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### **9100 – Public Relations**

The Board of Education believes that its community relations program is not solely one-way communication of information but covers all aspects of the school district relationship with the total community.

The Board of Education believes its school-community relations program should:

1. Promote public interest and participation in the operation of the school district;
2. Gather information about public attitudes toward the school district and its programs and report them to the Superintendent and the Board;
3. Provide an honest, continuous, comprehensive flow of information about the district's policies, procedures, regulations, programs, issues, and progress of the school district to the community and the staff;
4. Develop the most effective means of communication with the school district's public and use available media as appropriate;
5. Develop programs in the schools that will integrate home, school, and community in meeting the needs of district pupils;
6. Develop and maintain the confidence of the community in the school Board and the school staff;
7. Develop a climate that attracts highly qualified educators and support staff and encourage them to strive for excellence in the development and implementation of the educational program;
8. Be proactive in understanding and meeting the needs of the community; and
9. Evaluate past procedures in order to make improvements in future communications.

The Superintendent shall be responsible for developing programs, techniques and channels for implementing this Policy.

Adopted: August 18, 2009



### **9120 – Public Information Program (M)**

The Board of Education believes all reasonable means should be employed to keep the community served by the school district informed on matters of importance regarding district programs, finances, personnel, policies, and operations.

The Board will determine which of its official actions have sufficient community impact and interest to warrant special releases to the media; the Board alone will release to the news media information about those matters of importance. The Board President may release information regarding Board actions of lesser importance as they have been recorded in the minutes of the Board meetings and upon the request of the media representatives. The release of all other publications, photographs, and documents depicting the accomplishments of the pupils and staff of the district shall be approved by the Superintendent or his/her designee.

The school district will not release or publish photographs identifying pupils by name or release other personal identifying information of an individual district pupil without the prior written permission of the parent(s) or legal guardian(s). Written permission slips for such release from each parent(s) or legal guardian(s) will be obtained by the Building Principal or his/her designee for the pupils in their school building. These written permission forms shall be maintained by the Building Principal. Group photographs may be released by the district without permission, but in no event will an individual pupil in a group photograph be identified by name and/or by other personal identifier without written permission from the parent(s) or legal guardian(s).

The Superintendent shall direct an information program designed to acquaint residents of the community and the public generally with the achievements and the needs of the schools. As a minimum, information shall be disseminated regarding the district's educational goals; the district's guarantee of equal educational opportunity; the district's programs for basic skills improvement, special education, bilingual education, and English as a second language; and summary reports of the administration of statewide assessment tests. Every effort shall be made to foresee and avoid problems caused by misunderstanding or lack of information.

The public information program may include the publication and distribution of a school district newsletter, district website, meetings with parent(s) or legal guardian(s) and interested residents, a presentation and interpretation of the proposed annual budget, periodically distributed calendars and notices of events, the Superintendent's annual report, and a pupil handbook as well as the release of news and photographs of school activities for publication. Notices, publications, and other written materials may be prepared in languages other than English when necessary and appropriate for parent/guardian understanding.

#### **Avoiding Excessive Expenditures when Communicating with the Public**

The Board of Education adopts the following strategies to minimize the cost of public relations as defined in N.J.A.C. 6A:23A-9.3(c)14 in accordance with N.J.A.C. 6A:23A-5.2.



School district publications shall be produced and distributed in the most cost-efficient manner possible that will enable the school district to inform and educate the target community. The use of expensive materials or production techniques where lower cost methods are available, such as the use of multi-color glossy publications instead of suitable, less expensive alternatives, is prohibited.

The school district will not distribute, via mass mailings or other means to the district community at large, publications that include the picture (s) of any members of Board of Education within ninety days before any election in which any Board member is seeking an elective office or any election relating to school district operations held in the district. Any publication(s) distributed by the Board via mass mailings or other means to the district community at large within sixty days before any election in which any Board member is seeking any elective office or any election relating to school district operations held in the district must be submitted to the Executive County Superintendent for review prior to distribution to ensure that the public funds are being expended in a reasonable and cost-effective manner.

Public relations activities, such as booths at Statewide conferences, marketing activities and celebrations for opening schools and community events, and TV productions that are not part of the instructional program or do not provide information about district or Board operations to the public, that are excessive in nature are prohibited. All activities involving promotional efforts to advance a particular position on school elections or any referenda are prohibited.

Nothing in N.J.A.C. 6A:23A-5.2 and this Policy shall preclude the school district from accepting donations or volunteer services from community members, local private education foundations and local business owners to conduct or assist in public relations services. Examples include, but are not limited to: providing school district flyers, newsletters, or other materials containing school-related information of public concern to local businesses, public meeting places, or other local organizations to display or make available for dissemination; making school district related information of public concern available to local newspapers to publish related articles; and utilizing volunteered services of local community members, district employees, members of parent organizations or local businesses with expertise in related areas such as printing, advertising, publishing, or journalism.

The Board of Education will establish annually prior to budget preparation, a maximum dollar limit for public relations activities, as defined in N.J.A.C. 6A:23A-9.3(c)14. In the event it becomes necessary to exceed the established maximum dollar limit for public relations, the Superintendent shall recommend to the Board of Education an increase in the maximum dollar amount for such additional activities. Any increase in the maximum dollar amount shall require formal Board action.

Adopted: August 18, 2009



### **R9120 – Public Information Program**

#### A. Standards of Presentation

1. Material released in the district’s public information program should:
  - a. Be factual, topical, newsworthy, and consistent with the educational goals adopted by the Board of Education;
  - b. Represent the activities at all grade levels, subject areas, and schools and not favor one school population or activity over another;
  - c. Strive to interpret the educational program to the lay public and avoid the use of professional terminology; and
  - d. Present an integrated district-wide picture of district-wide programs rather than fragmented information.
2. Information regarding an individual pupil, other than information classified as directory information in Board Policy #8330 – Pupil Records, shall be released only with the express written permission of the pupil’s parent(s) or legal guardian(s). Pupil “information” includes verbal and photographic material, whether or not the pupil depicted is individually identified. Directory information regarding an individual pupil may be released only if the pupil’s parent(s) or legal guardian(s) has not prohibited its release in accordance with Board Policy #8330 – Pupil Records.

#### B. Preparation of Information for Public Distribution

1. Information will be released in a systematic manner to avoid confusion and misunderstanding.
2. Information planned for general public consumption should first be reviewed by interested district employees knowledgeable about the content of the information.
3. News bulletins issued by individual schools or departments within the district must identify the issuing school or department as a part of the school district. Thus all letterheads, bulletins, and publications must carry the full name of the Lopatcong Township Board of Education.
4. The Building Principal of each school may prepare a bulletin of a news worthy item of interest in his/her building. A copy of the item will be sent to the Superintendent for clearance before the bulletin may be released to the press.
5. The office of the Superintendent will prepare and disseminate:
  - a. An annual calendar of Board, district, and school events open to the public;
  - b. Information about the proposed budget, in accordance with Board Policy #6230 – Purchases Subject to Bid;
  - c. News releases about noteworthy Board activities and district-wide activities.
6. The Building Principal of each school will prepare and disseminate the following public information publications.



- a. A pupil handbook will be given to each pupil enrolled in the school or to the pupil's parent(s) or legal guardian(s). The handbook will include, as appropriate to the grade levels in the school:
  - (1) The organization of the school;
  - (2) Rules for pupil conduct;
  - (3) Pupil rights and responsibilities;
  - (4) Information about school operations, health services, attendance, emergency closings, and the like;
  - (5) Descriptions of pupil activities and programs;
  - (6) The pupil grievance procedure; and
  - (7) Academic requirements.
- b. A calendar of school events will be distributed to all pupils, parent(s) or legal guardian(s), and staff members.
- c. As appropriate to the grade levels of the school, a listing of course offerings and requirements will be distributed to all parents or legal guardians and pupils.
- d. Programs for specific performances and contests will be distributed to attendees and participants.

### C. Release of Information to the Press

1. In accordance with [Board Policy #9120 – Public Information Program](#), information determined by the Board to be of particular community impact and interest will be released to the press only by the Board.
2. Information regarding Board actions of lesser importance may be released to the press by the Superintendent.
3. Information regarding the activities of the schools and of individuals in the schools may be released to the press on the approval of the Superintendent.
4. All inquiries from members of the press will be referred to the Superintendent or Board President for response. A staff member who is requested to give an interview to a member of the press shall so inform the Superintendent, who may request to be present at the interview.

### D. Displays

1. Displays of the accomplishments of district pupils and the results of educational programs may be placed in locations that afford a high level of public visibility, such as in local commercial establishments, municipal offices, health facilities, libraries, and banks.
2. The staff member planning the display must request and receive in writing the permission of the facility in which the display will be placed. The request will clearly indicate the duration of the display, the time when it will be installed, and any particular accommodations that are necessary to the display.



3. A letter of appreciation shall be sent to the facility after the display is removed.

Issued: August 18, 2009



### **9130 – Public Complaints and Grievances**

Any person or group having a legitimate interest in the schools of this district may present a request, suggestion, or complaint concerning district personnel, the educational program, instructional or resource materials, or the operations of the district. The Board directs the establishment of procedures for the hearing and settlement of requests and complaints that provide a means for resolving them fairly and impartially, permit appropriate redress, and protect district personnel from unnecessary harassment.

When a Board member is confronted with an issue, he/she will withhold comment, commitment and/or opinion and refer the complaint or inquiry to the Superintendent, who shall review the complaint according to established procedures.

Only in those cases where satisfactory adjustment cannot be made by the Superintendent and the staff shall communications and complaints be referred to the Board for resolution.

Any misunderstandings or disputes between the public and school district staff should, whenever possible, be settled by direct, informal discussions among the interested parties. It is only when such informal meetings fail to resolve differences that more formal procedures shall be employed. A complaint about a school program or personnel should be addressed to the Building Principal; a complaint about instructional or resource materials should be addressed to the Superintendent.

The Superintendent shall establish procedures for the hearing of requests and complaints regarding district personnel, the educational program, instructional and resource materials, and the operation of the school district. Procedures will be governed by the following guidelines:

1. The matter will be resolved initially, wherever possible, by informal discussions between or among the interested parties.
2. A matter that cannot be resolved informally may be appealed at successive levels of authority, up to and including the Board of Education.
3. The complaint and its immediate resolution will be reduced to writing at the first and at each successive level of appeal.
4. A reasonable period of time, not to exceed five working days, will be permitted for the filing of an appeal in writing at each successive level. A decision at each level of appeal must be rendered in writing no later than seven working days after the appeal is filed, except that the Board shall have forty-five calendar days to make its decision.
5. In the case of complaints about instructional or resource materials, the initial complaint must set forth in writing the author, title, and publisher of the materials as well as those specific portions of the material or the work to which objection is taken; the complainant's familiarity with the work; the reasons for the objection; and the use of the work in the schools. The Superintendent shall appoint a committee of professional staff members and community representatives to review the challenged material against the standards for the selection of resource materials established by Board policy. The committee will report its findings to the Board. No challenged material may be removed from the curriculum or from a collection of resource



materials except by action of the Board of Education, and no challenged material may be removed solely because it presents ideas that may be unpopular or offensive to some. Any Board action to remove material will be accompanied by the Board's statement of its reasons for the removal.

6. A complainant shall be notified that a decision of the Board may be appealed to the Commissioner of Education.

Adopted: August 18, 2009



### **R9130 – Public Complaints and Grievances**

All complaints and grievances addressed to the Board of Education, Board members individually, school officials, or district staff members shall be referred to the Superintendent for consideration in accordance with the following procedures.

#### **A. Complaints Regarding a Teaching Staff Member Other Than Administrator**

##### **1. First level**

- a. The complainant will be directed to address the matter to the staff member.
- b. The staff member will be directed to discuss the matter directly with the complainant and to make every reasonable effort to explain the difficulty and/or take appropriate action in accordance with district regulations and within his/her authority and district regulations.
- c. The staff member will report the matter, and whatever action may have been taken to resolve the matter, to the Building Principal.

##### **2. Second level**

- a. If the matter cannot be satisfactorily resolved at the first level, the complainant may discuss the matter with the Building Principal.
- b. The Building Principal will take all reasonable and prudent steps to resolve the complaint or to explain to the complainant why the matter cannot be resolved as the complainant wishes.

