

HARRISON TOWNSHIP SCHOOL DISTRICT  
MULLICA HILL, NEW JERSEY

FILE CODE 1420  
 Monitored  
 Mandated  
 Other Reasons

**MEGAN'S LAW**

**Overview:**

New Jersey's Registrations and Community Notification Laws commonly known as "Megan's Law", requires convicted sex offenders to register with the local police in the town where they reside. The police notify the prosecutor's office, which determines whether the offender is Tier 1 (low risk), Tier 2 (moderate risk), or Tier 3 (high risk).

Harrison Township School District will be notified by the prosecutor's office for Tier 2 or Tier 3 as follows:

1. The District Superintendent will be given a copy of the notice at the same time the notice is distributed to school principals. The District Superintendent should not notify the targeted school.
2. The principal of the targeted school will receive notification from the prosecutor's office.
3. The principal of each school will have the discretion to make the determination as to which employees within the school should be informed of the notifications. This determination must be made within the context of the following definition and the list provided here of employees or volunteers who may fit the description:

*The school building principals should share the notice with any person who in the course of the duties of their employment or assignment is regularly in a position to observe unauthorized persons on or near the property of the notified school.*

Below is a list of examples of employees who may be given this information for use in the course of their job-related activities. The list is not meant to prevent sharing the notice with someone who meets the definition above, but whose job title is not included on this list, nor is it meant to require that the principals notify everyone who is in a job title included on this list. The principals should make a determination of who to notify based on the definition above and on the specific job duties carried out in their school.

List of employees or volunteers to be considered for notification:

1. aides
2. bus drivers
3. maintenance staff
4. professional support staff
5. school level administrative staff
6. teachers' assistants
7. teachers

If any of the above functions are performed by private vendors (i.e. food services), the principals or District Superintendent should inform the private vendor so that employees who in the course of the duties of their employment are regularly in a position to observe unauthorized persons on or near the property the school may be notified.

**Levels of Notice for Tiers Two and Three:**

1. Tier Two; Notification by Schools

The school is not permitted to disseminate this information to the following:

- a. members of parent-teacher organizations
  - b. organizations using school facilities
  - c. other schools
  - d. parents or guardians of students
  - e. press
  - f. students
2. If an organization using school facilities such as a scout group or athletic league requests this information from school personnel, the organization should be directed to register with the prosecutor's office and may be provided with registration forms to be completed by the director of the organization and sent to the appropriate law enforcement agencies. Community organizations which have direct supervision over children and/or women may register with local police and obtain approval from the prosecutor's office if they wish to receive notices.
  3. If members of the press contact the school, the Superintendent will inform the press of the district's policy procedures which have been put in place. No one may reveal the name or any other specifics regarding whether notice as to any particular offender has been disseminated.

4. Tier 3 Notification (High Risk)

If it is determined by the prosecutor's office that the Harrison Township School population is likely to encounter a Tier 3 offender the notification process will be as follows:

- a. The prosecutor's office will provide a list of persons who may be notified to the principal.
- b. The prosecutor's office will provide the notices and envelopes to be distributed by the school.
- c. The district may add a cover letter to envelopes, however, the contents of the letter must be reviewed with the prosecutor's office prior to distribution. The cover letter will explain that the school employees are aware of the existence and location of the offender and that every possible precaution will be taken to protect the children.
- d. The district must review appropriate methods to use for dissemination of the notices with prosecutor's office.
- e. Notices will be sent home to the parents by mail, not with students.
- f. Age-appropriate discussions may be held in the classrooms explaining the potential danger to the students, but they should not be provided with copies of notice.
- g. School meetings may be held to provide parents, guardians, teaching staff, and administrative staff with information and support.
- h. Copies of the notice should not be posted on school bulletin boards. Copies of the notice must be kept in a secure place accessible to teachers and staff, but not accessible to students or members of the community.

**Offenders Who Are Students, or Parents/Guardians of Students:**

Nothing under the Megan's Law Notification precludes a sex offender registrant from attending school as a student.

1. Nothing under the notification guideline precludes a sex offender registrant who is the parent or guardian of a child enrolled in a school from entering school property for parent-teacher conferences, for dropping off the child at school, or for any other activity which is appropriate for a parent or guardian.

However, please note that in some cases judicial restraining orders or conditions of probation or parole may limit such activities by sex offender registrants who are parents

**Notification Immunity:**

1. Statute – N.J.S.A. 2C:7-9 provides that “notwithstanding any other provision of law to the contrary, any person who provides or fails to provide information relevant to the procedure set forth in this act (Registration and Notification of Release of Certain Offenders) shall not be liable in any civil or criminal action.

Nothing herein shall be deemed to grant any such immunity to any person for his willful or wanton act of commission or omission.”

2. Information about convicted sex offenders is being provided to school personnel so that they can take all appropriate steps to protect students they are supervising. Only law enforcement has the authority to decide who will receive notice. Therefore, it is imperative that school personnel receiving notice understand that they are receiving sex offender notifications in their official capacity and are not to disseminate information about an offender to anyone outside the school. Improper dissemination of the information about an offender may lead to disciplinary action being taken. Moreover, law enforcement will carefully investigate all allegations of criminal conduct taken by any person against the offender, the offender’s family, employer or school and, where appropriate, criminal prosecution will occur.
3. In other words, should an employee receive information about a sex offender living in their neighborhood in their capacity as an employee and keep this information confidential as they are required by law to do, they will not be held liable if this individual then assaults their neighbor’s child and their neighbor finds out the employee had access to this information and didn’t reveal it. Of equal import, should the employee tell their child or spouse what they have learned in their professional capacity and they in turn, do harm to the registrant or his property the employee may be held liable for that conduct due to their intentional disclosure (however well-meaning it may have been) of confidential information. All employees who are notified must sign the Megan’s Law Notification Affidavit enclosed in this policy.
4. If any school employee has reason to believe that an offender who has been the subject of a notification is a danger to someone outside the school environs, then he or she should immediately contact the local law enforcement agency or the county prosecutor.

**New Staff or Students; Subsequent School Years; Vacation:**

1. New Staff or Students  
There is no ongoing obligation to distribute notices to students or staff who are enrolled or hired after the initial notification. However, the school may retain the notices for training subsequently hired staff. Notices may also be distributed to the parents or guardians of newly enrolled students during the same school year at the school's discretion unless the prosecutor has notified the school that notice can no longer be given.
2. Subsequent School Years  
The school may use notices for training staff in subsequent school years at the discretion of the principal.
3. Notification During Vacation  
It is possible that notification will occur during summer vacation, or some other time when school is closed for an extended period. If the school district receives a Tier Two notification, the procedures will be followed for any school employees who are working during the vacation period. Remaining staff members will be informed when they return to work. If the school receives a Tier Three notification and is not in session on the day that the prosecutor's office conducts notification, notices will still be provided to the school principal. Notices will be mailed to the parents of children who are registered for the upcoming school year, along with an explanation that the school employees will be aware of the existence and location of the offender and that every possible precaution will be taken to protect the students

**Conclusion:**

Harrison Township School District will follow all directions received from the Gloucester County Prosecutor's Office and local law enforcement officials. Any uncertainties that arise will be directed to the Gloucester County Prosecutor's Office in accordance with Megan's Law.

**Board Approval: September 24, 2007**