

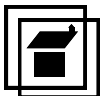
# REGULATION

## COMMERCIAL TOWNSHIP BOARD OF EDUCATION

COMMUNITY  
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### R 9000 COMMUNITY

<u>Number</u>	<u>Title</u>
R 9130	Public Complaints and Grievances
R 9140	Citizens Advisory Committee (M)
R 9150	School Visitors
R 9270	Home Schooling and Equivalent Education Outside the School (M)
R 9320	Cooperation with Law Enforcement Agencies (M)
R 9324	Sex Offender Registration and Notification



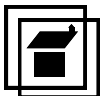
## R 9130 PUBLIC COMPLAINTS AND GRIEVANCES

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.

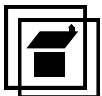
- A. Complaints Regarding a Teaching Staff Member Other Than Administrator
1. First level
    - a. The complainant will be directed to address the matter to the staff member.
    - b. The staff member will be directed to discuss the matter directly with the complainant and to make every reasonable effort 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,



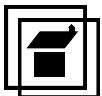
- (2) The respect in which it is alleged that the complainant or the complainant's child has been unfairly treated or adversely affected, and
        - (3) The remedy sought by the complainant.
  - b. A copy of the request for conference will be sent to the Board of Education.
  - c. Within seven working 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.
  - 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 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 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, 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 students 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.
  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.



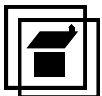
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Public Complaints and Grievances

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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Citizens Advisory Committee  
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### R 9140 CITIZENS ADVISORY COMMITTEE

#### 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 school;
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 as it sees fit.



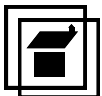
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Citizens Advisory Committee

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 students 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.

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### 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 the school building to attend meetings of the Board or events sponsored by organizations granted permission by the Board to meet in the school.

#### B. School Visitation Procedure

1. Any person wishing to visit a classroom during the school day must request permission from the Superintendent or designee twenty-four hours in advance.
2. The Superintendent or designee will consult the classroom teacher regarding the convenience of the proposed visit, and arrange accordingly.
3. The time limit of visits shall be set by the Superintendent.
4. No visitor shall interrupt the presentation of a lesson, talk to the students or distract the teacher's attention from the students.
5. For the safety and security of our students and staff, a visitor must report to the office before visiting a classroom. It is the duty of every teacher and staff member upon seeing a stranger in the building to ask if they have been to the office. If the visitor has not, he/she should be directed to the office and the teacher should notify the office of the presence of the visitor immediately.
6. All bags and vehicles of a visitor are subject to being searched.

#### 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 students 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 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 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 school only during school hours.
  2. A visitor may remove a student from school only in strict accordance with Policy No. 5230.
  3. A visitor may confer with a student 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 students, 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 students in the classroom.



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 students; 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 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 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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## R 9270 HOME SCHOOLING AND EQUIVALENT EDUCATION OUTSIDE THE SCHOOL

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.
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.



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Home Schooling and Equivalent Education  
Outside the School

### 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 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.



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## COMMERCIAL TOWNSHIP BOARD OF EDUCATION

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Home Schooling and Equivalent Education  
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- 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.

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

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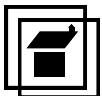
### R 9320 COOPERATION WITH LAW ENFORCEMENT AGENCIES

#### A. Relations with Local Police Department

1. The Principal 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 students and to impress students 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 Principal will impress upon the police his/her role as protector of the rights and interests of the students 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. "Principal" means the 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 Principal or, in the absence of the Principal, the staff member in charge of the school building. If the 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 Principal at the earliest possible time.



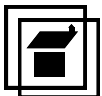
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Cooperation with Law Enforcement Agencies

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 Regulation No. 5530;
  - 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 Regulation No. 7440;
  - c. When an act of vandalism has occurred, in accordance with Regulation No. 7610;
  - d. When fire is detected and immediately after the fire department has been summoned, in accordance with Regulation No. 8420.1;
  - e. When a bomb threat has been received, in accordance with Regulation No. 8420.2;
  - f. When the school is threatened by toxic hazard, in accordance with Regulation No. 8431;
  - g. In a serious medical emergency, in accordance with Regulation No. 8441;
  - h. When a visitor to the school is seriously disruptive and/or refuses to obey the Principal's order to leave the premises, in accordance with Regulation No. 9150; and
  - i. In any other instance in which the 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;

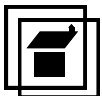




- b. The name and location of the school building in which law enforcement is needed; and
      - c. A brief description of the nature of the situation, including an accurate assessment of the seriousness of the situation.
  5. If possible, a staff member or responsible student should be dispatched to 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 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 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 Principal shall demand proper identification of any individual who represents him/herself as a police officer before the Principal permits any investigation to go forward. The 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 Regulation No. 8310.