##### **3. Third level**

- a. If the matter cannot be satisfactorily resolved at the second level, the complainant may, within three working days (see [Board Policy #9130 – Public Complaints and Grievances](#)) of his/her meeting with the Building Principal, submit to the Superintendent a written request for a conference. The request shall include:
  - (1) The specific nature of the complaint and a brief statement of the facts giving rise to it,
  - (2) The respect in which it is alleged that the complainant or the complainant's child has been unfairly treated or adversely affected, and
  - (3) The remedy sought by the complainant.
- b. A copy of the request for conference will be sent to the Board of Education.
- c. Within seven working days (see [Board Policy #9130 – Public Complaints and Grievances](#)) of the receipt of the request, the Superintendent shall conduct a conference, at a time convenient to the complainant, and attempt to resolve the matter informally. The time for conference will be extended if the complainant is unable to schedule a convenient meeting.
- d. The Superintendent shall record in writing his/her disposition of the complaint and shall, within ten working days (see [Board Policy #9130 – Public Complaints and Grievances](#))



of the conference, provide a copy of the written disposition to the complainant, the affected Staff Member(s), Building Principal, and to the Board.

4. Fourth level
  - a. A complaint that is not resolved by conference with the Superintendent or that seeks a remedy beyond the Superintendent's jurisdiction may be appealed to the Board of Education.
  - b. The complainant may, within three working days (see [Board Policy #9130 – Public Complaints and Grievances](#)) of his/her receipt of the Superintendent's written disposition, submit a written request for a hearing before the Board. The request will include a copy of the Superintendent's disposition at Level 3.
  - c. The Board shall, within forty-five calendar days (see [Board Policy #9130 – Public Complaints and Grievances](#)) of the receipt of the request, conduct an informal hearing before a committee of Board members, in which the complainant will present his/her complaint. The Board may, on the petition of the complainant, permit the examination of witnesses. The Board may permit the teaching staff member complained of to testify in his/her own behalf.
  - d. The Board shall, within ten calendar days (see [Board Policy #9130 – Public Complaints and Grievances](#)) of the hearing, advise the complainant in writing of the Board's disposition of the complaint. A copy of the Board's response will be provided to the affected Staff Member(s), Building Principal, and Superintendent.
  - e. The complainant will be advised that the Board's decision may be appealed to the Commissioner of Education.
5. Reasonable efforts will be made to expedite a complaint that arises at the end of the school year so that the matter can be resolved before the interruption of summer vacations.

### B. Complaints About an Administrative Staff Member

1. The procedure set forth in A will be followed and the complainant will be directed to discuss the matter first with the administrator.
2. A complaint about a Building Principal or a central office administrator will omit the second level of the complaint procedure. Appeal of the first level discussion will be made directly to the Superintendent in accordance with A3.

### C. Complaints About a Support Staff Member

1. The procedure set forth in A will be followed and the complainant will be directed to discuss the matter first with the support staff member.
2. Appeal at the second level of the complaint procedure will be to the support staff member's supervisor.



3. A complaint about a support staff supervisor will omit the second level of the complaint procedure. Appeal of the first level discussion will be made directly to the Superintendent in accordance with A3.

#### D. Complaints About a Program, Practice, or Operation

1. A complaint directed to a matter of district or school policy, procedure, program, or operation, including entitlement programs established by state or federal law, should be addressed, initially, to the administrator or department head most directly concerned with the matter, in accordance with A1.
2. A complaint that cannot be satisfactorily resolved at the first level may be appealed to the Superintendent and, thereafter, the Board in accordance with the procedures set forth in A3 and A4.

#### E. Complaints About Instructional and Resource materials

1. Complaints about textbooks, library books, reference works, websites and other instructional materials used in the district will be made in writing or by email and submitted to the Superintendent. The complainant must include their name, address, and telephone number.
2. The complaint will include:
  - a. The title, author, and publisher of the work or website complained of,
  - b. The specific portions or language complained of (by page and item),
  - c. The complainant's familiarity with the work objected to,
  - d. The reasons for the objection,
  - e. The pupils or class for whom the work is intended, and
  - f. The way in which the work is used.
3. Within seven working days of the receipt of the complaint, the Superintendent shall appoint a review committee consisting of:
  - a. A teacher in the subject area of the work,
  - b. A library staff member,
  - c. A Board member from the Education Committee,
  - d. A lay person knowledgeable in the area of the work, and
  - e. The Building Principal of a school in which the work is used.
4. The review committee will meet to evaluate the complaint and review the material objected to. The standards used by the committee will be those set forth in Board Policy #2530 – Resource Materials.
5. The committee will report its findings and recommendations to the Education Committee which will develop a recommendation for the Board.



6. The Board will receive the Education Committee's recommendation. If the Board acts to remove the work complained of or to limit access to the work, its action will be accompanied by a statement of reasons for the removal or limitation.
7. A copy of the Education Committee's recommendation and the Board's action, if any, will be given to the complainant.
8. The complainant will be informed that a decision of the Board may be appealed to the Commissioner of Education.

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### **9140 – Citizens Advisory Committees (M)**

The success of the school system depends, to a large extent, on open channels of communication between the school community and the community at large. Citizens advisory committees are particularly useful in keeping the Board of Education and the administration informed with regard to community opinion and in representing the community in the study of specific school problems.

The Board may establish advisory committees as standing committees to serve in a liaison function between the local community and the schools, as permanent committees for funded programs as the law requires, and as the need arises.

In creating a new advisory committee, the Board shall appoint members of the community who are able and interested in the subject and concerned about the schools; appoint members who represent a wide range of community interests and backgrounds; appoint a chairperson; and appoint one or more Board members to serve as ex officio members.

In charging a new advisory committee, the Board shall define the committee assignment in writing, set a date for a preliminary and final report, and establish a budget. Expenditures of district funds by advisory committees shall be made only upon the approval of the Board.

Recommendations of an advisory committee shall not reduce the responsibility of the Board, which may accept or reject in part or in whole recommendations in the exercise of its statutory discretion.

Meetings of an advisory committee that are open to or attended by fewer than a majority of the members of the Board are not subject to the Open Public Meetings Act and need not be open to the public, except as expressly permitted by the Board.

#### **Legal References**

N.J.A.C. 6:30-1.5; 6:31-1.14(b)

20 U.S.C.A. 3801 et seq.

Adopted: August 18, 2009



### **R9140 – Citizens Advisory Committees (M)**

#### A. Appointment

In order to form the membership of advisory committees to the Board of Education, the President shall:

1. Appoint residents who are able and interested in the subject and concerned about the schools;
2. Appoint a chairperson;
3. Appoint himself/herself and the Superintendent as ex-officio members of the committee;
4. Define the committee assignment in writing;
5. Appoint an administrator advisor.

#### B. Operation

1. All members of the committee, whether elected Board members, residents, or staff employees are intended to have the same rights, participation, and vote.
2. The chairperson shall call committee meetings, establish agenda, and provide liaison with staff where necessary.
3. It is expected that some committees will meet more often than others in accordance with a schedule determined by its membership.
4. Meetings of an advisory committee shall not be open to the public.
5. A committee chairperson may call a special meeting of his/her committee at any time with due consideration to applicable statutes, rules, and regulations.

#### C. Recommendations

1. Recommendations of advisory committees shall not reduce the responsibility of the Board, which shall be free to accept or reject the recommendations in part or in whole as it sees fit.
2. Members of committees who are not elected Board members may not make decisions nor bind the Board or the school district in matters that are reserved to Board members by law.
3. Matters concerned with individual school district employees or pupils are not appropriate matters for consideration by non-elected members of the committees, but the philosophy, goals, and objectives related to programs, organization, structure, resources, facilities, and finance are.

Issued: August 18, 2009



## **9150 – School Visitors**

The Board of Education welcomes and encourages visits to school by parent(s) or legal guardian(s), other adult residents of the community, and interested educators. In order for the educational program to continue undisturbed when visitors are present and to prevent the intrusion of disruptive persons into the schools, the Board directs the enforcement of rules governing school visits.

The Superintendent and Building Principal each possess the authority to prohibit the entry of any person into a school of this district or to expel any person from the school when there is reason to believe the presence of such person would be inimical to the good order of the school. If such a person refuses to leave the school grounds or creates a disturbance, the Building Principal is authorized to request from the local law enforcement agency whatever assistance is required to remove the individual.

Visitors shall be required to register their presence in the school by signing in and signing out. All visitors must visibly wear a visitor's badge. No staff member shall transact business with or permit the continuing presence in the school of a visitor who has not been duly registered.

When the parental rights of a parent have been terminated by a court of appropriate jurisdiction, the legal guardian must inform the school so that the administration may apply appropriate regulations. The Building Principal shall seek confirmation of legal custodianship where necessary.

No visitor may confer with a pupil in school without the approval of the Building Principal; any such conference may take place only in the presence of a teaching staff member and/or administrator.

The Superintendent shall develop regulations that will protect pupils and employees of the district from disruption to the educational program and the efficient conduct of their assigned tasks.

### **Legal References**

N.J.S.A. 2C:18-3

N.J.S.A. 18A:17-42; 18A:20-1; 18A:20-34

Adopted: August 18, 2009



### **R9150 – School Visitors**

#### A. Definition

“Visitor” means any person present in a school building on a school day during the hours school is in session, other than those persons whose presence is required by their enrollment in the school or employment by the Board and includes, but need not be limited to, parents or legal guardians, family members, district residents, guests, educational researchers, and members of the Board. For the purposes of this Regulation, “visitor” does not include persons present in school buildings to attend meetings of the Board or events sponsored by organizations granted permission by the Board to meet in the school.

#### B. Registration

1. Every visitor is required to register in the school office.
2. A notice will be prominently posted at each entrance to the school building, advising visitors to report to the school office before advancing to any other part of the school. Additional signs should be posted in the lobby of each building to advise visitors not to proceed without registering in the school office.
3. The Building Principal will maintain a logbook in the main office of the school. Each visitor shall enter his/her name and the purpose and time of his/her visit in the logbook except that the Building Principal may exempt trades persons who make regular and frequent visits to the school.
4. Each visitor will be given an identification tag or badge, which must be visibly worn while the visitor is in the school. The Building Principal may give a permanent identification tag or badge to a trades person who makes regular and frequent visits to the school.
5. The Building Principal or office personnel designated by the Building Principal shall arrange for an escort to accompany each visitor to his/her destination except that the Building Principal may permit visitors familiar with the school and personally known to the Building Principal to proceed unaccompanied.
6. A staff member who encounters a visitor without identification will request the visitor to report at the school office, and if feasible, conduct the visitor to the school office. A visitor who resists the request or refuses to be conducted to the school office shall be reported to the Building Principal immediately.
7. A teacher shall not admit a visitor to his/her classroom unless the visitor has the identifying tag or badge or is accompanied by the Building Principal or the Building Principal’s designee.
8. When a visitor has completed the business of his/her visit, he/she will return directly to the school office, return the identification tag or badge, enter the time leaving in the log book, and promptly leave the building.



9. The provisions of this paragraph may be waived for parents or legal guardians attending scheduled parent-teacher conferences.

### C. Permission to Visit Classroom

1. Permission to visit a classroom in session must be sought from and granted by the Building Principal.
2. In general, arrangements to visit a classroom should be made at least one day in advance of the intended visit.
3. After consulting with the classroom teacher to determine if the intended visit would interfere with the planned instructional program, the Building Principal will so advise the visitor and suggest another time for the visit.
4. The Building Principal is authorized to exclude a visitor from a classroom if the Building Principal has reason to suspect that the visitor may disrupt the educational program or threaten the health and safety of pupils or staff members.
5. The parent(s) or legal guardian(s) who arrives at school without having sought advance approval of a classroom visit may be admitted to the classroom at the discretion of the Building Principal.
6. The Building Principal may arrange visits to classrooms by educators and student teachers with the cooperation and consent of the classroom teachers.
7. Teachers may invite guest speakers or observers to their classrooms with the approval of the Building Principal. Each such guest speaker and observer must sign the school logbook.
8. The Building Principal has the authority to evaluate all requests to visit a classroom. A denied request will be accompanied by an explanation of the denial. The parent(s) or legal guardian(s) who has been denied access to his/her child's classroom may appeal the Building Principal's decision to the Superintendent, whose determination may be appealed to the Board of Education in accordance with [Board Policy #9130 – Public Complaints and Grievances](#).

