

POLICY

BOARD OF EDUCATION FRANKLIN BOROUGH

COMMUNITY

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Sex Offender Registration and Notification

Oct 95

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

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

Definitions

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

Organizations and groups to be included on the notification list of sex offenders under this law are to be limited to those groups, agencies, and organizations that own or operate an establishment where children gather under their care, or where women are cared for. Moreover, only those that are "likely to encounter" the offender shall be notified in any specific case. "Likely to encounter" means law enforcement agencies, community organizations or members of the community who are in a location or close geographic proximity to a location which the offender visits or can be presume to visit on a regular basis.

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

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The School District is automatically included on the community notification list and is not required to register to be notified under Tier Two or Tier Three notifications. Where the risk of re-offense is determined by the County Prosecutor's Office to be moderate or high in accordance with the law, the County Prosecutor's Office and/or the appropriate law enforcement office will notify the school district 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. The school district is entitled to receive the offender's name and a recent photograph, along with a physical description, the offense of which he/she was convicted, their address, place of employment and/or schooling, and vehicle license number.

The Board of Education shall take appropriate steps to educate and alert those staff members who are charged with the care and supervision of children, emphasizing that this information is intended to assist such staff members in the protection of their charges, not to provide notification to the community at large. All sex offender notification information to the community must be released by the appropriate law enforcement agency of the County Prosecutor's Office. The school district and/or any school staff member shall keep all sex offender notification information confidential. In the event the school district is notified a pupil is a Tier One or Two sex offender, the school district will cooperate with the local law enforcement and the County Prosecutor's Office on community notification consistent with the law and guidelines of the New Jersey Attorney General's Office.

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

The Board of Education building principal of each school notified by the Prosecutor's Office will have the discretion to make the determination as to which employees within the school should be informed of the notification. The building principal should share the notice with any person who in the course of the duties of his or 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 venter who will provide notice to the employees. The Principal shall only notify school appropriate district staff of Tier Two or Tier Three

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notifications and not to provide notification to the community at large. Guidance to the school district in providing this information to staff members will be obtainable from the County Prosecutor's Office.

N.J.S.A. 2C:7-1 et seq.
Guidelines – New Jersey Office of the Attorney General

Date Adopted: 8/20/98
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