

REGULATION

BAYONNE SCHOOL DISTRICT

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SEX OFFENDER REGISTRATION AND NOTIFICATION

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 school district will be notified, without the need to register to be notified, by the appropriate law enforcement agency or the county prosecutor's office for all sex offenders classified as Tier Two or Tier Three Offenders. Local law enforcement agencies and/or the county prosecutor's office will



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determine there is a "fair chance to encounter" the offender in determining community notification. In any event the school district will be notified for all Tier Two and Tier Three Offenders.

2. 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.

C. School District Procedure Upon Notification From the Law Enforcement Agency/County Prosecutor's Office

1. It is the responsibility of the school district to 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. Upon notification of a Tier Two or Tier Three Sex offender, the school district will determine the school(s) whose children and staff are "likely to encounter" the sex offender. The criteria is as follows:

a. Residence - The receiving school in which the sex offender resides within the municipality shall be considered a school staff "likely to encounter;"

b. Place of Work - The school building(s) located within the receiving area of the sex offender's place of employment;

c. Commercial Establishments Frequented By Sex Offender - The school district may determine any other school(s) within the receiving area of an establishment frequented by the offender. The school district will request assistance from law enforcement agencies and the county prosecutor's office to determine these establishments;



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d. Miscellaneous - Any other school(s) as determined by the appropriate law enforcement agency and/or county prosecutor's office.

3. Upon determining the school(s) to be notified, the Superintendent will notify the building principal(s) of the school(s) and provide all the information provided to the school district by the appropriate law enforcement agency or the county prosecutor's office to the building principal.

4. The building principal(s), upon receipt of the offender information, will share 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 with all the school staff, including custodians, bus drivers, cafeteria workers and all staff who work in the school building.

5. 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.

6. The school district and all school staff are prohibited from releasing any of this information to the public at large. All inquiries from community members, non-affected school staff, all parents or legal guardians and other members of the general public shall be directed to the appropriate law enforcement agency and/or the county prosecutor's office.

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

Guidelines - New Jersey Office of the Attorney General

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