### D. Limitations on Visits to School

1. Visitors are permitted in the schools only during school hours.
2. A visitor may remove a pupil from school only in strict accordance with [Board Policy #5230 – Late Arrival and Early Dismissal](#).
3. A visitor may confer with a pupil in the school only with the approval of the Building Principal and in the presence of a teaching staff member.
4. A visitor to a classroom shall not interrupt the instructional program, speak to or disturb pupils, or distract the teacher. A visitor who wishes to confer with the teacher must make arrangements for a conference at a later date.



5. A visitor may not bring a child or children to a classroom without the express permission of the teacher and the Building Principal.
6. A classroom visit may ordinarily not exceed sixty minutes without the express permission of the teacher and the Building Principal.
7. The Building Principal may restrict the number of visitors to any classroom at any one time. Preference will be given to the parent(s) or legal guardian(s) of pupils in the classroom.

### E. Disruptive Visitors

1. The Building Principal has complete authority to exclude from school premises any person whom he/she believes may:
  - a. Disrupt the instructional program;
  - b. Disturb teachers or pupils; or
  - c. Commit an illegal act.
2. A visitor whose presence or conduct is disruptive or whose conduct in the past suggests that he/she may be disruptive may be requested to leave the school premises. If the visitor so requested does not withdraw, the Building Principal may summon assistance from the local police department.
3. A visitor who presents a serious and immediate threat to the health and safety of persons in the school may be subdued by appropriate means pending the arrival of law enforcement officers.
4. If the Building Principal has been alerted to dangerous persons in the vicinity of the school or has been informed that a person intends to enter the school with the intent of doing harm, the Building Principal may, in his/her discretion:
  - a. Assign personnel to patrol entrances to the school and deny entrance to any person not properly identified or personally known to them;
  - b. Implement emergency lock down procedures. Lock all school entrances other than the main entrance so that doors cannot be opened from the outside (taking all necessary steps to ensure that doors can be opened from the inside by pressure on crash bars). Note: This is daily operating procedure.

Issued: August 18, 2009



### **9160 – Public Attendance at School Events**

The Board of Education welcomes the attendance of members of the community at athletic, PTA, and other public events held in the schools of the district and acknowledges its duty to maintain order and preserve the facilities of the district during the conduct of such events.

The Board may bar the attendance of any person at a school event whose conduct constitutes a disruption. The Board prohibits smoking, the possession of any weapon as defined in Board Policy #8467 – Weapons, the possession and consumption of alcoholic beverages at any function sponsored by the district, and further, prohibits wagering on school premises.

Adopted: August 18, 2009



### **9161 – Crowd Control**

The Board of Education believes in order to achieve its goals for interscholastic competition, the student body and the general public attending an interscholastic event conduct themselves in such a manner as to make a positive contribution toward the educational objectives of this district.

The Board directs the Superintendent to prepare regulations for pupil and public behavior at interscholastic events and to publicly post such regulations and to devise procedures for the control of crowds.

The school district does not sponsor interscholastic events. Facilities are used by the Lopatcong Athletic Association.

The Board authorizes school officials to have expelled from any district building or event by the law enforcement officers on duty, any spectator who willfully violates the rules and regulations of the district or whose behavior jeopardizes the safe conduct of the event. Further, any spectator involved in continual violations of the rules and regulations shall be prohibited from attending further events held in district buildings or other school events.

Adopted: August 18, 2009



### **9180 – School Volunteers**

The Board of Education recognizes that the services of community volunteers can enrich the educational program, assist teaching staff members in the performance of their duties, and enhance the relationship between the school district and the community. The Board directs the Superintendent to develop and institute a program to use the services and abilities of community volunteers in the school district.

The Superintendent or his/her designee will develop a procedure and be responsible for the recruitment and screening of volunteers. In selecting volunteers, their character, sense of responsibility, and integrity will be considered. Community volunteers need not be parents of current Lopatcong School District pupils. The Superintendent and Building Principals will have the right, at their sole discretion and without being required to provide a reason, to not accept the offer of any individual to volunteer in the school district. The assignment of volunteers to specific tasks may be delegated to other staff members, as appropriate.

The Superintendent or his/her designee will prepare and distribute rules of conduct (a volunteer's handbook) for school volunteers. Each volunteer will be given a copy of the rules of conduct before volunteering in either school.

The following guidelines shall govern the service of school volunteers:

1. Volunteers will serve only under the direction and supervision of an administrator, his/her designee, or a teaching staff member.
2. Volunteers must report to the Main office and sign in before going to their volunteer assignment. They will be given a "visitor" badge which must be visibly worn at all times they are on school property. At the end of their assignment they must return the badge to the Main office and sign out.
3. Volunteers are not free to walk about the school or visit their child's classroom; they must remain in the area of their volunteer assignment.
4. Volunteers should clearly understand the duties, responsibilities, and scope of each of their volunteer assignments; they should only be involved in activities that support the given assignment.
5. Volunteers serve in a support capacity; only teaching staff members are responsible for educational planning and decisions, and the teaching of new concepts.
6. A volunteer who imparts information to pupils must be mindful of the age, maturity, and sensibility of those pupils and exercise proper care and discretion accordingly.
7. Volunteers shall respect the individuality, dignity, and worth of each child. A volunteer must never belittle, rebuke, or discipline a pupil.
8. Volunteers are not permitted access to pupil records.



9. Volunteers should exercise discretion in discussing their school activities with others in the community. They must respect the confidentiality of any information they learn about a child in the course of their volunteer assignment.
10. Volunteers may consult with the Superintendent or his/her designee regarding their duties and responsibilities.
11. Volunteers will receive no financial remuneration from the Board.
12. Volunteers shall not use the school district's computers or network, unless specifically requested to do so by a staff member to help pupils or by an administrator to assist with other school activities.

The tasks to which volunteers may be assigned include, but need not be limited to the following:

1. Duplicating handouts, workbooks, tests, and other materials;
2. Helping with classroom housekeeping;
3. Typing class materials such as handouts or tests;
4. Setting up audio-visual and other instructional equipment, if qualified to do so;
5. Providing computer or network support, if qualified to do so;
6. Reading aloud and telling stories to pupils;
7. Assisting with the school library program, such as cataloging and shelving books, helping pupils locate books or reference materials; or checking out books.
8. Assisting with the school lunch program;
9. Serving as chaperones on field trips or at dances; and
10. Serving as a resource person in a special subject area.

Each school volunteer must certify in writing that he/she has never been convicted of a violation of any crime set forth in Chapters 9, 12-14, 17-18, 20, 24, 27, 29, and/or 39 of Title 2C of the New Jersey Statutes whether in New Jersey or a similar crime in another state and sign a waiver for workers' compensation. The Volunteer Application and Lopatcong Township Board of Education – Agreement and Release must be completed and signed by a volunteer for each new school year. A Mantoux test will be required for all volunteers that are in the schools five hours or more per week at the expense of the school district. In addition, the Superintendent may, if he/she feels that it is needed, request a criminal background check for volunteers that spend a significant amount of time in the school, again at the Board's expense.

The Superintendent or a Building Principal may temporarily suspend or permanently revoke volunteer privileges for an individual that fails to adhere to the rules of conduct. In addition, a volunteer who is being disruptive, in the sole opinion of an administrator, may be asked to leave the school immediately.

The Superintendent will report periodically to the Board on the number of volunteers serving in the district, the duties performed by volunteers, and the hours served, by school building. This report will



also include a list of names of volunteers that have been or will likely be in the school on an ongoing basis (e.g., PTA members, lunchroom or library volunteers) and those of volunteers that have had their volunteer privileges revoked. In addition, a list of names of volunteers who have submitted a Volunteer Application will be provided to the Board for its approval at its October meeting each year. As more volunteers complete the application, their names will be submitted to the Board for approval.

### Legal References

N.J.S.A. 18A:6-7.1

Adopted: August 18, 2009



### **9190 – Community Organizations**

The Board of Education respects the contributions to community life made by business, industry, labor, charitable organizations, cultural institutions, volunteer associations and other community groups that enrich the educational potential of the community.

The Board directs the Superintendent to be alert to the opportunities for an educational program expanded and enriched by utilization, both within and without the school district, of a diversity of community resources.

The Superintendent shall direct each Building Principal to establish and maintain a file of community resources and invite the appropriate participation of community organizations and resource persons in the instructional program. The Superintendent shall determine those schools, instructional programs, and/or district operations that would profit by the involvement of community resources.

Adopted: August 18, 2009



### **R9190 – Community Organizations**

The Superintendent directs each Building Principal to:

1. Establish and maintain a file of community resources.
2. Recommend which instructional program and/or district operations would profit by the involvement of community resources personnel.

Issued: August 18, 2009



### **9191 – Support Groups**

The Board of Education appreciates the efforts of groups of parent(s) or legal guardian(s) and other concerned citizens who form or belong to clubs or groups, which contribute funds or equipment for district-approved pupil activities, or for recognition of pupil achievement.

The Superintendent shall formulate procedures, as necessary, for review of the proposed use of such funds. Proposed equipment must be approved for safety in the same manner in which district-purchased equipment is reviewed.

Fund-raising events organized by such clubs for approved programs or equipment shall qualify for free use of school facilities, and shall be considered as district-sponsored events in determining priority of claim for use of school facilities. Each club or organization shall be responsible for providing appropriate liability insurance for the use of school facilities. Proof of such insurance must be presented to the School Business Administrator/Board Secretary or designee for approval.

All activities for booster clubs or community organizations shall be coordinated with the designated administrator and any activity involving pupils shall require Board of Education approval unless it is otherwise provided for in policy/regulation or it is an ongoing type of activity and has had previous approval. All financial arrangements for such groups shall be handled according to their own bylaws.

Adopted: August 18, 2009



### **9200 – Cooperation Between Parents and School**

The Board of Education believes that the education of children is a joint responsibility that the Board shares with the parent(s) or legal guardian(s) of pupils. To ensure that the best interests of the child are served in this process, a strong program of communication between home and school must be maintained.

It is the position of the Board that parent(s) or legal guardian(s) bear the ultimate responsibility for their children's in-school behavior, including the behavior of pupils who have reached the legal age of majority, but are still for all practical purposes under parental authority.

The Board directs that cooperation be encouraged by parent-teacher conferences that permit two-way communication between home and school; open houses in district schools that provide parent(s) or legal guardian(s) with the opportunity to see the school facilities, meet the faculty, and observe the program on a first hand basis; meetings of staff members and groups of the parent(s) or legal guardian(s) of those pupils having special abilities, needs, or problems; and special events of a cultural, ethnic, or topical nature, which are initiated by parent groups, involve the cooperative effort of pupils and parent(s) or legal guardian(s), and are of general interest to the schools or community.

Adopted: August 18, 2009



### **9210 – Parent Organizations**

The Board will encourage the work of a general, voluntary, school-connected organization of parent(s) or legal guardian(s), school staff, and friends of the school in each school. Such organizations may not establish educational policy, participate in the administration of the school, or authorize management and direction of school affairs.

Such organizations shall have as their objectives the promotion of pupil welfare; the development of close relationships between the home and the school; and the development between educators and the public of such united efforts as will secure for every pupil in the schools the best kind of educational program possible.

Organizations shall not use the district's name in their titles without the Board's express consent. Such permission to use the district's name does not constitute permission to act as the district's representative.

The Board shall make it a practice not to interfere in the internal workings of such groups.

Permission to hold regular meetings of such organizations in school facilities will be extended by the Board of Education for a particular school year, in accordance with policy.

The school Building Principal or another professional staff member designated by the Building Principal may serve as advisor to the general parent/teacher organization. All members of the professional staff shall be encouraged to join the organization and to participate in its activities.

Adopted: August 18, 2009



### **9230 – Parental Responsibilities**

The Board believes that the education of children is a joint responsibility, one it shares with the parent(s) or legal guardian(s) and school community. To ensure that the best interests of the child are served in this process, a strong program of communication between home and school must be maintained and parental involvement in district concerns encouraged.

