

# REGULATION

ROCKAWAY BOROUGH  
SCHOOL DISTRICT  
COMMUNITY  
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Public Information Program

## R 9120 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 Policy No. 8330, shall be released only with the express written permission of the pupil's parent(s) or legal guardian(s) or the adult pupil. 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) or the adult pupil has not prohibited its release in accordance with Policy No. 8330.

### 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.

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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 Rockaway Borough Board of Education.
4. The Principal of each school will prepare, submit to the Superintendent for approval, 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 athletic contests will be distributed to attendees and participants.

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## C. Release of Information to the Press

1. In accordance with Policy No. 9120, 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 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.
5. In the event of an unusual development in the school district that arouses substantial public interest, the Superintendent will accommodate the needs of the press by establishing a temporary press center.
  - a. A room will be prepared, as close to the main office as feasible, and equipped with a telephone, word processor, access to copying equipment, paper, and other equipment and supplies as may reasonably facilitate the tasks of reporters and photographers.
  - b. Members of the press will be directed to gather in the pressroom, where they will hear and may question the district's spokesperson.
  - c. All information about the unusual development will be relayed through the designated district spokesperson, who should be given direct access to the information and people necessary to the gathering of accurate data.
  - d. School officials who are asked to give statements to the press regarding the development should seek the assistance of the Superintendent in drafting their statements.

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## 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.

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Public Complaints and Grievances

## R 9130 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 Principal.
2. Second level
  - a. If the matter cannot be satisfactorily resolved at the first level, the complainant may discuss the matter with the Principal.
  - b. The 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 Policy No. 9130) of his/her meeting with the 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, and

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- (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 Policy No. 9130) 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 Policy No. 9130) of the conference, provide a copy of the written disposition to the complainant 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 Policy No. 9130) 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 Policy No. 9130) 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.

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- d. The Board shall, within ten calendar days (see Policy No. 9130) of the hearing, advise the complainant in writing of the Board's disposition of the complaint.
  - 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 paragraph A will be followed and the complainant will be directed to discuss the matter first with the administrator.
  2. A complaint about a 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 paragraph A3.
- C. Complaints About a Support Staff Member
1. The procedure set forth in paragraph 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 paragraph 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 paragraph A1.

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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 paragraph A3 and paragraph A4.
- E. Complaints About Instructional and Resource materials
1. Complaints about textbooks, library books, reference works, and other instructional materials used in the district will be made in writing and submitted to the Superintendent.
  2. The complainant will complete and sign a complaint form available in the Principal's office. The form will include:
    - a. The title, author, and publisher of the work 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 form, the Superintendent shall appoint a review committee consisting of:
    - a. The head of the department in which the work is being used,
    - b. A teacher in the subject area of the work,
    - c. A library staff member,
    - d. A Board member,
    - e. A lay person knowledgeable in the area of the work, and
    - f. The Principal of a school in which the work is used.



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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 Policy No. 2530.
5. The committee will report its findings and recommendations to the Board.
6. The Board will receive the report of the committee. 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 committee's report 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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School Visitors

## R 9150 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 Principal will maintain a logbook in the main office of the school. Each visitor shall enter his/her name and the purpose of his/her visit in the logbook except that the 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 worn while the visitor is in the school. The Principal may give a permanent identification tag or badge to a trades person who makes regular and frequent visits to the school.
5. The Principal or office personnel designated by the Principal shall arrange for an escort to accompany each visitor to his/her destination except that the Principal may permit visitors familiar with the school and personally known to the Principal to proceed unaccompanied.

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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 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 Principal or the 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, 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 Principal.
2. In general, arrangements to visit a classroom should be made at least one day in advance of the intended visit.
3. If the intended visit would interfere with the planned instructional program, the Principal will so advise the visitor and suggest another time for the visit.
4. The Principal is authorized to exclude a visitor from a classroom if the 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 Principal.
6. The Principal may arrange visits to classrooms by educators and pupil teachers with the cooperation and consent of the classroom teachers.

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7. Teachers may invite guest speakers or observers to their classrooms with the approval of the Principal. Each such guest speaker and observer must sign the school logbook.
  8. The 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 Principal's decision to the Superintendent, whose determination may be appealed to the Board of Education in accordance with Policy No. 9130.
- 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 Policy No. 5230.
  3. A visitor may confer with a pupil in the school only with the approval of the 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 Principal.
  6. A classroom visit may ordinarily not exceed sixty minutes without the express permission of the teacher and the Principal.
  7. The 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.

