

MISSISSINEWA COMMUNITY SCHOOLS

CRIMINAL ORGANIZATION ACTIVITY IN SCHOOLS

The Board of School Trustees of the Mississinewa School Corporation prohibits gang or criminal organization activity and similar destructive or illegal group behavior on school property, on school buses, and/or at school-sponsored functions. The Board also prohibits reprisal or retaliation against individuals who report gang or criminal organization activity and similar destructive or illegal group behavior or who are victims, witnesses, bystanders, or other people with reliable information about an act of gang or criminal organization activity and similar destructive or illegal group behavior.

The following definitions apply to this policy:

Criminal Gang or Criminal Organization means a group with at least three (3) members that specifically:

- (1) either:
 - (A) promotes, sponsors, or assists in; or
 - (B) participates in; or
- (2) requires as a condition of membership or continued membership; the commission of a felony or an act that would be a felony if committed by an adult or the offense of battery.

Gang or Criminal Organization Activity means a student who knowingly or intentionally actively participates in a criminal gang or criminal organization, or a student who knowingly or intentionally solicits, recruits, entices, or intimidates another individual to join a criminal gang or criminal organization.

Per state law, a school employee shall report any incidence of suspected criminal gang or criminal organization activity, criminal gang or criminal organization intimidation, or criminal gang or criminal organization recruitment to the principal and the school safety specialist. The principal and the school safety specialist may take appropriate action to maintain a safe and secure school environment, including providing appropriate intervention services. Appropriate consequences and remedial actions are those that take into consideration the severity of the offenses and consider both the developmental ages of the student offenders and the students' histories of inappropriate behaviors per the code of conduct.

Any corporation and school employee who promptly reports an incident of suspected gang or criminal organization activity and who makes this report in compliance with the school corporation procedures is immune from a cause of action for damages arising from any failure to remedy the reported incident.

The principal or designee shall conduct a thorough and complete investigation for each report of suspected gang or criminal organization activity. The investigation shall be initiated by the principal or the principal's designee within one school day of the report of the incident. The principal may appoint additional personnel and request the assistance of law enforcement to assist in the investigation. The investigation shall be completed and the written findings submitted to the principal as soon as possible, but no later than five school days from the date of the report of the alleged incident of gang or criminal organization activity.

The principal shall take any appropriate disciplinary actions based upon the findings of the investigation, in accordance with the code of conduct. The superintendent of the school corporation is authorized to define the range of ways in which school staff and the principal or the principal's designee shall respond once an incident of gang or criminal organization activity is confirmed, according to the code of conduct. Consequences for a student who engages in gang or criminal organization activity may range from positive behavioral interventions up to and including suspension or expulsion.

The principal shall provide the parents of the students who were investigated with information about the investigation. The information to be provided to parents includes the nature of the investigation, whether the corporation found evidence of gang or criminal organization activity, whether consequences were imposed or services provided to address the activity. This information is to be provided in an expedited manner.

As appropriate to the investigation findings, the principal also shall provide intervention and/or relevant support services. The principal shall inform the parents of all students involved in alleged incidents and discuss the availability of counseling and other intervention services.

The principal shall submit the report to the superintendent of the school corporation within ten (10) school days of the completion of the investigation. The superintendent or his/her designee shall report the results of each investigation to the school board on a quarterly basis during regularly scheduled board meetings.

Each school within the school corporation shall record the number of investigations disposed of internally and the number of cases referred to local law enforcement, disaggregated by race, ethnicity, age, and gender. Each school shall report this information to the school corporation superintendent who shall submit a written report to the Indiana Department of Education by June 2 of each year.

This policy shall be annually disseminated to all parents who have children enrolled in a school within the school corporation. Notice of this policy must be published in student handbooks and all other publications of the school corporation that set forth the rules and procedures for schools within the school corporation.

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