The Board recognizes the vital role of parent(s) or legal guardian(s) in the welfare and education of their children and the pivotal part they play in shaping character and values. Because parent(s) or legal guardian(s) are familiar with the needs, problems, gifts, and abilities of their children, staff should seek to involve parent(s) or legal guardian(s), when appropriate, in the planning of academic programs. Parent(s) or legal guardian(s) must, by law, be included in the development of certain educational programs for their children.

Parent(s) or legal guardian(s) are requested to keep the school apprised of changes in factors in the home situation, which may affect pupil conduct or performance. Parent(s) or legal guardian(s) are specifically requested to inform the school of any changes in legal custody of the child.

Parent(s) or legal guardian(s) are responsible for their child's punctuality, attendance, cleanliness, and propriety of dress.

The Superintendent shall develop procedures to implement this Policy.

Adopted: August 18, 2009



### **9240 – Rights of Parents**

The Board of Education recognizes that the parent(s) or legal guardian(s) of each child are ultimately responsible for the care and custody of that child, and that both parent(s) or legal guardian(s) share that responsibility equally. The Board recognizes as well that, where only one parent has legal custody of a child, the rights and responsibilities of the other parent may be limited. The Board believes that the interests of the child are best served by the continuing involvement of both parents in the child's life and well-being.

The Board will presume that each natural or adoptive parent(s) or legal guardian(s) of a pupil enrolled in this district possesses full parental rights of access to the pupil and to information about the pupil, notwithstanding any separation of the parent(s) or legal guardian(s) or dissolution of their marriage. Accordingly, and in the absence of notice to the contrary, the Board directs that school administrators accommodate the needs of both parent(s) or legal guardian(s) for access to their child, to their child's teachers, and to information about their child.

Every parent, except as prohibited by federal and state law, shall have access to records and information pertaining to his/her unemancipated child, including, but not limited to, medical, dental, insurance, child care and educational records, whether or not the child resides with the parent, unless that access is found by the court to be not in the best interest of the child or the access is found by the court to be sought for the purpose of causing detriment to the other parent.

The place of residence of either parent shall not appear on any records or information released pursuant to the provisions of this section.

A child's parent(s), guardian(s) or legal custodian(s) may petition the court to have a parent's access to the records limited. If the court, after a hearing, finds that the parent's access to the record is not in the best interest of the child or that the access sought is for the purpose of causing detriment to the other parent, the court may order that access to the records be limited. It is the custodial parents responsibility to notify the school district in writing of any such court action. Proper notice of court action consists of the custodial parent's sworn affidavit or certification supported by a copy of the pertinent portion of a legal agreement or court order that awards custody and establishes the rights and limitation of the noncustodial parent or terminates the parental rights of the noncustodial parent.

Nothing in this Policy shall be construed as limiting in any way the rights of the noncustodial parent whose parental rights have not been terminated to full access to his/her child's records.

#### **Legal References**

N.J.S.A. 18A:35-4.6 et seq.; 18A:47-4; 18A:47-8  
N.J.A.C. 6A:14-1.3; 6A:14-2.9; 6A:32-7.1; 6A:32-7.5

Adopted: August 18, 2009



### **9260 – Parental Liability for Vandalism**

The school property held in trust by this Board of Education represents a substantial investment of the taxpayers of the school district; liability for the willful and malicious destruction of that property should be borne by those directly and indirectly responsible.

The Board further believes that parent(s) or legal guardian(s) are ultimately responsible for the supervision and discipline of pupils and that the knowledge that they are vicariously liable for the acts of their children and wards will encourage parent(s) or legal guardian(s) to exercise that responsibility more vigorously.

Where any property, real or personal, owned by this Board has been willfully and maliciously damaged by any minor, whether or not the person is enrolled in this district, the Board will seek restitution from the parent(s) or legal guardian(s). The Board may bring civil action against the parent(s) or legal guardian(s) having legal custody and control of the person at the time the damage was caused, for the full amount of the damage, plus costs and legal fees.

#### **Legal References**

N.J.S.A. 18A:37-3

Adopted: August 18, 2009



### **9270 – Home Schooling and Equivalent Education Outside the Schools (M)**

The Board of Education encourages the enrollment of all children of school age resident in the district in public schools or in approved private schools so that they may enjoy the benefits of a well-planned educational program and the socialization possible in a group environment.

Every parent, legal guardian or other person having custody and control of a child between the ages of six and sixteen years shall cause such child regularly to attend the public school or a day school in which there is given instruction equivalent to that provided in the public schools for children of similar grades and attainments or to receive equivalent instruction elsewhere than at school. The Board recognizes its responsibility for assuring that every child of school age resident in the district is enrolled in a public or private school or is offered an equivalent thorough and efficient education elsewhere than at school. The Board acknowledges that parents have a constitutional right to choose the type and character of education they feel is best suited for their children, be it secular or sectarian. Home schooling is an option that parent(s) or legal guardian(s) may choose to educate their children. When parents choose this option the program will be carried out in the pupil's home rather than the school.

In the event a child is receiving an education outside the district schools, the Superintendent may report to the appropriate municipal authorities children whom he/she has reason to believe are not offered instruction outside the schools equivalent to that offered in the public schools for children of similar ages or attainments. If the Superintendent makes such report, the parent(s) or legal guardian(s) of a pupil receiving instruction elsewhere other than school may notify the Superintendent of their child's educational program status and provide sufficient information to satisfy the district that equivalent instruction is being offered.

The parent(s) or legal guardian(s) or other person having charge and control of a child between the ages of six and sixteen, who shall fail to comply with any of the compulsory education provisions of N.J.S.A. 18A:38 et seq. relating to his/her duties, shall be deemed to be a disorderly person and shall be subject to a fine.

If a child seeks admission to this school district from a program of home schooling, the school district will evaluate the work of the child to determine his/her appropriate grade placement. The Superintendent or designee will objectively evaluate the child's skill and achievement levels, as it would with any transfer pupil, before making a determination as to the acceptability of credits and/or the appropriate grade level placement.

When children are educated at home and are not enrolled in a school, the school district is not required to provide any of the entitlements or privileges of pupils enrolled in the school district unless specifically provided in the federal special education laws.



### Legal References

N.J.S.A. 18A:38-25; 18A:38-25 through 18A:38-31

U.S.C.A. 1401 et seq.

Adopted: August 18, 2009



### **R9270 – Home Schooling and Equivalent Education (M)**

Home schooling is an educational program provided at home, usually by the parent(s) or legal guardian(s) of the child. Children are taught using their own curriculum or published home school curriculum. The Board of Education recognizes that home schooling is an option for parent(s) or legal guardian(s) under the compulsory education law.

#### A. Legal Requirement for Compulsory Attendance

1. N.J.S.A. 18A:38-25 requires all children six to 16 years to attend the public schools or a day school in which there is given instruction equivalent to that provided in the public school for children of similar grades and attainments or to receive equivalent instruction elsewhere other than school.
2. The parent(s) or legal guardian(s) of a child that is home schooled is responsible to ensure their child receives instruction equivalent to that provided in the public school for children of similar grades and attainments or to receive equivalent instruction elsewhere other than school.
3. The Superintendent may report to the appropriate municipal authorities those children whom he/she has reason to believe are not offered instruction outside the schools equivalent to that offered in the public schools for children of similar ages or attainments.
4. If the Superintendent makes a report, the parent(s) or legal guardian(s) of a pupil receiving instruction elsewhere other than school may notify the Superintendent of their child's educational program status and provide sufficient information to satisfy the district that equivalent instruction is being offered.
5. Parent(s) or legal guardian(s) of a home schooled pupil are not required to seek approval from the district or to submit materials to the Superintendent in order to permit it to make a determination as to the equivalency of the instruction.

#### B. Truancy/Violations of Compelling Attendance

1. When a Superintendent and Board believe a person is not complying with the compulsory education law (N.J.S.A. 18A:38-25 et seq.) they must initiate truancy proceedings in municipal court where a parent may be found guilty of a disorderly persons offense and fined in accordance with N.J.S.A. 18A:38-27 and N.J.S.A. 18A:38-31.
2. If the parent(s) or legal guardian(s) are challenged in court by the Superintendent or Board, the district must demonstrate, beyond a reasonable doubt, that the parents are not providing a curriculum that is academically equivalent to that provided in the public school for a child of similar grade and attainment.

#### C. District Requirements for Home Schooled Pupils

1. Unless requested by the parents, and agreed to by the school district, the school district is not required or permitted to:



- a. Test a child educated at home;
  - b. Review the quality of instruction received at home; or
  - c. To monitor the results of home instruction.
2. When children are educated at home and are not enrolled in a school, the school district will not provide entitlements or privileges of pupils enrolled in the school district unless specifically provided in the federal special education laws.

#### D. Pupils With Disabilities

1. The Superintendent will consider requests for evaluation of all potentially disabled home schooled children and make determinations whether or not to conduct evaluations.
  - a. If the school district's Child Study Team (CST) determines that an evaluation is required, the procedures as outlined in N.J.A.C. 6A:14 are followed.
  - b. If the child is eligible for special education, the CST will determine a classification category and develop an Individualized Education Program (IEP) in accordance with N.J.A.C. 6A:14.
  - c. Home schooled children with disabilities may be provided a special education program including related services.
  - d. If a home schooled child with disabilities re-enrolls in the public school, the school district must implement the special education program described in the IEP. The school district will also review the IEP annually and be ready to conduct re-evaluation every three years.
  - e. The school district will notify the parent(s) or legal guardian(s) of a classified child who is being educated at home to offer services as required by law. The documentation of this notice will be maintained in the child's record file.
  - f. Any determination by the school district CST regarding the provision of a special education program to a classified child who is being educated at home may be challenged by the parent(s) or legal guardian(s).

#### E. Curricular and Co-Curricular Activities

When children are educated at home and are not enrolled in a school, the school district is not required to provide any of the entitlements or privileges of pupils enrolled in the school district unless specifically provided in the federal special education laws.

1. Curricular activities – Home schooled children will not be permitted to participate in school curricular activities, (e.g., field trips).
2. Co-Curricular activities – Home schooled children will not be permitted to participate in school co-curricular activities, (e.g., clubs and athletics).
3. Textbooks – The school district will not loan books or materials to home schooled children.



# Regulation

## Lopatcong Township Board of Education

Community  
R9270 – Home Schooling and Equivalent Education (M)  
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### Legal References

Home Schooling in New Jersey

PTM NO. 1400.66 New Jersey Department of Education, 30 April 1997

Commissioner of Education Correspondence dated 9 April 1998

Issued: August 18, 2009



### **9280 – Parent Conferences**

The Board of Education endorses the parent-teacher conference as an effective means of permitting parent(s) or legal guardian(s) and teachers to share information about pupils and the educational program in a constructive setting.

The Superintendent is directed to schedule parent-teacher conferences at such times as will permit the maximum attendance of parent(s) or legal guardian(s), including working parent(s) or legal guardian(s); to encourage the participation of parent(s) or legal guardian(s); and to provide in-service training to teachers to assist them in making most effective use of the conference.

The Board believes that the information exchanged in parent-teacher conferences can be of great importance to the pupil's ability to profit educationally; such conferences are, therefore, an essential part of the instructional program and an integral part of a teacher's professional responsibility. Accordingly, all teachers are required to attend the parent conferences scheduled for the children assigned to them. A teacher's failure to observe this Policy may be cause for discipline.

The Board regards parent-teacher conferences as non-adversarial meetings in which all persons present are united in a common interest in the educational well-being of the pupil. The parent(s) or legal guardian(s) of the pupil may bring to the conference additional persons who share that interest and wish to aid the parent(s) or legal guardian(s) and the teacher. When a parent(s) or legal guardian(s) desires the representation of legal counsel at the conference, however, the Board may wish to be similarly represented. Accordingly, the parent(s) or legal guardian(s) who plans to bring legal counsel to a parent-teacher conference shall notify the school Building Principal of that intention no later than five working days in advance of the conference in order that the Superintendent may secure such legal representation as he/she may deem advisable.

The purposes of the parent-teacher conference are best served when all persons present share freely and candidly their knowledge of the pupil's educational progress and information relating to that progress. Any person present may make and preserve notes, for his/her benefit, of the information shared and may, if permitted, make a tape recording of the conference as an aid to memory or to share with an absent parent or legal guardian. Because the presence of the tape recorder may act to impede the free exchange necessary to an effective conference, however, either the parent(s) or legal guardian(s) or the teacher may refuse the other's request that a tape recorder be used.