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## E. Disruptive Visitors

1. The 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 Principal may summon assistance from the Rockaway Borough 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 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 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. Secure the services of professional security personnel to monitor entrances; and/or
  - c. 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).

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Crowd Control

## R 9161 CROWD CONTROL

The Building Principal will be responsible for carrying out the following procedures to prepare for and supervise each district and school event that will attract substantial numbers of the public to school premises.

### A. Preparation

1. The Rockaway Borough Police Department will be notified of the date and time of the event and the anticipated public. The Building Principal will cooperate with the police department in planning adequate police protection for the event.
2. All necessary arrangements for traffic flow, parking, accommodations for visitors' buses, and reservation of "no parking" areas will be made. Parking areas must be sufficient in size, well lighted, and adequately policed throughout the event.
3. The following persons will be assigned and trained as necessary for the event:
  - a. Game officials, scorers, and timers;
  - b. District employees, pupils, and/or volunteers to monitor the event and supervise spectators, each to be issued distinctive identification, such as badges or armbands;
  - c. Ticket takers, who may be directed to screen for troublemakers; and
  - d. An announcer, who should be impressed with the importance of his/her role in affecting and inspiring spectator behavior and the necessity for being neutral and respectful at all times.
4. The visiting school will be informed of directions to the event, seating, provisions for the athletes, parking, and security for the athletes' possessions. District rules for spectators will be sent to the visiting school for review prior to the event.

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5. Seating sections will be reserved for school bands, teams, cheerleaders, and special guests. Rival pupil groups should be separately accommodated in spectator areas, rest rooms, and concessions.
  6. Rules for spectators' conduct will be posted at the event and/or included in the program prepared for the event.
  7. All appropriate persons should become familiar with Regulation No. 2431.1, Emergency Procedures for Athletic Competition. An ambulance and/or physician should be present as required by the regulation.
  8. Cheerleaders will be instructed to:
    - a. Keep cheering positively and not antagonistic, provocative, or suggestive;
    - b. Respect the cheers and efforts of visitors in a sportsmanlike manner;
    - c. Discourage booing and negative demonstrations by intercepting them with a positive cheer; and
    - d. Accept with responsibility their role in guiding spectator behavior.
  9. Arrangements will be made for any communication system that may be necessary among officials, coaches, and administrators.
- B. During the Event
1. Persons assigned to supervise spectators should be consulted frequently for problems before they worsen.
  2. Lines of communication should be kept open.
  3. Supervision will be provided during half-time or intermission periods.
  4. Rules for spectator conduct (see paragraph D) will be enforced.

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## C. After the Event

1. Spectators will be directed out of the facility in an orderly flow.
2. Supervision will be provided until all spectators have dispersed. No loitering will be permitted on school premises.
3. Visiting team members, rooters, cheerleaders, and band members will be assisted in their departure.
4. The Building Principal will consult with representatives of the visiting team to ensure that all details have been settled.

## D. Spectator Rules

All spectators at a school sponsored event are expected to know and observe the following rules. A spectator who violates any of these rules may be evicted from the event. Persistent disregard of these rules may cause a spectator to be barred from future events.

Spectators must:

1. Conduct themselves with decorum and with respect for the rights and property of others at all times, at the school event and while traveling to and from the school event;
2. Respect and obey those in authority--school officials and police--and the persons assigned by the school to act for those in authority;
3. Respect the efforts of the pupils involved in the event, for whom the event may mark the culmination of many hours of preparation and hard work;
4. Respect the seating arrangements provided by the school and remain seated in assigned seats during the event;
5. Respond enthusiastically to pupil efforts and accomplishments by cheering and applauding and refrain from boos, disrespectful remarks, and other loud negative expressions;
6. Stay off the stage, arena, or athletic playing area on which pupils are performing or competing;



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7. Respect the property of the school by causing no litter and leaving the premises as clean as they were found; make proper use of lavatory facilities and food and drink concessions;
8. Not bring and/or consume alcoholic beverages or narcotics or drugs of any kind on school premises and stay away from school premises if under the influence of alcohol or drugs;
9. Use no tobacco product in a school building or in any place on school premises;
10. Park as directed, obey traffic rules, and drive with extreme care on school property; and
11. Out of concern for the comfort and safety of all spectators and respect for the efforts of performing or competing pupils, report any violation of these rules to a person in authority.

