



# Merit Preparatory Academy

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## MERIT PREPARATORY ACADEMY THREAT AND GANG PREVENTION POLICY

The Merit Preparatory Academy Threat Policy prohibits disruptive acts and/or bullying; dangerous weapons; hazing/harassment; abetting; and gangs, secret societies, and hate groups; and the other prohibited acts as defined below. Any instance of the acts listed above will be addressed according to the school disciplinary policy.

### Definitions:

- Disruptive acts: Acts that disrupt the daily operation of the school include but are not limited to physical or sexual assault, intimidation, aggression, and possessing or displaying a dangerous weapon.
- Dangerous weapons: Any item capable of causing death or serious bodily injury, or a facsimile or representation of the item. Dangerous weapons as defined by these rules shall include, but not be limited to, firearms, knives, metal knuckles, straight razors, explosives, poisons, drugs, and noxious, irritating or poisonous gases.
- Hazing / Harassment: Intimidation of a student or staff member or any act that injures, degrades or disgraces a student or staff member.
- Abetting: The act of supporting, encouraging, and/or assisting activities which violate the safe schools policy.
- Gang / Secret Societies / Hate Groups: A group of two or more people who form an allegiance and engage in a range of disruptive behaviors that may include violent or unlawful activity or which advocate hatred or discrimination on the basis of race, religion, sex, national origin or disability.

### Other Prohibited Acts

#### Students may not:

- Wear, possess, use, distribute, display or sell any clothing, jewelry, emblems, badges, symbols, signs or other things which are evidence of membership or affiliation in any gangs, secret societies or hate groups.
- Commit acts, or use speech either verbal or non-verbal (gestures, hand-shakes, etc.), showing membership or affiliation in gangs, secret societies or hate groups.
- Use speech or commit any acts or omissions in furtherance of the interests of the gang, group or society, including, but not limited to:
  - soliciting others for membership
  - requesting persons to pay for protection or otherwise intimidating or threatening any person

- committing other illegal acts or other violations of school district policies
- inciting other students to act with physical violence upon any other person, and
- defacing school property (ie: books, lockers, walls, etc.).

School counselors will notify parents of any suicide threat that we receive as soon as possible.

Parents will also be notified as soon as possible of any threats of bullying, cyber bullying, harassment, hazing or retaliation against their child.

### **Gang Prevention and Intervention**

School faculty and personnel are trained to recognize early warning signs for youth in trouble. Faculty and personnel shall report suspected gang activity to a school administrator and law enforcement. Gang members are barred from extracurricular activities. Gang-related graffiti or damage to school shall result in parent/guardian notification.

Actions are required if prohibited acts are reported. Complaints will be reported to counselors and/or administration. Each reported complaint shall include:

1. name of complaining party;
2. name of offender (if known);
3. date and location of incident(s);
4. a statement describing the incident(s), including names of witnesses (if known).

Each reported violation of the prohibitions noted previously shall be promptly investigated by a school administrator or an individual designated by a school administrator. Formal disciplinary action is prohibited based solely on an anonymous report of gang-related activity.

Verified violations of the prohibitions noted previously shall result in consequences or penalties. Consequences or penalties may include but are not limited to:

1. student suspension or removal from a school-sponsored team or activity including school sponsored transportation
2. student suspension or expulsion from school or lesser disciplinary action;
3. clearly written and enforced discipline plan
4. employee suspension or termination for cause or lesser disciplinary action;
5. employee reassignment; or
6. other action against students or employees as appropriate.

Compliance with the Office for Civil Rights when Civil Rights Violations are Reported:

1. Once MERIT ACADEMY knows or reasonably should know of possible gang-related activities, the school must take immediate and appropriate action to investigate or otherwise determine what occurred.
2. If it is determined that the activity did occur as a result of the student-victim's membership in a protected class, MERIT ACADEMY shall take prompt and effective steps reasonably calculated to:
  - a. end the gang-related activity
  - b. eliminate any hostile environment, and
  - c. prevent its recurrence.
3. These duties are MERIT ACADEMY's responsibilities even if the misconduct also is covered by a separate policy and regardless of whether the student makes a complaint, asks the school to take action, or identifies the gang-related activity as a

form of discrimination.

Actions must also include, as appropriate:

1. procedures for protecting the victim and other involved individuals from being subjected to:
  - a. further gang-related threats or danger, and
  - b. retaliation for reporting the activity.
2. prompt reporting to law enforcement of all acts of gang-related activity or retaliation that constitute suspected criminal activity.
3. prompt reporting to the Office for Civil Rights (OCR) of all acts of gang violence or retaliation that may be violations of student(s)' or employee(s)' civil rights.
4. procedures for a fair and timely opportunity for the accused to explain the accusations and defend his actions prior to student or employee discipline.
5. procedures for providing due process rights under Section 53G-11-501 (licensed staff), local employee discipline policies or Section 53G-8-204 and local policies (students) prior to long term (more than 10 day) student discipline or employee discipline.
6. Records may be expunged by request after the student graduates from school.

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Board Approved: 8/19/20