

9000 Series –

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9120 - PUBLIC INFORMATION PROGRAM (Regulation)

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 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 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.
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 City of Passaic.
4. At least once each year, the principal of each school should prepare a bulletin or news item of interest in his or her building. A copy of the item will be sent to the Superintendent for clearance before the bulletin or item may be released to the press.
5. The office of the Superintendent will prepare and disseminate

- a. An annual calendar of Board, district, and school events open to the public;
 - b. A district newsletter, to be issued quarterly.
 - c. Information about the proposed budget, in accordance with Policy No. 6230;
 - d. News releases about Board activities and district-wide activities.
6. The principal of each school will prepare, submit to the Superintendent for approval, and disseminate the following public information publications.
- a. A student handbook will be given to each pupil enrolled in the school or to the pupil's parent. 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, parents, 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 and pupils.
 - d. Programs for specific performances and athletic contests will be distributed to attendees and participants.

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 Superintendent
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, typewriter, 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 press room, 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.

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. Any display must be approved in advance by the school principal.
3. 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.

4. A letter of appreciation shall be sent to the facility after the display is removed.

Adopted: 21 December 1995

9130 - PUBLIC COMPLAINTS AND GRIEVANCES (Regulation)

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 or 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 30 days of his or 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 ten days 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 or her disposition of the complaint and shall, within ten days 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 ten days of his or 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 ten days of the receipt of the request, conduct an informal hearing before a committee of Board members, in which the complainant will present his or 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 or her own behalf.
 - d. The Board shall, within 30 days 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.
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 ten 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.
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.

Adopted: 21 December 1995

9140 - CITIZENS ADVISORY COMMITTEE (Regulation)

M

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 schools;
2. Appoint a chairperson;
3. Appoint himself or 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 or 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.
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.

Adopted: 21 December 1995

District Regulation

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, 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 to proceed no farther without registering in the school office.
3. The principal will maintain a log book in the main office of the school. Each visitor shall enter his or her name and the purpose of his or her visit in the log book, except that the principal may exempt tradespersons 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 tradesperson 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 or her destination, except that the principal may permit visitors familiar with the school and personally known to the principal to proceed unaccompanied.
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 or 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 or her visit, he or 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 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. A parent 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 log book.
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. A parent who has been denied access to his or 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 or by appointment.
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 one class period 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 parents of pupils in the classroom.

E. Disruptive visitors

1. The principal has complete authority to exclude from school premises any person whom he or 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 or 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 City of Passaic 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 or 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 insure that doors can be opened from the inside by pressure on crash bars).

Adopted: 21 December 1995

9161 - CROWD CONTROL (Regulation)

The Principal and/or his/her designee 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 City of Passaic Police Department will be notified of the date and time of the event and the anticipated public. The Principal or his/her designee 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 or 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.
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, 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 positive 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.

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 Principal or his/her designee will consult with representatives of the visiting team to insure 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;
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. Bring and/or consume no alcoholic beverage or narcotic or drug 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 in which smoking is prohibited;
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.

Adopted: 21 December 1995

9180 - SCHOOL VOLUNTEERS (Regulation)

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 or her.
3. A volunteer must respect the individuality, dignity, and worth of each pupil. A volunteer must never punish or rebuke a pupil.

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.

Adopted: 21 December 1995

9190 - COMMUNITY ORGANIZATIONS (Regulation)

M

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.

Adopted: 21 December 1995

9200 - PARENTAL RELATIONS (Regulation)

In accordance with the policy of the Board, the following types of parental meetings will be held by the individual schools:

- A. Parent-teacher conferences provide intense two-way communication between home and school and can establish, through mutual reinforcement, a strong base on which to support the student in his/her development in both environments. The following results may be achieved by such conferences:
 - 1. The student gains security in knowing that his/her problems are known and are being shared.
 - 2. Parents and teachers get to know each other on a personal basis.
 - 3. Parents become better informed about the school programs and objectives and gain a greater understanding of their child's progress in relation to these.
 - 4. Teachers acquire important knowledge about the child's background, aptitudes, interests, and problems.
 - 5. By obtaining a broader understanding of the child's present achievement in relation to proven ability and prior achievement, parents and teachers can determine what each should do in their respective areas of responsibility to best assist in the development of the child.

- B. An open house in each district school provides parents with the opportunity to see the school facilities, meet the faculty, and sample the program on a firsthand basis.
 - 1. "Open House" times and dates should be established to serve the best interests of all concerned: parents, teachers, and students, if necessary.
 - 2. Principals shall involve parents, teachers, and students, if necessary, in the preparation of recommendations.
 - 3. Recommendations will be considered and evaluated by the Instructional Council, and the Superintendent's Cabinet, with final decision made by the Superintendent.

