentiality requirements for student records. These documents are not included in a student's cumulative file.
- C. The school principal and/or designee will contact the parents of all students involved in the gang-related behavior within 24 hours of completing the investigation.
- D. School administrators and/or designee will implement interventions and/or apply remedial actions and/or consequences appropriate for the incident and consistent with system and school discipline plans and procedures. A student who participates in gang-related behavior will be informed that reprisal or retaliation against a student who has been involved with or a witness to gang-related activity is prohibited and that further disciplinary action will occur if instances of gang-related behavior continue.
- E. Designated school staff will conduct separate conferences with the student who was victimized by gang-related behavior and the student who is involved with gang-related behavior within two weeks after the investigation to verify the victimization has ceased. These conferences may occur as part of counseling interventions. Another follow-up conference or conversation will be held with the student who was victimized by gang-related behaviors four weeks after the investigation to verify that the gang-related behavior has ceased.
- F. Some gang-related behavior also could be considered as serious incidents as defined by MCPS Regulation COB-RA, *Reporting a Serious Incident*. In these cases, the procedures outlined in MCPS Regulation COB-RA must be followed by the school administrator/designee.

#### VI. AVAILABILITY OF REPORTING FORM

- A. MCPS Form 230-37: *Gang-Related Incident Reporting Form*, is available on the MCPS website and should be available in all schools in the school office, counselor's office, media center, and health room.
- B. School administrators will inform staff about the availability of MCPS Form 230-37: *Gang-Related Incident Reporting Form*, at the start of each school year, and provide reminders periodically throughout the school year.

- C. School administrators will inform students about the availability of MCPS Form 230-37: *Gang-Related Incident Reporting Form*, during the first week of school, and with reminders periodically throughout the year.
- D. School administrators will inform parents about the availability of MCPS Form 230-37: *Gang-Related Incident Reporting Form*, and MCPS' *Community Resources and Internet Sites Regarding Gangs, Gang Activity, or Other Similar Destructive or Illegal Group Behavior* in the beginning-of-the-year information sent to students and their parents, in school newsletters, system e-mail, and at the first Parent Teacher Association and school meeting of the school year.
- E. If the school has a student or parent handbook, information about the availability of MCPS Form 230-37: *Gang-Related Incident Reporting Form*, should be included.
- F. Students will be informed that they may submit MCPS Form 230-37: *Gang-Related Incident Reporting Form* to any staff member (to deliver to the principal). A secure box may be placed in a location or locations selected by school administrators so that a student may submit a completed reporting form if he/she feels uncomfortable submitting the form in person. If a school sets up a secure box, the principal must make sure students, parents, and staff are aware of its location and make sure the box is checked each school day.

## VII. SUPPORT SERVICES

The following supports are available for the student who is the victim of gang-related behavior, and students who are involved in gang-related activity, and students who are bystanders. The list is not exhaustive, and schools are not restricted from other approaches or community resources known to be effective and consistent with Board of Education policies and MCPS regulations.

- A. School/System
  - 1. Education
  - 2. Classroom guidance and small group counseling
  - 3. Collaborative Problem Solving/Educational Management Team processes
  - 4. Positive behavioral supports
  - 5. Functional Behavioral Assessment (FBA)
  - 6. Behavioral Intervention Plan (BIP)
  - 7. Comprehensive social skills training
  - 8. Character Education
  - 9. Anger management training
  - 10. Cognitive Behavioral Counseling

11. Parent involvement
12. Parent training/workshops
13. Peer support groups
14. Schedule modifications
15. School improvement plan

B. Community/Family

A resource list, *Community Resources and Internet Sites Regarding Gang Prevention and Intervention* will be available in school offices and posted on the MCPS website.

**VIII. MARYLAND STATE DEPARTMENT OF EDUCATION (MSDE) CONTACT:**

Mr. Chuck Buckler, Director  
Student Services and Alternative Programs Branch  
Maryland State Department of Education  
200 West Baltimore Street  
Baltimore, Maryland 21201  
410-767-0311

*Regulation History:* New regulation August 29, 2011; revised September 4, 2012.





5. Where did the incident occur (choose all that apply)?

- On school property
- At a school-sponsored activity or event off school property
- On a school bus
- On the way to/from school

6. What did the alleged offender(s) say or do? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

*(Attach a separate sheet if necessary)*

7. Do you know why the activity occurred? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

*(Attach a separate sheet if necessary)*

8. Did a physical injury result from this incident? Place a ✓ next to one of the following:

- No
- Yes, but it did not require medical attention
- Yes, and it required medical attention

Please describe \_\_\_\_\_

9. Was the student victim absent from school as a result of the incident?  Yes  No  
If yes, how many days was the student victim absent from school as a result of the incident? \_\_\_\_\_

10. Is there any additional information you would like to provide (e.g. name of gang, clique, crew, or group, if known)?

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

*(Attach a separate sheet if necessary)*

\_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_

Signature Date

This form is to be confidentially maintained in accordance with the Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g.

