

G125 Criminal Organizations and Criminal Organization Activities at School

The School District prohibits criminal organization activity and similar destructive or illegal group behavior on District property, or school buses, and at school-sponsored functions.

The District prohibits reprisal or retaliation against individuals who report criminal organization activity and similar destructive or illegal group behavior or who are victims, witnesses, bystanders, or others with reliable information about an act of criminal organization activity and similar destructive or illegal group behavior.

Definitions

Per IC 35-45-9-1, "Criminal Organization" means a formal or informal group with at least three (3) members that specifically either:

- (1) promotes, sponsors, or assists in; or participates in;
- (2) requires as a condition of membership or continued membership; or
- (3) has as one of its goals; or
the commission of a felony or an act that would be a felony if committed by an adult or the offense of battery (I.C. 35-42-2-1).

"Criminal Organization Activity" means knowing or intentional participation by a student in a criminal organization, or knowing or intentional solicitation, recruitment, enticement, or intimidation of another individual to join a criminal organization.

Procedures for Reporting and Investigating

All District employees and students are required to report any incidence of suspected criminal organization activity to the principal and the school safety specialist. In addition, other members of the school community, such as parents and attendees at school events, are encouraged to report potential violations of this policy. Individuals who make a good faith report under this policy will receive protection from liability to the full extent provided by law.

The school principal or designee shall conduct a thorough and complete investigation of each report of suspected criminal organization activity and each report of reprisal or retaliation. The principal or designee shall initiate the investigation promptly, but no later than one (1) instructional day of the report of the alleged incident. The principal may appoint additional staff and the principal or designee may request the assistance of law enforcement to assist in the investigation for the safety of the administration, District staff, or students. The investigation shall be completed and written findings prepared by the principal or designee as soon as possible, but no later than five (5) instructional days from the date of the report of the alleged incident of criminal organization activity. The principal or designee shall submit the report to the Superintendent within ten (10) instructional days of completing the investigation.

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 superintendent who shall submit a written report to the Indiana Department of Education by June 1 of each year.

As appropriate, the principal shall provide the parents of the students involved in an investigation with information about the investigation, such as the nature of the investigation, whether the corporation found evidence of criminal organization activity, and whether consequences were imposed or services provided to address the activity. This information is to be provided in an expedited manner.

Consequences

A confirmed incident of criminal organization activity is a violation of the school's code of conduct. The principal or the principal's designee shall respond to criminal organization activity, according to the parameters described in the school's code of conduct.

Appropriate consequences and remedial actions are those that are graded according to the severity of the offenses and consider both the developmental ages of the student offenders and students' histories of inappropriate behaviors, per the code of student conduct. Consequences and appropriate remedial actions for a student who engages in criminal organization activity may range from positive behavioral interventions up to and including suspension or expulsion and referral of the incident to law enforcement.

Support Services

The Superintendent may provide intervention or relevant support services to a student involved in, or suspected of, being involved in criminal organization activity. The following types of services, including family support services, are available:

1. counseling coupled with mentoring for students and their families;
2. referral to community organizations and civic groups that offer related programs or counseling;

Publication of the Policy

The Superintendent shall ensure that this policy appears on the District's internet website and in the student handbooks.

Legal References

I.C. 20-18-2-2.8

I.C. 20-19-3-12

I.C. 20-26-18

I.C. 20-33-9-10.5, 20-33-9-14

I.C. 35-45-9-1, 35-45-9-3, 35-45-9-4, 35-45-9-5

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