Adopted: August 18, 2009



### **9310 – Cooperation with Municipal Agencies**

The Board of Education recognizes the separate but complementary roles played by this Board and by the Lopatcong Township Council in the development of a budget and the levy of local taxes sufficient to provide a thorough and efficient system of free public education. Accordingly, the Board directs the implementation of a program of communication and cooperation between this district and municipal authorities.

Adopted: August 18, 2009



### **9320 – Cooperation with Law Enforcement Agencies (M)**

The Board of Education acknowledges the law compelling school attendance vests in the Board a custodial responsibility for the children in its charge and a duty to protect those children from persons not associated with the school district.

The Board further recognizes that its interest in helping children understand and respect the law is best served by a close and cooperative relationship with local law enforcement. The Board adopts this Policy and Regulation in accordance with N.J.A.C. 6A:16-6.1 et seq. to ensure cooperation between school staff and law enforcement officials in all matters relating to the unlawful possession, distribution and disposition of controlled dangerous substances, as defined in N.J.S.A. 24:21-2, including anabolic steroids, drug paraphernalia, alcoholic beverages and/or firearms as defined in subsection f. of N.J.S.A. 2C:39-1.(f); and other deadly weapons as defined in N.J.S.A. 2C:39-1.(r) and in the planning and conduct of law enforcement activities and operations occurring on school property, including arrest procedures and undercover school operations. The Board directs the Superintendent to institute a program of such communication and cooperation.

This Policy and Regulation, as adopted by the Board, will be submitted for approval to the Executive County Superintendent in accordance with N.J.A.C. 6A:16-6.2(a)2.

This Policy and Regulation have been developed and approved by the Board to protect the interests of pupils and serve the legitimate needs of law enforcement in accordance with N.J.A.C. 6A:16-6.1 et seq.

#### **Legal References**

N.J.A.C. 6A:16-6.1 et seq.

Adopted: August 18, 2009



### **R9320 – Cooperation with Law Enforcement Agencies (M)**

#### A. Relations with Local Police Department

1. The Building Principal of each school will endeavor to establish a continuing cooperative relationship with the law enforcement officers that serve the area in which the school is located.
2. Local police officers will be encouraged to visit the school on regular tours of duty so that their presence in the school is helpful and non-threatening.
3. Police should be encouraged to take active roles as resource persons in school programs in order to bring them into direct contact with pupils and to impress pupils with the positive aspects of police protection and security. Police officers may be invited to participate in such programs as driver education, substance abuse, and health/family life education.
4. At the same time that he/she works toward a liaison with the police and assists the police in the necessary performance of their responsibility to enforce the law, the Building Principal will impress upon the police his/her role as protector of the rights and interests of the pupils enrolled in the school.
5. For the purposes of this Regulation:
  - a. “Police Department” means the law enforcement agency designated by the County Prosecutor to receive such information.
  - b. “Building Principal” means the Building Principal and/or designee.
  - c. “Superintendent” means the Superintendent and/or designee.
  - d. “School staff member” means any school employee.

#### B. Summoning the Police onto School Property for the Purpose of Conducting Law Enforcement Investigations, Searches, Seizures, Arrests and in Emergencies

1. Police may be summoned to the school by the Superintendent, Building Principal or, in the absence of the Building Principal, the staff member in charge of the school building. If the Building Principal or staff member in charge is not immediately available in an emergency situation, the police may be summoned by any staff member with direct knowledge of the emergency, who shall report his/her call to the Building Principal at the earliest possible time.
2. The telephone number by which police can be summoned shall be prominently displayed at telephones in the school that have an outside line.
3. Police officers should be summoned to the school:
  - a. When an incident involving the suspected or actual use, possession, or distribution of alcohol or a controlled dangerous substance, including anabolic steroids, drug paraphernalia or a firearm or other deadly weapon occurs, in accordance with Board Regulation #R5530 – Substance Abuse;



- b. When evidence indicates that a crime has been committed, that a break and entry has occurred, that a deadly weapon is on school premises, or that a breach of the peace has occurred, in accordance with Board Regulation #R7440 – Security of School Premises;
  - c. When an act of vandalism has occurred, in accordance with Board Regulation #R7610 – Vandalism;
  - d. When fire is detected and immediately after the fire department has been summoned, in accordance with Board Regulation #R8420.1 – Fires and Fire Drills;
  - e. When a bomb threat has been received, in accordance with Board Regulation #R8420.2 – Bomb Threats;
  - f. When the school is threatened by toxic hazard, in accordance with Board Regulation #R8431 – Toxic Hazard Preparedness;
  - g. In a serious medical emergency, in accordance with Board Regulation #R8441 – Care of Injured and Ill Persons;
  - h. When a visitor to the school is seriously disruptive and/or refuses to obey the Building Principal's order to leave the premises, in accordance with Board Regulation #R9150 – School Visitors; and
  - i. In any other instance in which the Building Principal or staff member in charge has cause to believe the health, safety and welfare of the building occupants and/or property are in jeopardy.
4. An emergency call to the police should include the:
    - a. The name and title of the caller;
    - b. The name and location of the school building in which law enforcement is needed; and
    - c. A brief description of the nature of the situation, including an accurate assessment of the seriousness of the situation.
  5. If possible, a staff member or responsible pupil should be dispatched to meet and guide responding officers.
  6. If offenders are to be arrested, a staff member should be prepared to assist the police in obtaining the necessary warrants.
- C. Planned Security Protection at School Events and Extra-Curricular Activities
1. Each September or before, the Building Principal will provide the local police department with a calendar of events scheduled at the school for the school year just beginning. The calendar will be updated as necessary during the year.
  2. The Building Principal will review with the police the events for which the need for police assistance and/or security is anticipated. Their review will include:
    - a. The number of officers required,
    - b. The responsibilities to be assumed by the officers, and



c. The remuneration, if any, each is to receive.

#### D. Police Investigations in the School

1. The Building Principal shall demand proper identification of any individual who represents him/herself as a police officer before the Building Principal permits any investigation to go forward. The Building Principal may verify this identification with the Police Department or the law enforcement agency that the individual claims to represent.
2. A police officer's request for access to school records will be responded to as follows:
  - a. A request for access to the public records of this district will be granted only in accordance with Board Regulation #R8310 – Public Records.
  - b. A request for access to district or Board of Education records that are classified as confidential by Board Policy #8310 – Public Records shall be reported to the Superintendent or Board Secretary, who will determine, in consultation with the Board Attorney, whether or not to release the record.
  - c. A request for access to personnel records that are classified as confidential by Board Policy #8320 – Personnel Records shall be reported to the Superintendent and shall be released only if:
    - (1) The employee concerned has consented to inspection of his/her file, or
    - (2) The law enforcement officer presents a warrant authorizing a search or certain confidential records from the file.
    - (3) The Superintendent may consult with the Board Attorney prior to releasing any personnel records that are classified as confidential.
  - d. A request for access to pupil records that are classified as confidential by law and by Board Policy #8330 – Pupil Records shall be reported to the Superintendent and shall be released only if:
    - (1) The adult pupil concerned or parent(s) or legal guardian(s) of the minor pupil concerned has consented in writing to the inspection; or
    - (2) The police officer presents to the Superintendent a court order authorizing access to the record; or
    - (3) The adult pupil concerned or parent(s) or legal guardian(s) of the minor pupil concerned has been given at least three days written notice of the name of the requesting agency and the records requested and has not obtained a judicial order barring access.
    - (4) The Superintendent may consult with the Board Attorney prior to releasing any pupil records that are classified as confidential.
3. A request by law enforcement officials to interrogate pupils, on school premises or while under the protection of the school, shall be handled as follows:



- a. The police officer shall be required to ask the Building Principal for access to the pupil, regardless of the pupil's location in or about school premises or on a school-sponsored trip or at a school-sponsored event.
  - b. The Building Principal shall ask the police officer to delay the interrogation or conduct the interrogation away from school. In general, it should not be necessary to conduct an interrogation in school unless the matter involves:
    - (1) A crime committed in school; or
    - (2) An investigation that would be compromised without the interrogation in school; or
    - (3) An endangerment to the lives or safety of pupils or other persons; or
    - (4) Other reasons law enforcement officials believe an interrogation must be conducted in school and cannot wait until the pupil is away from school.
  - c. The Building Principal shall make every reasonable effort to notify the pupil's parent(s) or legal guardian(s) of the request by law enforcement officials to interrogate the pupil while in school to receive the parent's or legal guardian's consent to permit the pupil to be interrogated before the interrogation.
    - (1) The Building Principal will permit the interrogation if the parent(s) or legal guardian(s) consents to the interrogation.
    - (2) The Building Principal will delay the interrogation in the event the parent(s) or legal guardian(s) requests to be present during the interrogation.
    - (3) The Building Principal will deny the law enforcement official an interrogation if the parent(s) or legal guardian(s) cannot be contacted or if the parent(s) or legal guardian(s) does not consent to the interrogation.
    - (4) In the event the interrogation is not denied by the Building Principal for the reasons in (3) above, the Building Principal will immediately contact the Superintendent, who will contact the Board Attorney to determine the Building Principal's and school district's legal responsibilities under the circumstances of law enforcement's request for the pupil to be interrogated in school.
  - d. A pupil shall not be removed from school for interrogation unless:
    - (1) The pupil has been lawfully arrested; or
    - (2) The adult pupil or the parent(s) or legal guardian(s) of a minor pupil has consented to the removal.
4. All searches and seizures of pupils, their property and personal effects conducted by school staff must comply with the standards prescribed by the United States Supreme Court in *New Jersey v. T.L.O.* 469 U.S. 325 (1985) and in compliance with Board Policy #5770 – Pupil Right of Privacy.
- a. Any questions concerning searches conducted by school officials shall be directed to the County Prosecutor.



- b. A school official may request that law enforcement authorities assume responsibility for conducting any search or seizure.
  - c. No school staff member will impede any law enforcement officer engaged in a lawful search, seizure or arrest whether pursuant to a warrant or otherwise.
  - d. School staff will permit law enforcement authorities upon their arrival to assume responsibility for conducting any search or seizure.
  - e. All inspections of lockers, desks or other objects or personal property on school grounds involving the use of law enforcement, drug-detection canines may only be undertaken with the express permission of the County Prosecutor or the Director of the Division of Criminal Justice in the New Jersey Department of Law and Public Safety.
  - f. Any questions concerning the legality of any contemplated or ongoing search, seizure or arrest conducted by a law enforcement officer on school grounds shall be directed to the County Prosecutor or, in the case of search, seizure or arrest undertaken by the Division of Criminal Justice, to the assigned Assistant Attorney General.
5. The Superintendent and Building Principal will cooperate with law enforcement authorities in the planning and conduct of undercover school operations.
- a. The Superintendent shall approve such undercover operations without prior notification to the Board of Education in accordance with N.J.A.C. 6A:16-6.2(a)6.i.
  - b. All information relative to any undercover school operation shall be kept strictly confidential by the Superintendent and the Building Principal and may not be divulged to any person without the express approval of the County Prosecutor.
  - c. The Superintendent and/or Building Principal must immediately inform the County Prosecutor in the event it becomes known by such authorized school official(s) that any information regarding the existence of an undercover operation has been revealed.
6. A request or attempt to arrest a pupil, on school premises or while under the protection of the school, shall be handled as follows:
- a. The police officer shall be required to ask the Building Principal for access to the pupil, regardless of the pupil's location in or about school premises or on a school-sponsored trip or at a school-sponsored event.
  - b. The police officer shall not be permitted to arrest or take custody of a pupil unless:
    - (1) The Building Principal lawfully requests the removal of the pupil; or
    - (2) The officer has probable cause to arrest the pupil for a felony; or
    - (3) The officer has an arrest warrant or a judicial order requiring the custody of the pupil.
  - c. The Building Principal shall request the police officer to defer the arrest to another time and place or, if that is not possible, to take steps to protect the pupil's privacy, such as taking custody in a private place or assigning the taking of custody to a non-uniformed police officer or a school security officer.