- b. A request for access to district or Board of Education records that are classified as confidential by Policy No. 8310 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 Policy No. 8320 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 student records that are classified as confidential by law and by Policy No. 8330 shall be reported to the Superintendent and shall be released only if:
    - (1) The adult student concerned or parent(s) or legal guardian(s) of the minor student 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 student concerned or parent(s) or legal guardian(s) of the minor student 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 student records that are classified as confidential.
3. A request by law enforcement officials to interrogate students, on school premises or while under the protection of the school, shall be handled as follows:



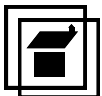
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Cooperation with Law Enforcement Agencies

- a. The police officer shall be required to ask the Principal for access to the student, regardless of the student's location in or about school premises or on a school-sponsored trip or at a school-sponsored event.
- b. The 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 students or other persons; or
  - (4) Other reasons law enforcement officials believe an interrogation must be conducted in school and cannot wait until the student is away from school.
- c. The Principal shall make every reasonable effort to notify the student's parent(s) or legal guardian(s) of the request by law enforcement officials to interrogate the student while in school to receive the parent's or legal guardian's consent to permit the student to be interrogated before the interrogation.
  - (1) The Principal will permit the interrogation if the parent(s) or legal guardian(s) consents to the interrogation.
  - (2) The Principal will delay the interrogation in the event the parent(s) or legal guardian(s) requests to be present during the interrogation.
  - (3) The 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 Principal for the reasons in (3) above, the Principal will immediately contact the Superintendent, who will contact the Board Attorney to determine the Principal's and school district's legal responsibilities under the circumstances of law enforcement's request for the student to be interrogated in school.



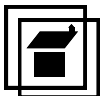
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Cooperation with Law Enforcement Agencies

- d. A student shall not be removed from school for interrogation unless:
  - (1) The student has been lawfully arrested; or
  - (2) The adult student or the parent(s) or legal guardian(s) of a minor student has consented to the removal.
4. All searches and seizures of students, 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 Policy No. 5770.
  - 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.



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- 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 student, 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 Principal for access to the student, regardless of the student'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 student unless:
    - (1) The Principal lawfully requests the removal of the student; or
    - (2) The officer has probable cause to arrest the student for a felony; or
    - (3) The officer has an arrest warrant or a judicial order requiring the custody of the student.
  - c. The 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 student's privacy, such as taking custody in a private place or assigning the taking of custody to a nonuniformed police officer or a school security officer.
  - d. The Principal shall make every reasonable effort to notify the student's parent(s) or legal guardian(s) of the impending arrest.



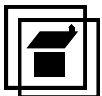
# REGULATION

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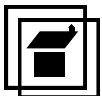
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- e. The Principal shall determine the place to which the student will be removed and held in custody or detention and will so inform the parent(s) or legal guardian(s).
  - f. Notwithstanding anything to the contrary in this Regulation, a police officer 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 student for such a crime.
  - g. In any situation in which a police officer takes direct action, the Principal shall be promptly notified.
- E. Reporting Students 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 student 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 Principal or, in the absence of the Principal, to the staff member responsible at the time of the alleged violation.
    - a. Either the 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 student or staff member involved.
    - c. The Superintendent and/or Principal will not disclose the identity of any student or staff member who has voluntarily sought treatment or counseling for a substance abuse problem provided the student or staff member is not currently involved or implicated in drug distribution activities.



- d. An admission by a student or staff member in response to questioning initiated by the Principal or teaching staff member, or following the discovery of a controlled dangerous substance, including anabolic steroids or drug paraphernalia by the Principal or teaching staff member, shall not constitute a voluntary, self-initiated request for counseling and treatment.
2. The Principal, or in the absence of the 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 student or other person is in unlawful possession of a firearm or other deadly weapon, whether on or off school property, 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 property or during school operating hours.
  - a. Either the 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 student or staff member involved.
3. The Superintendent and/or the 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 student 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 student genuinely intends at some time in the future to commit the violent act or carry out the threat.
4. The Superintendent and/or the 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 student during school operating hours or during school-related functions or activities.



5. School employees will immediately notify the 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 student, 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 student 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 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 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 student, 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 Principal or designee.
    - a. The Principal or designee shall immediately notify the Superintendent or designee who shall notify the Police Department.
    - b. The school employee, 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 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:





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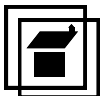
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- (1) The identity of all persons who had custody of the substance or paraphernalia following its discovery or seizure; and
  - (2) The identity of any student or staff member believed to have been in possession of the substance or paraphernalia.
- d. The Principal will not disclose the identity of any student 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 student or staff member was involved with the substance or paraphernalia for the purpose of personal use, not distribution activities, and further provided that the student or staff member agrees to participate in an appropriate treatment or counseling program.

An admission by a student or staff member in response to questioning initiated by the Principal or teaching staff member, or following the discovery of a controlled dangerous substance, including anabolic steroids, or drug paraphernalia by the 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 Student or Staff Involvement in Substance Abuse Intervention and Treatment Programs
1. All information concerning a student'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.



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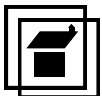
Cooperation with Law Enforcement Agencies

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 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 student or staff member has received or is receiving services through the local district's comprehensive alcohol and other drug abuse program. The Principal will not disclose any information, including the student'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 Principal shall report to the Superintendent each incident involving an interrogation, search, or arrest of a student by a law enforcement agent.
2. The Principal shall record in writing and enter in the student'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 student;
  - d. The notification or attempt to notify the student'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 student was fairly or unfairly treated.



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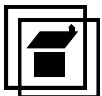
### I. In-Service Training

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 Policy and Regulation 9320.

### 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 of Schools.

Issued: 09 March 2021



### 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 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.



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Sex Offender Registration and Notification

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.
  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: 09 March 2021