- C. Meetings will be held periodically with parents to explain and discuss matters of general interest or concern with regard to child-school, child-home, or child-school-home relationships.

- D. Meetings will be held periodically with groups of parents of those students having special abilities, disabilities, needs or problems.

- E. Special events of a cultural, ethnic, or topical nature, which are initiated by parent groups, involve the cooperative effort of students and parents, and are of general interest to the schools or community, will be encouraged and supported by the Board, including those meetings sponsored by the various building
- F. For the benefit of children, the Board believes that parents have a responsibility to encourage their child's career in school by:
 - 1. Supporting the schools in requiring that the children observe all school rules and regulations, and by accepting their own responsibility for children's willful in-school misbehavior.
 - 2. Sending children to school with proper attention to their health, personal cleanliness, and dress.
 - 3. Maintaining an active interest in the students' daily work and making it possible for the student to complete assigned homework by providing a quiet place and suitable conditions for study.
 - 4. Reading all communications from the school, and sign and return them promptly when this is required.
 - 5. Cooperating with the school in attending conferences set up for the exchange of information on the child's progress in school.

Back to School Night

In order to inform the public of school events and to enlist its understanding and support, frequent notices are sent home via the students.

The school will sponsor a Back to School Night in the evening every Fall to give parents a chance to visit the school and to meet the teachers and Principal to whom they entrust their children. Announcement of this event will be taken home by each child.

Adopted: 21 December 1995

9320 - COOPERATION WITH LAW ENFORCEMENT AGENCIES (Regulation)

A. Relations with local police department

1. The principal of each school 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 nonthreatening.
3. Police should be encouraged to take active roles as resource persons in school programs in order to bring them into direct contact with pupils and to impress pupils 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 family life education.
4. At the same time that he or 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 or her role as protector of the rights and interests of the pupils enrolled in the school.

B. Summoning the police in an emergency

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 or her call to the police to the principal at the earliest possible time.
2. The telephone number by which police can be summoned shall be prominently displayed at every telephone in the school that has a direct outside line.
3. Police officers should be summoned to the school
 - a. When an incident involving the use, possession, or distribution of alcohol or drugs 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 a act of vandalism has occurred, in accordance with Regulation No. 7610;

- d. When fire is detected and 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 that persons 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 the emergency has occurred; and
 - c. A brief description of the nature of the situation, including an accurate assessment of the seriousness of the emergency.
5. If possible, a staff member or responsible pupil 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

- 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 or 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/School Business Administrator, 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 or her file or
 - (2) The police officer presents a warrant directing search of the file.
 - d. A request for access to pupil 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 pupil concerned or parent of the minor pupil concerned has consented in writing to the inspection or
 - (2) The police officer presents to the Superintendent a court order directing access to the record or
 - (3) The adult pupil concerned or parent of the minor pupil 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.

3. A request to interrogate pupils, 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 pupil, regardless of the pupil's location in or about school premises or on a school-sponsored trip or at a school-sponsored event.
 - b. The principal shall ascertain the reason for the interrogation and whether the pupil is suspected of having committed an offense or is merely being questioned for information.
 - c. 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 pupils or other persons.
 - d. The principal shall make every reasonable effort to notify the pupil's parent of the interrogation before it begins.
 - e. The principal shall call the pupil to his or her office and shall remain present throughout the interrogation.
 - f. The principal shall make it clear to both the police officer and the pupil that his or her presence is for the protection of the pupil, not to assist the interrogation process.
 - g. If the police officer has not done so, the principal shall inform the pupil that he or she is not required by law to answer questions. The principal shall
 - (1) Neither encourage nor discourage the pupil in his or her response to questioning nor counsel the pupil in any way;
 - (2) Prohibit the use of threats or pressure of any kind to elicit a response from the pupil;
 - (3) Refrain from conducting the interrogation on behalf of the police officer; and

- (4) Terminate the interview whenever he or she determines that it is conducted with less than fundamental fairness to the pupil.
 - h. A pupil shall not be removed from school for interrogation unless
 - (1) The pupil has been lawfully arrested or
 - (2) The adult pupil or the parent of a minor pupil has consented to the removal.
- 4. The search and seizure of pupil's property shall be conducted in strict compliance with Policy No. 5770. The principal shall conduct a pupil search on the request of a police officer only
 - a. On presentation of a duly authorized search warrant or
 - b. On the voluntary and knowing consent of the adult pupil or of the parent of a minor pupil or
 - c. When the principal has independent grounds, separate from those presented by the police officer, to suspect the presence of an incriminating object.
- 5. A request or attempt to arrest a pupil, 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 pupil, regardless of the pupil'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 pupil unless
 - (1) The principal lawfully requests the removal of the pupil or
 - (2) The officer has probable cause to arrest the pupil for a felony or
 - (3) The officer has an arrest warrant or a judicial order requiring the custody of the pupil.
 - 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 pupil'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 pupil's parent of the impending arrest.
- e. The principal shall determine the place to which the pupil will be removed and held in custody or detention and will so inform the parent.
- 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 pupil for such a crime.
- g. In any situation in which a police officer takes direct action, the principal shall be promptly notified.