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School Volunteers

## R 9180 SCHOOL VOLUNTEERS

### A. Assignments

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

1. Duplicating tests and other materials;
2. Helping with classroom housekeeping;
3. Typing class materials, tests, and the like;
4. Setting up audio-visual and other instructional equipment, if qualified to do so;
5. Helping children remove and don outerwear and boots;
6. Supervising the playground;
7. Correcting workbooks, as qualified to do so and as appropriate to the sensitivity of the materials;
8. Reading aloud and telling stories;
9. Assisting with the school library program;
10. Assisting pupils locate material in reference works;
11. Assisting with the school lunch program;
12. Serving as chaperones on field trips; and
13. Serving as resource persons in a special subject area.

### B. Rules of Conduct for Volunteers

1. A volunteer may serve only under the direction and supervision of a teaching staff member.
2. A volunteer should perform no duties other than those expressly assigned him/her.
3. A volunteer must respect the individuality, dignity, and worth of each pupil. A volunteer must never punish or rebuke a pupil.

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4. A volunteer must not seek access to records about an individual pupil. A volunteer must respect the confidentiality of any information gained about an individual pupil, by whatever means.
5. 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.

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Community Organizations

## R 9190 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.

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# REGULATION

## ROCKAWAY BOROUGH BOARD OF EDUCATION

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R 9270 HOME SCHOOLING AND EQUIVALENT EDUCATION (M)

### M

Home schooling is an educational program provided at home, usually by the parent, legal guardian, or other person having custody and control 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 under the compulsory education law.

For the purpose of this Regulation, “parent” shall mean parent, legal guardian, and other person having custody and control of a child between the ages of six and sixteen.

#### A. Legal Requirement for Compulsory Attendance

1. N.J.S.A. 18A:38-25 requires all children between the ages of six to sixteen 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 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. In the event the Superintendent determines there is credible evidence the parent, legal guardian, or other person having custody and control of a school-aged child is not causing the child to receive equivalent instruction elsewhere than at school, the Superintendent may request a letter of intent from the parent, legal guardian, or other person confirming the child is receiving equivalent instruction elsewhere than at school.
4. If the Superintendent makes a report, the parent of a student receiving instruction elsewhere other than school may, but is not required to, notify the Superintendent of their child’s educational program status.

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5. A parent of a home schooled child is 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.
  6. The New Jersey Department of Education encourages a parent to notify the Superintendent of the intent to educate the child elsewhere than at school to avoid questions with respect to compliance with the compulsory education laws.
- 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 is challenged in court by the Superintendent or Board, the district must demonstrate the child is not receiving an education in accordance with N.J.S.A. 18A:38-25.
- C. District Requirements for Home Schooled Students
1. The Board is not required by law to allow a child educated elsewhere than at school to participate in the regular school curriculum or in extra-curricular or sports activities unless specifically provided in Board Policy, or required by Federal law, or State statute or administrative code.
  2. A child educated at home shall not receive a State endorsed high school diploma from the Board of Education.
- D. Students With Disabilities
1. Any written request from a parent of a home schooled child for a special education evaluation of their child will be reviewed in a meeting of the Child Study Team (CST), the parent, and the regular education teacher in accordance with the provisions of N.J.A.C. 6A:14-2.3. At this meeting, the current

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information about the child shall be reviewed to determine whether an evaluation is warranted.

- a. If an evaluation is warranted, another determination shall be made regarding the assessment procedures. Written notice of the determinations shall be provided to the parent. Once the assessments are completed, a meeting in accordance with N.J.A.C. 6A:14-2.3 shall be held to determine whether the child is eligible for special education and related services.
- b. If the child is eligible for special education and related services, the CST will determine a classification category and develop an Individualized Education Program (IEP) in accordance with N.J.A.C. 6A:14-3.7. If the child is eligible for special education and related services, the district shall make a free, appropriate public education available only if the child enrolls in the district.
- c. The school district will notify the parent 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.
- d. 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 in accordance with the provisions of N.J.A.C. 6A:14 et seq.