**MONTGOMERY COUNTY PUBLIC SCHOOLS**  
**Community Resources and Internet Sites Regarding Gang Prevention and Intervention**

***LOCAL COMMUNITY RESOURCES***

**City of Rockville, Community Services Division:**

Provides free counseling services for noninsured youth and families who live or attend school within the City of Rockville corporate limits.

City Hall  
111 Maryland Avenue, 1st Floor  
Rockville, MD 20850  
240-314-8310

[www.rockvillemd.gov/index.aspx?NIID=369](http://www.rockvillemd.gov/index.aspx?NIID=369)

**Conflict Resolution Center of Montgomery County—Community Conferencing:**

Offers dispute prevention and resolution services to individuals and communities.

4805 Edgemoor Lane, 2nd Floor  
Bethesda, Maryland 20814  
301-652-0718

[www.crcmc.org](http://www.crcmc.org)

**Crossroads Youth Opportunities Center:**

Works with gang-involved youth and youth at risk for gang involvement.

Crossroads Youth Opportunity Center  
7676 New Hampshire Avenue  
Suite 411  
Takoma Park, Maryland 20912  
240-670-8122

**Upcounty Youth Opportunity Center**

415 East Diamond Avenue  
Gaithersburg, Maryland 20877  
301-591-1790

[www.identity-youth.org](http://www.identity-youth.org)

**Kensington Wheaton Youth Services (Agency of the Mental Health Association):**

Provides support to youth and their families in non-Linkages to Learning schools in the Albert Einstein, John F. Kennedy, and Wheaton high school clusters.

3950 Ferrara Drive  
Silver Spring, Maryland 20906  
301-933-2818

**Pathway to Services:**

A family friendly gateway of services and supports to help children with emotional and/or behavioral needs.

12320 Parklawn Drive,  
Rockville, Maryland 20852  
301-354-4905

**Mental Health Association of Montgomery County:**

Promotes mental wellness and supports those with mental illness by sponsoring and implementing advocacy, education, and community service programs.

1000 Twinbrook Parkway  
Rockville, Maryland 20851  
301-424-0656 Hotline: 301-738-2255  
[www.mhamc.org/](http://www.mhamc.org/)

Youth Hotline—301-738-9697  
Military Helpline, Information, and Resources—301-738-7176

**NAMI: National Alliance on Mental Illness of Montgomery County:**

Provides free educational programs, referrals to programs/providers, and support groups which can assist individuals who are impacted by mental illness.

11718 Parklawn Drive  
Rockville, Maryland 20852  
301-949-5852  
[www.nami.org](http://www.nami.org)

**Street Outreach Network (SON):**

Prevents, neutralizes, and controls hostile behavior in high-risk youth and youth gangs through the development of positive relationships between youth/community stakeholders and the outreach workers and provides community and school-based intervention and mediation services to youth.

240-777-1264

**YMCA Youth & Family Services:**

Provides school and community-based prevention and early intervention services to at-risk and under-served children and families. Serves the Bethesda, Burtonsville, Rosemary Hills, Silver Spring, and Takoma Park communities.

9601 Colesville Road  
Silver Spring, Maryland 20901  
301-587-5700

Forest Glen  
301-593-1160

General Information  
202-232-6700  
[www.ymcadc.org](http://www.ymcadc.org)

**INTERNET SITES**

**InfoMontgomery:**

A collaborative effort of public and private agencies to provide detailed information about health, education, and human resources for children, families, and adults.

[www.infomontgomery.org/](http://www.infomontgomery.org/)

**National School Safety Center:**

Information on the prevention of school crime and violence.

[www.schoolsafety.us](http://www.schoolsafety.us)

**High Intensity Drug Trafficking Areas:**

Provides local communities with a general knowledge of criminal gangs and identifies resources available to assist citizens addressing gang-related issues.

[www.dea.gov/ops/hidta.shtml](http://www.dea.gov/ops/hidta.shtml)

**Identity, Inc.**

Delivers an after-school program that focuses on behavior modification and skill building in 12 Montgomery County Public Schools in heavily Latino-populated areas.

[identity-youth.org](http://identity-youth.org)

**Maryland State Gang Intervention and Prevention Brochure:**

Intended to provide communities and families with the information, resources, and contacts necessary to identify gang activity and help make a difference.

[www.dpscs.state.md.us/publicinfo/publications/pdfs/2009\\_Gang\\_Task\\_Force\\_Brochure.pdf](http://www.dpscs.state.md.us/publicinfo/publications/pdfs/2009_Gang_Task_Force_Brochure.pdf)

**HOTLINES**

MCPS Safe Schools 24-hour Hotline  
301-517-5995

Maryland Safe Schools Tip Hotline  
877-636-6332

Maryland State Police, Suspicious Activity  
800-492-TIPS

MC Crisis Center Hotline  
240-777-4000

Montgomery County Police Department  
Criminal Street Gang Unit  
North Team-Germantown  
240-773-6200  
South Team-Wheaton  
240-773-5500

Maryland Choices  
301-610-0147

Pride Youth Services, Inc.  
301-296-4504