E. Records

- 1. The principal shall report to the Superintendent each incident involving an interrogation, search, or arrest of a pupil by a law enforcement agent.
- 2. The principal shall record in writing and enter in the pupil's file
 - a. The date, time, place, and circumstances of the incident;
 - b. The name of the officer and the law enforcement agency he or she represents;
 - c. The name of the pupil;
 - d. The notification or attempt to notify the pupil's parent; and
 - e. An anecdotal description of the incident, including such information regarding its conduct as may be necessary to show that the pupil was fairly or unfairly treated.

Adopted: 21 December 1995

9322 - DRUG FREE SCHOOL ZONES (Regulation)

M

A. Definitions

1. "Controlled dangerous substance" means a drug, substance, or immediate precursor as defined at N.J.S.A. C:35-2 and includes controlled substance analogs.
2. "County Prosecutor" means the prosecutor of the County of Passaic.
3. "Dispute" means a question, dispute, or objection as to any proposed or ongoing law enforcement operation or activity.
4. "Drug free school zone" means the zone comprised of a school building, its grounds, and the area surrounding the school within a boundary established one thousand feet in all directions from the outer boundary of the school property. The drug free school zone will be set by the appropriate law enforcement agency.
5. "Law enforcement agency" means the City of Passaic Police Department.
6. "Law enforcement officer" means a sworn officer of the law enforcement agency.
7. "Memorandum of understanding" means an agreement entered by the Board of Education and the law enforcement agency governing the roles and responsibilities of school employees and law enforcement officers with respect to controlled dangerous substances and to the planning and conduct of law enforcement activities and operations occurring on school property.
8. "Operating school hours" means the time period in which the school is in session or when pupils are engaged in school-related activities under the supervision of teaching staff members.
9. "Parent" means the parent or parents or legal guardian having legal custody and control of a pupil.
10. "Planned arrest" means an arrest or taking into custody based upon probable cause which was known to a law enforcement officer sufficiently in advance of the time of the actual arrest, whether as a result of an undercover school operation, planned narcotics surveillance, or otherwise, so that there was sufficient opportunity for the arresting officer or any other law enforcement officer to apply for and obtain an arrest warrant, even though an arrest warrant may not have been sought or issued. The term includes arrests made pursuant to a "clean sweep" operation.

11. "Planned narcotics surveillance" means a planned operation wherein a law enforcement officer(s) enters onto a school property or buildings in plainclothes during or while participating in activities associated with the use, possession, or distribution of any controlled dangerous substance. The term does not include observations made by a law enforcement officer, whether in uniform or in plainclothes, from any place or property not owned by the Board of Education.
12. "Principal" means the administrator in charge of a school building or facility and includes the qualified person, if any, duly delegated by the principal to perform the duty or discharge the responsibility assigned to the principal.
13. "Routine patrol" means activities undertaken by a law enforcement officer, whether in uniform or in plain-clothes and whether on foot or in a marked or unmarked vehicle, to patrol areas within a drug free school zone for the purpose of observing or deterring any criminal violation or civil disturbance.
14. "School employee" means a person employed by the Board of Education and includes the Superintendent, all administrators, all other teaching staff members, and all support staff members.
15. "Spontaneous arrest" means an arrest or taking into custody based upon probable cause to believe that an offense is being committed in the arresting officer's presence under circumstances where the officer could not have foreseen with certainty that the specific offense would occur and thus where the arresting officer had no reasonable opportunity to apply for an arrest warrant. The term includes any arrest or taking into custody in response to a request by a school official.
16. "Undercover school operation" means a planned operation undertaken by a law enforcement agency wherein a law enforcement officer(s) is placed in a school community and poses as a member of the school community for the purpose of identifying and eventually apprehending persons engaged in the illegal distribution of controlled dangerous substances.

B. Liaison officer roles and responsibilities

The liaison officer(s) appointed by the Board of Education pursuant to Policy No. 9322 shall

1. Facilitate communication and cooperation between the school district and the law enforcement agency;
2. Identify issues or problems that arise in the implementation of Policy No. 9322 and this regulation and facilitate the resolution of such problem;
3. Act as the primary contact person between the schools and the law enforcement agency;

4. Cooperate with the law enforcement agency in developing training programs and other joint efforts, including information exchanges and joint speaking engagements;
5. Maintain communications with school staff members charged with intervention and prevention efforts;
6. Maintain communications with the liaison officer appointed by the law enforcement agency; and
7. Report regularly to the Superintendent on matters relating to school district and law enforcement cooperation.