For more information:

New Jersey Department of Education – Frequently Asked Questions: Home Schooling

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## COOPERATION WITH LAW ENFORCEMENT AGENCIES (M)

- A. Policy 9320 and this Regulation shall be in accordance with the provisions of N.J.A.C. 6A:16-6.2, the Memorandum of Agreement between Education and Law Enforcement Officials (MOA), and shall be:
1. Developed, implemented, and revised, as necessary, in consultation with the county prosecutor and other law enforcement officials as may be designated by the county prosecutor;
  2. Reviewed and approved by the Executive County Superintendent;
  3. Made available annually to all school district staff, students, and parents;
  4. Consistent with reporting, notification, and examination procedures of students suspected of being under the influence of alcohol and other drugs pursuant to N.J.A.C. 6A:16-4.3; and
  5. Consistent with N.J.A.C. 6A:16-7, as appropriate.
- B. The school district's policies and procedures for cooperation with law enforcement agencies shall include the following components:
1. The Superintendent has designated school district staff as liaisons to law enforcement agencies in accordance with the MOA. The MOA includes a description of the liaisons' roles and responsibilities;
  2. Specific procedures for and responsibilities of school district staff in summoning appropriate law enforcement authorities onto school grounds, for the purpose of conducting law enforcement investigations, searches, seizures, or arrests shall be in accordance with the MOA;
  3. Specific procedures and responsibilities of school district staff for notifying parents in instances of law enforcement interviews involving their children shall be consistent with the MOA and the following:
    - a. School officials shall not notify the student's parent(s) in instances of suspected child abuse or neglect;
    - b. School officials shall notify the student's parent(s) when the student is the target of the law enforcement investigation; and



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- c. In all other instances, school authorities shall permit law enforcement authorities to determine whether or when a student's parent should be contacted;
4. Specific procedures for and responsibilities of school district staff in cooperating with arrests made by law enforcement authorities on school grounds shall be in accordance with the MOA;
5. Specific procedures for and responsibilities of school district staff in initiating or conducting searches and seizures of students, their property, and their personal effects shall be in accordance with the MOA and the following:
  - a. All searches and seizures conducted by school district staff shall comply with the standards prescribed by the United States Supreme Court in *New Jersey v. T.L.O.*, 469 U.S. 325 (1985).
  - b. Questions concerning searches conducted by school officials shall be directed to the appropriate county prosecutor.
  - c. School officials may request that law enforcement authorities assume responsibility for conducting a search or seizure.
  - d. No school district staff member shall impede a law enforcement officer engaged in a lawful search, seizure, or arrest whether pursuant to a warrant or otherwise.
  - e. School district staff shall permit law enforcement authorities, upon their arrival, to assume responsibility for conducting a search or seizure.
  - f. All inspections of lockers, desks, or other objects or personal property on school grounds involving the use of law enforcement drug-detection canines may be undertaken with only the express permission of the county prosecutor or the Director of the Division of Criminal Justice or the Director's designee in the New Jersey Department of Law and Public Safety.
  - g. Questions concerning the legality of a 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 a search, seizure, or arrest undertaken by the Division

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of Criminal Justice's designee in the New Jersey Department of Law and Public Safety, to the assigned Assistant Attorney General;

6. The procedures for and responsibilities of school district staff, with regard to interviews of students suspected of possessing or distributing a controlled dangerous substance; including anabolic steroids, drug paraphernalia; or a firearm or other deadly weapon shall be in accordance with Policy and Regulation 5530 and the MOA;
7. Procedures for planning, approving, and conducting undercover school operations shall be in accordance with the MOA and the following:
  - a. The Superintendent and Principal shall cooperate with law enforcement authorities in the planning and conduct of undercover school operations. The Superintendent shall approve undercover operations without prior notification to the Board of Education.
  - b. All information concerning requests to undertake an undercover school operation, information supplied by law enforcement authorities to justify the need for and explain a proposed undercover school operation, and all other information concerning an ongoing undercover school operation, including the identity of any undercover officer placed in a school, shall be kept strictly confidential by the Superintendent and Principal.
  - c. The Superintendent and Principal shall not divulge information concerning an undercover school operation to any person without the prior express approval of the county prosecutor or designee.
  - d. The Superintendent, Principal, or any other school district staff or Board member who may have been informed regarding the existence of the undercover school operation shall immediately communicate to the county prosecutor or designee if they subsequently learn of information that suggests the undercover officer's true identity has been revealed, the undercover officer's identity or status as a bona fide member of the school community has been questioned, or the integrity of the undercover school operation has been in any other way compromised;
8. The procedures for and responsibilities of school district staff concerning the safe and proper handling of a seized controlled dangerous substance, including anabolic steroids, drug paraphernalia, or a firearm or other deadly weapon, and the prompt delivery of the items to appropriate law

enforcement authorities shall be in accordance with N.J.A.C. 6A:16-6.2, Policy and Regulation 5530, and the MOA;