- d. The Building Principal shall make every reasonable effort to notify the pupil's parent(s) or legal guardian(s) of the impending arrest.
- e. The Building Principal shall determine the place to which the pupil will be removed and held in custody or detention and will so inform the parent(s) or legal guardian(s).
- f. Notwithstanding anything to the contrary in this Regulation, a police officer has the legal right to take direct and unhindered action in the school.
  - (1) In an emergency situation, where the commission of a crime or offense involving felony or a serious breach of the peace in school has been witnessed by the officer, or
  - (2) The police officer is in "hot pursuit" of the pupil for such a crime.
- g. In any situation in which a police officer takes direct action, the Building Principal shall be promptly notified.

### E. Reporting Pupils or Staff Members to Law Enforcement

1. Subject to the provisions of N.J.A.C. 6A:16-6.5, any staff member having reason to believe that a pupil or staff member has unlawfully possessed or in any way been involved in the distribution of a controlled dangerous substance, including anabolic steroids or drug paraphernalia, on or within 1,000 feet of the outermost boundary of the school property pursuant to N.J.S.A. 2C:35-7, shall report the matter as soon as possible to the Building Principal or, in the absence of the Building Principal, to the staff member responsible at the time of the alleged violation.
  - a. Either the Building Principal or the responsible staff member shall notify the Superintendent, who in turn shall notify the Police Department as soon as possible.
  - b. The Superintendent will provide to the Police Department and/or County Prosecutor all known information concerning the matter, including the identity of the pupil or staff member involved.
  - c. The Superintendent and/or Building Principal will not disclose the identity of any pupil or staff member who has voluntarily sought treatment or counseling for a substance abuse problem provided the pupil or staff member is not currently involved or implicated in drug distribution activities.
  - d. An admission by a pupil or staff member in response to questioning initiated by the Building Principal or teaching staff member, or following the discovery of a controlled dangerous substance, including anabolic steroids or drug paraphernalia by the Building Principal or teaching staff member, shall not constitute a voluntary, self-initiated request for counseling and treatment.
2. The Building Principal, or in the absence of the Building Principal the staff member responsible at the time of the alleged violation, will report to the police department. Whenever any staff member develops reason to believe that a firearm, as defined in N.J.S.A. 2C:39-1(f) and 18 U.S.C. section 921, or other deadly weapon, whether enumerated in N.J.S.A. 2C:39-1(r) or not,



except a firearm as defined by N.J.S.A. 2C:39-1(f) and 18 U.S.C. section 921, has unlawfully been brought onto school property, or that any pupil or other person is in unlawful possession of a firearm or other deadly weapon, whether on or off school property, or that any pupil or other person has committed an offense with or while in possession of a firearm, whether or not such offense was committed on school property or during school operating hours.

- a. Either the Building Principal or the responsible staff member shall notify the Superintendent, who shall notify the Police Department as soon as possible.
  - b. The Superintendent will provide to the Police Department all known information concerning the matter, including the identity of the pupil or staff member involved.
3. The Superintendent and/or the Building Principal will immediately notify the Police Department whenever any school staff member in the course of his or her employment develops reason to believe that a pupil has threatened, is planning, or otherwise intends to cause death, serious bodily injury or significant bodily injury to another person under circumstances in which a reasonable person would believe the pupil genuinely intends at some time in the future to commit the violent act or carry out the threat.
  4. The Superintendent and/or the Building Principal will immediately notify the Police Department whenever any school employee in the course of his or her employment develops reason to believe that a crime involving sexual contact or criminal sexual conduct has been committed on school property, or by or against a pupil during school operating hours or during school-related functions or activities.
  5. School employees will immediately notify the Building Principal and/or Superintendent when in the course of their employment they develop reason to believe that a hate crime has been committed or is about to be committed on school property, or has been or is about to be committed by any pupil, whether on or off school property. This notification is required whether or not such offense was or is to be committed during school hours. This notification is also required if a pupil enrolled in the school has been or is about to become the victim of a hate crime, whether committed on or off school property or during school hours.
    - a. The Building Principal and/or Superintendent will promptly notify the Police Department and the Bias Investigation Officer for the County Prosecutor's office in the instances described above.
    - b. The Building Principal and/or Superintendent will immediately notify the Police Department and the Bias Investigation Officer for the County Prosecutor's office where there is reason to believe that a hate crime that involves an act of violence has been or is about to be physically committed against a pupil, or there is otherwise reason to believe that a life has been or will be threatened.



### F. Handling of Substances, Firearms and Other Items

1. Any school employee who seizes or discovers any substance or item believed to be a controlled dangerous substance, including anabolic steroids, or drug paraphernalia, shall immediately notify and turn the substance or item over to the Building Principal or designee.
  - a. The Building Principal or designee shall immediately notify the Superintendent or designee who shall notify the Police Department.
  - b. The school employee, Building Principal or designee shall safeguard the substance or paraphernalia against further use or destruction and shall secure the substance or paraphernalia until such time as the substance or paraphernalia can be turned over to the appropriate law enforcement officials.
  - c. The Building Principal will provide to the County Prosecutor or designee all information concerning the manner in which the substance or paraphernalia was discovered or seized, including:
    - (1) The identity of all persons who had custody of the substance or paraphernalia following its discovery or seizure; and
    - (2) The identity of any pupil or staff member believed to have been in possession of the substance or paraphernalia.
  - d. The Building Principal will not disclose the identity of any pupil or staff member who on his or her own initiative turned over the substance or paraphernalia to a school employee, provided that there is reason to believe that the pupil or staff member was involved with the substance or paraphernalia for the purpose of personal use, not distribution activities, and further provided that the pupil or staff member agrees to participate in an appropriate treatment or counseling program.

An admission by a pupil or staff member in response to questioning initiated by the Building Principal or teaching staff member, or following the discovery of a controlled dangerous substance, including anabolic steroids, or drug paraphernalia by the Building Principal or teaching staff member will not constitute a voluntary self-initiated request for counseling and treatment.
2. Whenever a school employee seizes or comes upon any firearm or dangerous weapon, school officials will:
  - a. In the case of a firearm, immediately advise the Police Department and secure the firearm pending the response by the Police Department to retrieve and take custody of the firearm; and
  - b. In the case of a dangerous weapon other than a firearm, immediately advise the Police Department and secure the weapon pending the response by the Police Department to retrieve and take custody of the dangerous weapon.



3. School employees having custody of a firearm or dangerous weapon shall take reasonable precautions to prevent the theft, destruction or unlawful use of the firearm or dangerous weapon by any person.

### G. Confidentiality of Pupil or Staff Involvement in Substance Abuse Intervention and Treatment Programs

1. All information concerning a pupil's or staff member's involvement in a school intervention or treatment program for substance abuse shall be kept strictly confidential, according to the requirements of 42 CFR Part 2 and N.J.S.A. 18A:40A-7.1 and 7.2.
2. Nothing in this Regulation shall be construed in any way to authorize or require the transmittal of any information or records which are in the possession of a substance abuse counseling or treatment program.
3. The Building Principal will not disclose to law enforcement officials or to any person other than a member of the local district's comprehensive alcohol, tobacco and other drug abuse program that a pupil or staff member has received or is receiving services through the local district's comprehensive alcohol and other drug abuse program. The Building Principal will not disclose any information, including the pupil's or staff member's identity or information about illegal activity, where such information was learned in the course of or as a result of services provided through the local district's comprehensive alcohol and other drug abuse program.
4. Nothing in this Regulation shall be construed to preclude the disclosure of information about illegal activity that was learned by any school employee outside of the local district's comprehensive alcohol and other drug abuse program.

Any such information about illegal activity shall be reported according to the requirements of this Regulation and N.J.A.C. 6A:16-6.3 and 6.4.

### H. Records

1. The Building Principal shall report to the Superintendent each incident involving an interrogation, search, or arrest of a pupil by a law enforcement agent.
2. The Building Principal shall record in writing and enter in the pupil's file:
  - a. The date, time, place, and circumstances of the incident;
  - b. The name of the officer and the law enforcement agency he/she represents;
  - c. The name of the pupil;
  - d. The notification or attempt to notify the pupil's parent(s) or legal guardian(s); and
  - e. An anecdotal description of the incident, including such information regarding its conduct as may be necessary to show that the pupil was fairly or unfairly treated.



### I. In-Service Training

The Superintendent will develop, in conjunction with the Building Principal(s), the County Prosecutor's Office and the Police Department, in-service training for school staff regarding this Policy and Regulation.

### J. Agreement or Memorandum of Understanding With Law Enforcement

1. The Superintendent and Police Department will meet on a regular basis, or at least annually, to discuss the implementation and need for revising the Agreement or Memorandum of Understanding and to review the effectiveness of the policies and procedures implemented in accordance with N.J.A.C. 6A:16-6.1 et seq.
2. Any Agreement or Memorandum of Understanding between the Board of Education and Law Enforcement Officials will be approved by the Board of Education and will be submitted to the Police Department, County Prosecutor and County Superintendent.

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### **9323 – Notification of Juvenile Offender Case Disposition**

School Building Principals have a need to receive and have access to juvenile justice proceedings involving juveniles who are registered pupils in the school building. The school Building Principal shall have access to information relating to juvenile justice proceedings in accordance with N.J.S.A. 2A:4A-60.

The school Building Principal may request from law enforcement agencies at the time of charge, adjudication or disposition, information as to the identity of a juvenile pupil charged, the adjudication and the disposition. The school Building Principal may inform school staff members of this information if the Building Principal deems it appropriate for maintaining order, safety or discipline in the school or for planning programs relevant to the juvenile's educational and social development. This information will not become part of the juvenile pupil's permanent school record and shall not be maintained except as authorized by regulation of the Department of Education.

A law enforcement or prosecuting agency shall at the time of charge, adjudication or disposition, advise the school Building Principal of the school where the juvenile is enrolled, of the identity of the juvenile charged, the offense charged, the adjudication and the disposition if:

1. The offense occurred on school property or a school bus, occurred at a school-sponsored function or was committed against an employee or official of the school; or
2. The juvenile was taken into custody as a result of information or evidence provided by school officials; or
3. An offense, if committed by an adult, would constitute a crime and the offense:
  - a. Resulted in death or serious bodily injury or involved an attempt or conspiracy to cause death or serious bodily injury; or
  - b. Involved the unlawful use or possession of a firearm or other weapon; or
  - c. Involved the unlawful manufacture, distribution or possession with intent to distribute a controlled dangerous substance or controlled substance analog; or
  - d. Was committed by a juvenile who acted with a purpose to intimidate an individual or group of individuals because of race, color, creed, religion, national origin, ancestry, age, marital status, affectational or sexual orientation or sex, social or economic status, or disability; or
  - e. Would be a crime of the first or second degree.

Information provided in accordance with the section above shall be treated as confidential. The school Building Principal may inform school staff members of this information if the Building Principal deems it appropriate for maintaining order, safety or discipline in the school or to planning programs relevant to the juvenile's educational and social development. This information will not become part of the juvenile pupil's permanent school record and shall not be maintained except as authorized by regulation of the Department of Education.



Law enforcement or the prosecuting agency may provide the school Building Principal with information identifying one or more juveniles who are under investigation or who have been taken into custody for the commission of any act that would constitute an offense if committed by an adult when the law enforcement or prosecuting agency determines that the information may be useful to the Building Principal in maintaining order, safety, or discipline in the school or in planning programs relevant to the juvenile's educational and social development. Information provided in accordance with the section above shall be treated as confidential, but the school Building Principal may inform school staff members of this information if the Building Principal deems it appropriate for maintaining order, safety or discipline in the school or for planning programs relevant to the juvenile's educational and social development. No information provided in accordance with this paragraph shall be maintained.

The Building Principal who requests and/or receives information as specified in this Policy shall notify the Superintendent or designee within twenty-four hours.

The school district shall comply with the Department of Education rules and regulations concerning the creation, maintenance and disclosure of pupil records regarding school Building Principal notification of juvenile offender case disposition and this Policy.

### Legal References

P.L.1982, c.79

R.S.53:1-15

P.L.1985, c.69

Adopted: August 18, 2009



### **9324 – Sex Offender Registration and Notification**

The Board of Education and administration will comply with the guidelines developed by the New Jersey Attorney General’s Office and will work cooperatively with the County Prosecutor’s Office and the local police department regarding the requirements of N.J.S.A. 2C:7-1 et seq. (Megan’s Law).