9. The procedures for and responsibilities of school district staff in notifying authorities of a suspected violation of laws prohibiting the possession; sale or other distribution of a controlled dangerous substance, including anabolic steroids; drug paraphernalia; or a firearm or other deadly weapon shall be in accordance with Policy and Regulation 5530 and the MOA;
  10. Provisions for requesting uniformed police attendance at extracurricular school events shall be in accordance with the MOA;
  11. Provisions for notifying parents as soon as possible whenever a student is arrested for violating a law prohibiting the possession; sale or other distribution of a controlled dangerous substance, including anabolic steroids; drug paraphernalia; or a firearm or other deadly weapon shall be in accordance with Policy and Regulation 5530;
  12. Provisions for in-service training of school district staff concerning policies and procedures established in this subchapter, and the exchange of information regarding the practices of the school district and law enforcement agencies shall be in accordance with the MOA;
  13. A MOA with appropriate law enforcement authorities in accordance with N.J.A.C. 6A:16-6, Policy 9320, and this Regulation;
  14. An annual process for the Superintendent and appropriate law enforcement officials to discuss the implementation and need for revising the MOA, and to review the effectiveness of policies and procedures implemented pursuant to N.J.A.C. 6A:16-6.2 and the MOA;
  15. Provisions for contacting the Chief Executive Officer of the involved law enforcement agency, county prosecutor, and/or Division of Criminal Justice, as necessary, to resolve disputes concerning law enforcement activities occurring on school grounds shall be in accordance with the MOA; and
  16. Provisions for directing inquiries or complaints received by school district staff regarding interviews, investigations, arrests, or other operations conducted by sworn law enforcement officers to the appropriate law enforcement agency shall be in accordance with the MOA.
- C. Mandatory Reporting

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1. There are seven offenses that must be reported to law enforcement if they qualify as mandatory reports, as set forth and explained in further detail in the MOA. These mandatory reports include:
  - a. Whenever any school district staff has reason to believe a student is in possession of a controlled dangerous substance or related paraphernalia, or is involved or implicated in distribution activities regarding controlled dangerous substances, pursuant to N.J.A.C. 6A:16-6.3;
  - b. Whenever any school district staff in the course of their employment develops reason to believe that a firearm or other dangerous weapon has unlawfully been possessed on or off school grounds, a weapon was used in an assault against a student or other school personnel, or that any student or other person has committed an offense with, or while in possession of, a firearm, whether or not such offense was committed on school grounds or during school operating hours, pursuant to N.J.A.C. 6A:16-5.5, 5.6(d)4 and 6.3(b);
  - c. Whenever any school district staff in the course of their employment develops reason to believe that anyone 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 that the person genuinely intends at some time in the future to commit the violent act or to carry out the threat, pursuant to N.J.A.C. 6A:16-6.3(c) through (e);
  - d. Whenever any school district staff in the course of their employment develops reason to believe that a crime involving sexual penetration or criminal sexual contact has been committed on school grounds, or by or against a student during school operating hours or during school-related functions or activities, pursuant to N.J.A.C. 6A:16-6.3(d);
  - e. Whenever any school district staff in the course of their employment develops reason to believe that an assault upon a teacher, administrator, other school Board employee, or district Board of Education member has been committed, with or without a weapon, pursuant to N.J.A.C. 6A:16-5.7(d)5;

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- f. Whenever any school district staff in the course of their employment develops reason to believe a “bias-related act” has been committed or is about to be committed on or off school grounds, pursuant to N.J.A.C. 6A:16-6.3(e); and
  - g. Whenever any school employee in the course of their employment develops reason to believe a student is potentially missing, abused, or neglected, pursuant to N.J.A.C. 6A:16-11.1(a)3i. through iii.
- D. Nothing in the policies and procedures required under N.J.A.C. 6A:16-6 and Policy 9320 and this Regulation shall be construed to prohibit school district staff from disclosing information, pursuant to N.J.A.C. 6A:32-7.2 and 7.5(f), if necessary, to protect the immediate health or safety of a student or other persons.
- E. The Superintendent or designee shall annually review Policy 9320 and this Regulation as adopted by the Board to ensure each are in accordance with the requirements outlined in the MOA.

Adopted: June 14,2022

# REGULATION

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## R 9324 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

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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 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 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.

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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.

Issued: 15 January 2008