The Megan’s Law notification statute applies to all sex offenders who are required to register pursuant to N.J.S.A. 2C:7-1 et seq. The offenses requiring registration by persons convicted, an adjudicated delinquent or a person acquitted by reason of insanity are as indicated in New Jersey Statutes Annotated.

#### **Definitions**

- A. Tier One offenders encompass those that are a “low risk of re-offense”, thus constituting a low risk of harm to the community. This offender is one who, because of the type of crime, the lack of violence in his/her behavior, the lack of a substantial criminal history and the existence of ties to the community presents no more than a possible risk of re-offense.
- B. Tier Two offenders encompass those who are a “moderate risk of re-offense”, thus constituting a moderate risk of harm to the community in that the pertinent documents demonstrate that they are reasonably likely to re-offend, warranting limited notice for the protection of the public.
- C. Tier Three offenders encompass those who are a “high risk of re-offense” in that the available record demonstrates that there is a probable risk of re-offense, warranting notice to the community likely to encounter the offender.

The County Prosecutors Office determines the specific schools, community organizations and residences to receive notification.

The School District is automatically included on the notification list and is not required to register to be notified under Tier Two or Tier Three notifications. Where the risk of re-offense is determined by the County Prosecutor’s Office to be moderate or high in accordance with the law, the County Prosecutor’s Office and/or the appropriate law enforcement office will notify the Superintendent and the Building Principal of the targeted school(s). The Superintendent should not notify the target school(s), but may contact the Prosecutor’s Office if the Superintendent thinks that a school in the notification area has been inadvertently omitted. The school district is entitled to receive the offender’s name and a recent photograph, along with a physical description, the offense of which he/she was convicted, their address, place of employment and/or schooling, and vehicle license number.

The Board of Education shall take appropriate steps to educate and alert those staff members who are charged with the care and supervision of children, emphasizing that this information is intended to assist such staff members in the protection of their charges, not to provide notification to the community at large. All sex offender notification information to the community must be released by the appropriate law enforcement agency or the County Prosecutor’s Office. The school district and/or any school staff member shall keep all sex offender notification information confidential. In the event



the school district is notified a pupil is a Tier One or Two sex offender, the school district will cooperate with the local law enforcement and the County Prosecutor's Office on community notification consistent with the law and guidelines of the New Jersey Attorney General's Office.

The County Prosecutor's Office will be asked to provide guidance to the school district staff members. The Board of Education, working in conjunction with the County Prosecutor's Office and/or a local law enforcement office, will hold meetings and other educational programs at a particular school for staff regarding the safeguarding of the school district's children. There will be a strong emphasis on providing pertinent information, constructive knowledge and guidance to the community, as well as advice concerning the consequences of vigilante activity.

The Building Principal of each school notified by the Prosecutor's Office will have the discretion to make the determination as to which employees within the school should be informed of the notification. The Building Principal should share the notice with any person who in the course of the duties of his/her employment or assignment is regularly in a position to observe unauthorized persons in or near the property of the notified school. If any persons to be notified by the Building Principal are employees of private contractors, the Building Principal or the Superintendent will notify the private vendor who will provide notice to the employees. The Building Principal shall only notify school appropriate district staff of Tier Two or Tier Three notifications and not to provide notification to the community at large. Guidance to the school district in providing this information to staff members will be obtainable from the County Prosecutor's Office.

### Legal References

N.J.S.A. 2C:7-1 et seq.

Guidelines - New Jersey Office of the Attorney General

Adopted: August 18, 2009



### **R9324 – Sex Offender Registration and Notification**

#### A. Definitions

1. Tier One Offender – An offender that is a “low risk of re-offense”, thus constituting a low risk of harm to the community. This offender is one who, because of the type of crime, the lack of violence in his/her behavior, the lack of a substantial criminal history and the existence of ties to the community presents no more than a possible risk of re-offense.
2. Tier Two Offender – An offender who is a “moderate risk of re-offense”, thus constituting a moderate risk of harm to the community in that the pertinent documents demonstrate that they are reasonably likely to re-offend, warranting limited notice for the protection of the public.
3. Tier Three Offender – An offender who is a “high risk of re-offense” in that the available record demonstrates that there is a probable risk of re-offense, warranting notice to the community likely to encounter the offender.
4. Likely To Encounter – Law enforcement agencies, community organizations or members of the community who are in a location or in close geographic proximity to a location which the offender visits or can be presumed to visit on a regular basis.
5. Fair Chance to Encounter – The types of interaction which ordinarily occur at that location and other attendant circumstances demonstrate that contact with the offender is reasonably certain.

#### B. Notification To School District From the Law Enforcement Agency/County Prosecutor’s Office

1. The Superintendent and the Building Principal(s) of the targeted schools will be notified by the Prosecutor’s Office, without the need to register to be notified, for all sex offenders classified as Tier Two or Tier Three Offenders. Local law enforcement agencies and/or the County Prosecutor’s Office will determine there is a “fair chance to encounter” the offender in determining community notification. In any event the Superintendent and the Building Principal(s) will be notified for all Tier Two and Tier Three Offenders.
2. The Building Principal(s) are entitled to receive the offender’s name and a recent photograph, along with a physical description, the offense of which he/she was convicted, their address, place of employment and/or schooling, and vehicle license number.
3. The County Prosecutor’s Office determines the specific schools, community organizations and residences to receive notification.
4. The County Prosecutor’s Office and/or the appropriate law enforcement office will notify the Superintendent and the Building Principal of the targeted school(s). The Superintendent should not notify the target school(s), but may contact the Prosecutor’s Office if the Superintendent thinks that a school in the notification area has been inadvertently omitted.



- C. School District Procedure Upon Notification From the Law Enforcement Agency/County Prosecutor's Office
1. The Building Principal(s) will have the discretion to make the determination as to which employees within the school should be informed of the notification. The Building Principal should share the notice with any person who in the course of the duties of his/her employment or assignment is regularly in a position to observe unauthorized persons in or near the property of the notified school. If any persons to be notified by the Building Principal are employees of private contractors, the Building Principal or the Superintendent will notify the private vendor who will provide notice to the employees. The Building Principal will take appropriate steps to educate and alert those staff members who are charged with the care and supervision of children, emphasizing that this information is intended to assist staff members in the protection of their charges, not to provide notification to the community at large.
  2. The Building Principal, in conjunction with the appropriate law enforcement agency and the County Prosecutor's Office will provide information, along with appropriate advice regarding the safeguarding of the school's children.
  3. All school district staff are prohibited from releasing any of this information to the public at large. All inquiries from community members, non-affected school staff, all parent(s) or legal guardian(s) and other members of the general public shall be directed to the appropriate law enforcement agency and/or the County Prosecutor's Office.

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### **9400 – News Media Relations**

Representatives of the local newspapers and radio and television stations are an important link in the communications chain between the school district and the community it serves. The maintenance of a good working relationship with members of the media is essential to meeting the objectives of the district's school and community relations program.

The Board of Education must give formal approval to all basic practices governing relations between news media and the district and reserves the right to negotiate, on terms most favorable to the district, for the radio broadcasting, televising, filming, or sound recording of any school event by an outside agency.

The Superintendent shall be the chief communications representative of the Board. He/she shall be readily available to media representatives, provide media representatives with all appropriate and necessary information, suggest or supply feature articles or stories, prepare "press kits," assist school and parent organizations with press relations, meet periodically with media representatives, and protect school personnel from any unnecessary demands on their time by news media representatives.

The Superintendent must approve in advance interviews between staff members or pupils and media representatives and authorize the release of photographs, video or digital images of district subjects, personnel, or pupils. Photographs, video or digital images of disabled children shall not be disseminated or used in print or media in any way if they are identified as disabled unless permission is granted by the parent(s) or legal guardian(s). Photographs, video or digital images of children placed in the district by DYFS shall not be published without the permission of the Division case worker. Where the release of a photograph may violate the privacy of a pupil or staff member, the Superintendent must first secure the written permission of the staff member or the pupil's parent(s) or legal guardian(s).

Taking pictures of district pupils and buildings for commercial purposes is prohibited without written approval of the Superintendent.

1. "Commercial purposes" in this context is defined to mean for sale or for use in connection with the advertisement or promotion of goods or services.
2. "School pupils" in this context means boys and girls enrolled in the school during that part of the day they are at school, on the school grounds, or engaged in any activity under the direction and supervision of the school.

Pictures of handicapped children shall not be taken unless permission is granted by parent(s) or legal guardian(s).

Adopted: August 18, 2009



### **9500 – Cooperation with Educational Agencies**

The Board of Education recognizes the need for communication between this district and other districts and educational institutions that provide programs, training, and services not otherwise available to children residing in this district.

The Board acknowledges the responsibility for the education and conduct of the pupil in the school district in which he/she is enrolled.

The Board will attempt to meet periodically with the governing boards of other educational institutions that receive from this district a significant number of pupils or that send to this district a significant number of pupils.

In order to maintain a cordial and constructive relationship with all sending districts of the Phillipsburg School district, the Superintendent shall provide annually a complete description of all programs available to pupils of the sending or constituent district; institute an articulation council to coordinate the program of studies between this district and those districts sending pupils here; provide an orientation program for incoming pupils; assure that unusual traits of individual pupils entering this district have been made known to the staff members that can be of most assistance to such pupils; and inform the sending district of any serious discipline problems encountered with pupils from that district.

In order to maintain a cordial and constructive relationship with the Phillipsburg Board of Education, the Superintendent shall cooperate with the professional staff in articulation studies to assure that pupils of this district are properly prepared to enter the schools of the receiving district; inform pupils in their final year in this district of program options in the receiving district and counsel them regarding their program choices; provide an orientation program to pupils in their final year in this district to familiarize them with the facilities, procedures, and rules of the receiving district; develop procedures to follow the progress of our pupils during their careers in the receiving school; and keep the Board informed of any problems of an individual or group nature that may be a threat to the educational progress of our pupils.

In order to maintain cordial and constructive relationships with nonpublic schools, the Superintendent shall maintain liaison with the administration of all nonpublic schools located within this school district in order to be aware of any program changes that may be planned that could affect this district; determine how this district can advance the education of resident pupils attending parochial or private schools by the provision in these schools of special programs; and cooperate fully in the implementation of all state and federal programs administered by this district that benefit, in whole or in part, eligible pupils attending such nonpublic school.

#### **Donations to Private Organizations**

The authority for a Board of Education to expend public funds is derived from the constitutional mandate to “provide for the maintenance and support of a thorough and efficient system of free public



schools.” The donation of moneys to any private organization, regardless of the merits of that organization’s purposes, is not within the authority of the Board and is, therefore, prohibited.

### Legal References

20 U.S.C.A. §3066

N.J.S.A. 18A:38-13.1 et seq.; 18A:40-23 et seq.;

N.J.S.A. 18A:46-19.1 et seq.; 18A:46A-1 et seq.;

N.J.S.A. 18A:58-37.1 et seq.

N.J.A.C. 6A:23-6.1 et seq.; 6A:14-6.2 et seq.

Adopted: August 18, 2009



### **9541 – Student Teachers/Interns**

The Board of Education encourages cooperation with the state colleges and universities in the education of teachers, because the public school offers an experience essential to their training, interaction with pupils and teachers at work in the classroom. Accordingly, the schools of this district will accept pupils from accredited institutions of higher learning as junior or senior student teachers/interns.

The Board, upon the recommendation of the Superintendent, shall approve all student teachers/interns.

Student teachers/interns shall be assigned by the Superintendent. The Superintendent shall assign student teachers/interns throughout the district in a manner that assures that no single group of pupils will be subject to excessive student teacher/intern classroom hours.

Student teachers/interns shall comply with the health examination required by rules of the State Board of Education and that required for teaching staff members by this Board.

The Board of Education requires every student teacher/intern possess a county substitute credential issued in accordance with N.J.A.C. 6A:9-6.5.

Student teachers/interns shall at all times be subject to the policies of this Board. Student teachers/interns serving in the schools of this district shall be responsible to the Building Principal for their conduct and to the cooperating teacher for their performance.

Students and other affiliates of educational institutions will be offered the opportunity to visit and observe our district in the course of teacher training programs and educational research projects. Such students will be treated as visitors and will be under the direct supervision of the Building Principal.

### **Legal References**

N.J.A.C. 6A:9-6.5; 6A:9-10.2; 6A:9-10.3; 6A:9-10.4

Adopted: August 18, 2009



### **9550 – Educational Research Projects**

The Board of Education will cooperate, whenever appropriate and feasible, with organizations and individuals conducting bona fide educational research involving pupils enrolled in the schools of this district.

All educational research by persons other than district employees must be approved in advance by the Board. A written application for approval must state the purpose of the research, the specific ways in which pupils will be involved, the estimated duration of the project, the persons who will conduct the research project and their relevant affiliations, and any possible benefits to pupils or to the school district. Approval will be granted only to those projects that will serve the interests of pupils and the educational program; approval will not be granted to projects that will impede or significantly disrupt the instructional program approved by the Board.

Parent(s) or legal guardian(s) will be informed of any educational research project that involves their children and may request the removal of their children from the project.

The conduct of research activities must rigorously protect pupils' privacy. Approved researchers may be given access to pupil records in accordance with rules of the State Board of Education and Board Policy #8330 – Pupil Records, but shall not abuse this privilege by using information in any way that may embarrass or harm individual pupils or their families. The Board must be satisfied that strict standards of anonymity and confidentiality will be observed.

#### **Legal References**

N.J.A.C. 6A:32-7.5

Adopted: August 18, 2009



### **9560 – Administration of School Surveys**

The Protection of Pupil Rights Amendment (PPRA) requires written consent for certain pupil surveys, analysis and/or evaluations funded in whole or in part by a program of the United States Department of Education. The district will comply with the PPRA consent requirements and Board Policy #2415.05 – Pupil Surveys, Analysis and/or Evaluations for certain pupil surveys, analysis, and/or evaluations.

The district will also comply with the requirements of 34 CFR Part 98 – Student Rights in Research, Experimental Programs and Testing for certain programs administered by the Secretary of the United States Department of Education:

1. Instructional material used in connection with any research or experimentation program and project shall be made available for inspection by parents/legal guardians of pupils engaged in such program or project in accordance with the requirements of 34 CFR Part 98.3.
2. Prior written parental/legal guardian consent is required for any surveys, analysis, and/or evaluations that involve psychiatric or psychological examination, testing, or treatment; if the primary purpose is to reveal information as specified in 34 CFR Part 98.4(a)(1).
  - a. Psychiatric or psychological examination or test means a method of obtaining information, including a group activity, that is not directly related to academic instruction and that is designed to elicit information about attitudes, habits, traits, opinions, beliefs or feelings.
  - b. Psychiatric or psychological treatment means an activity involving the planned, systematic use of methods or techniques that are not directly related to academic instruction and that is designed to affect behavioral, emotional, or attitudinal characteristics of an individual or group.

However, academic and nonacademic surveys, assessments, analyses, and/or evaluations may be administered to pupils for programs or activities that are not funded in whole or in part by a program of the United States Department of Education and/or programs not administered by the Secretary of the United States Department of Education as defined in 34 CFR Part 98.1. In accordance with N.J.S.A. 18A:36-34, the district shall receive prior written informed consent from a pupil's parent or legal guardian before administering these academic and nonacademic surveys, assessments, analyses, and/or evaluations that reveal information concerning:

1. Political affiliations;
2. Mental or psychological problems potentially embarrassing to the pupil or the pupil's family;
3. Sexual behavior and attitudes;
4. Illegal, anti-social, self-incriminating or demeaning behavior;
5. Critical appraisals of other individuals with whom a respondent has a close family relationship;
6. Legally recognized privileged or analogous relationships, such as lawyers, physicians, and ministers;



7. Income, other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under a program;
8. Social security number; or
9. Religious practices, affiliations, or beliefs of the pupil or parent(s) or legal guardian(s).

When administering an academic and/or nonacademic survey, assessment, analysis, and/or evaluation that concern the issues listed in 1. through 9. above, the Superintendent shall request written informed consent at least two weeks prior to the administration of the survey. The request for consent shall provide the parent/legal guardian the opportunity to view a copy of the document at a convenient location and time. The pupil shall not participate in the administration of the academic and/or nonacademic surveys, assessments, analyses, and/or evaluations if the requested written informed consent is not obtained.

### Legal References

N.J.S.A. 18A:36-34  
34 CFR Part 98

Adopted: August 18, 2009



### **9700 – Special Interest Groups**

The Board of Education recognizes the contributions of persons and organizations outside the school district may take the form of materials, activities, and awards that tend to serve the interests of the contributor as well as benefit the school district and pupils. For the purposes of this Policy, “organizations outside the school district” shall be any organization, group, activity, club, association, agency, or individual that is not approved or sponsored by the Board.

The Board reserves the right to review, approve, or reject proposed contributions from organizations outside the school district. Proposed contributions may be rejected by the Board, including but not limited to, proposed contributions that have the primary effect of advancing the name, product, or special interest of a person, corporation, or organization; fail to meet district standards of accuracy and good taste; are of little or no educational value to pupils; make unreasonable demands upon the time and energies of staff and pupils or upon the resources of the district; interrupt or interfere with the regular school program; or involve a direct cost to the district.

The approval of the use of any material or the conduct of any activity offered by an organization outside the school district shall not under any circumstances be construed as an endorsement by this Board of any interest, cause, or organization.

Permission to solicit or raise funds on school premises will be granted only to those persons and organizations whose purposes are consistent with the goals of this district and the interests of the community and are in accordance with the Board’s fundraising policy. Solicitation or fundraising may not interfere with the orderly operation of the schools. The Board will not be responsible for the protection of or accounting for such funds and these funds may not be deposited in any district account.

The Board will not permit the distribution of literature to or through pupils in the school district for any organization outside the school district. However, distribution of literature to or through pupils in the school district may be approved by the Superintendent of Schools or designee if the organization requesting the distribution of literature is a local, State, county or Federal governmental agency or a community, non-profit organization and the information is determined by the Superintendent or designee to be of special interest to school district pupils or the community. Written requests for the distribution of this literature must be submitted to the Superintendent or designee with one copy of the specific literature to be distributed. The approval and method of the distribution of literature will be at the discretion of the Superintendent or designee. Any approval for such distribution will be consistent with the governing principles of the First Amendment of the United States Constitution. In no circumstance will the school district release confidential pupil information.

The Board prohibits the distribution of political literature to or through the pupils of this district in school buildings and on school grounds that promotes, favors, or opposes the candidacy of any candidate for election at any annual school election, or the adoption of any bond issues, proposal, or any public question submitted at any general, municipal, or school election. No pupil shall be requested or directed by any school official or employee to engage in any activity that tends to promote,



favor, or oppose any such candidacy, bond issue, proposal, or a public question submitted at any election.

### **Awards of Scholarships or Prizes to Pupils**

The Board will permit the award of scholarships or prizes to deserving pupils provided that information regarding pupils is released only in accordance with Board Policy #8330 – Pupil Records, the manner of selection of the recipient is approved by the Superintendent or designee and includes consultation with appropriate staff members, and the nature of the prize or award is approved by the Superintendent or designee.

### **Pupil Participation in Community Events**

The Board recognizes that worthy and appropriate educational values result from pupil participation in civic and community affairs.

School groups may, with the permission of the Superintendent, participate in local public events which fall into the following classifications:

1. Events sponsored by schools. Educational events in which schools serve as hosts shall have priority when scheduling appearances.
2. Community functions organized in the interests of the school, such as those originated by parent-teacher groups or parent councils.
3. Non-commercial civic occasions of community, county, state or national interest which enlist general concern and cooperation.
4. Events primarily patriotic in nature, such as Veteran's Day.
5. Programs sponsored by established character-building agencies, or programs sponsored jointly by the school system and mass communication media where the time or space given to the programs are of a public nature.

School groups may not participate in events that fall into any of the following classifications:

1. Events designed for private gain or advertisement of commercial products or projects. A school name, the names of school-sponsored groups, or school equipment shall not be exploited in events of a commercial nature.
2. Events held for the furtherance of any politically partisan interest.
3. Events primarily for the furtherance of any sectarian concern.
4. Events which interfere with the regular school program because of an excessive amount of absence due to rehearsal or preparation.

### **Contests for Pupils**

The Superintendent shall approve participation in extracurricular contests sponsored by organizations outside the schools, as long as participation does not interfere with the instructional program. When



such contests involve promotional aid, school time, or faculty assistance pupils in essay writing, poster making, or other activities, the Superintendent shall determine whether the experiences are closely enough allied to and in support of the instructional work of the school and will clearly serve to advance the educational aims of the district. The worthiness of the sponsoring agency's cause or the opportunity for individuals to win prizes shall not in themselves constitute sufficient reason for approving a contest.

Contests and awards whether local, state, or national shall be:

1. For the benefit of the pupil;
2. Open to all pupils on a non-discriminatory basis;
3. Consistent with district objectives;
4. Judged by disinterested parties;
5. Properly supervised with safety precautions in place; and
6. Voluntary for pupils and teachers.

Contests and awards shall not place undue time or financial burdens on pupils, teachers, and parent(s) or legal guardian(s). They shall not promote commercial products or partisan viewpoints. Participation shall not be dependent on the financial status of the pupil.

### **Distribution of Materials by Pupils and Staff**

Material being sent home with pupils should relate to school matters or public-related community activities. Except when it pertains to the individual pupil or is directly related to classroom activities as noted in a lesson plan, all such material must be approved in advance by the Superintendent or designee.

Pupils shall not be used to distribute partisan materials or partisan information pertaining to a school or general election, budget or bond issue, or negotiations. Pupils shall not be exploited for the benefit of any individual, group, or profit-making organization.

No staff member may distribute any materials on school property without prior approval of the Superintendent or designee.

All surveys, questionnaires, or other similar items requiring pupil or parent(s) or legal guardian(s) response shall be reviewed and approved by the Superintendent or designee prior to distribution. The Superintendent shall solicit written permission from parent(s) or legal guardian(s) before pupils participate in surveys or research that requests personal information as set out in Federal law.

### **Legal References**

N.J.S.A. 18A:42-4

United States Department of Education - Guidance on Constitutionally Protected Prayer in Public Elementary and Secondary Schools

Adopted: August 18, 2009

Revised: April 13, 2010



### **9713 – Recruitment by Special Interest Groups (M)**

The Board of Education prohibits recruitment activities by outside organizations on school premises, regardless of the purpose of the recruitment or the nature of the recruitment agency. Except as required and referenced below, no information about individual pupils will be released for the purpose of approaching pupils for educational, occupational, military, or any other recruitment purpose.

However, a school district that receives funds under ESEA, on request from a military recruiter or an institution of higher education, must provide access to the names, addresses, and telephone listings for secondary pupils. Parent(s), legal guardian(s) and/or the adult pupil may request that such information not be released for the child without the prior written parental, legal guardian and/or adult pupil approval. The district will give military recruiters the same right of access to secondary pupils as generally provided to post-secondary institutions and prospective employers.

Parent(s) or legal guardian(s) and adult pupils will be informed annually in writing of their right to request a pupil's excusal from participation in all recruitment activities and/or from a listing in the pupil information directory distributed for recruitment purposes.

Nothing in this Policy shall be construed as requiring the Board to approve or participate in an activity that appears to advance or inhibit any particular religious sect or religion generally.

#### **Legal References**

N.J.S.A. 18A:36-19.1

No Child Left Behind §9528

Adopted: August 18, 2009



### **9720 – Solicitations by Vendors**

The Board of Education may permit vendors to solicit pupils and parent(s) or legal guardian(s) for the sale of goods and services through the schools of this district, provided that the Board has given prior approval to the vendor and to the solicitation.

The Superintendent shall review each vendor's request to solicit sales and shall recommend to the Board for its approval only those that offer a product or service that is related to the educational goals of this district and offers good value to purchasers.

Any funds collected on behalf of a vendor approved by the Board under this Policy shall be kept in a separate account pending transfer to the vendor. The Board disclaims any responsibility for any such funds.

In the event that more than one vendor requests permission to solicit sales of a particular product or service, or the Superintendent seeks a vendor to provide a particular product or service to parent(s) or legal guardian(s) or pupils, the Superintendent shall seek quotations from qualified vendors in order to determine which will provide the greater value to purchasers.

The Board reserves the right to withdraw its approval of any vendor at any time.

Adopted: August 18, 2009