C. Staff cooperation with arrests made by law enforcement officers

1. Staff members shall be governed by the terms of the memorandum of understanding, if any, entered into by the Board and the law enforcement agency regarding the preferred procedures by which law enforcement officers will be summoned to arrest persons and permitted to enter school premises for the purpose of effecting arrests.
2. To the maximum extent possible consistent with public safety, an arrest on school premises will be effected in such a manner as to permit the continuation of the educational program without disruption.
3. The principal shall be prepared to suggest to a law enforcement officer the place and manner of effecting the arrest that will permit the least disruption of the educational program. Whenever possible, an arrest should be made in the principal's office or in another area not populated by pupils.
4. A school employee who believes that a law enforcement officer should be summoned to effect an arrest shall, whenever possible, so inform the principal and the principal shall call the law enforcement agency. If informing the principal is not possible or would delay the call, the employee shall summon the law enforcement agency directly and shall inform the principal as soon as possible thereafter.
5. The principal shall require that a law enforcement officer inform him or her whenever a pupil enrolled in this district is arrested and removed from school premises. The principal shall require the name of the pupil and information regarding the circumstances of the arrest.
6. The principal shall require that a law enforcement officer inform him or her whenever a person other than a pupil is arrested and removed from school

premises. The principal shall require information regarding the circumstances of the arrest, and, if the arrested person is not a juvenile, his or her name.

7. The principal shall be informed of an arrest of a pupil enrolled in his or her school when the pupil is arrested
 - a. Off school property during operating school hours or
 - b. While the pupil is under the care and custody of a school official or teaching staff member or
 - c. In transit between school and home at the time of the arrest.
8. The principal shall make and keep a record of the arrest of any pupil enrolled in his or her school. The record shall be kept confidential and shall include:
 - a. The pupil's name, age, and grade;
 - b. The name of the arresting officer;
 - c. The place to which the pupil was taken, if known;
 - d. The circumstances of the arrest to the extent they are known;
 - e. The manner in which and time at which the pupil's parent was notified or, if the parent was not notified, the efforts made to find and notify the parent; and
 - f. The disposition of the criminal matter.
9. No school employee shall impede any law enforcement officer engaged in a lawful arrest, whether or not the officer has presented an arrest warrant.
10. A question regarding the legality of any contemplated or ongoing arrest conducted by a law enforcement officer and relating to the use, distribution, or possession of a controlled dangerous substance may be directed to the County Prosecutor. A question regarding an arrest undertaken by a member of the Statewide Narcotics Task Force may be directed to the Assistant Attorney General in charge.

D. Searches on school premises

1. School administrators having a legitimate interest in maintaining pupil discipline are authorized to conduct investigations of suspected rule infractions and to subject pupils and pupils' property to reasonable searches and seizures.

2. A search conducted by a school employee of a pupil or a pupil's personal property or a place in which a pupil has a reasonable expectation of privacy must comply with Policy No. 5770, Pupil Privacy.
3. A principal may request that a law enforcement officer assume the responsibility for conducting a search or seizure. Because law enforcement officers must meet a legal standard for the conduct of a search or seizure more stringent than that imposed on school officials, the law enforcement officer may decline to conduct the search.
4. No school employee shall impede any law enforcement officer engaged in a lawful search or seizure, whether or not the officer has presented a search warrant.
5. When law enforcement officers arrive on the scene of a joint and cooperative search commenced by school officials, the law enforcement officers will assume responsibility for the search and will conduct the search thereafter in accordance with standards governing the conduct of searches by law enforcement officers.
6. Any substance believed to be a controlled dangerous substance that comes into the possession of a school employee, whether as the result of a search or otherwise, must be handled in accordance with paragraph G of this regulation.
7. A school employee is authorized to exercise independent judgment in the search of pupils and pupils' property. Unless the school employee has made an independent determination that a search or seizure is warranted under his or her authority to discipline pupils and maintain the order of the school, no school employee may be required to participate actively in a search or seizure
 - a. Conducted or supervised by a law enforcement officer or
 - b. On behalf of a law enforcement officer or
 - c. For the sole purpose of ultimately turning evidence of a crime over to a law enforcement agency.
8. A question regarding a search conducted by a school employee and relating to the use, distribution, or possession of a controlled dangerous substance shall be directed to the County Prosecutor.
9. A question regarding the legality of any contemplated or ongoing search or seizure conducted by a law enforcement officer and relating to the use, distribution, or possession of a controlled dangerous substance or the law regarding searches generally may be directed to the County Prosecutor. A question regarding a search undertaken by a member of the Statewide Narcotics Task Force may be directed to the Assistant Attorney General in charge.

- E. Interviews of pupils suspected of possessing, using, or distributing a controlled dangerous substance
1. A law enforcement officer who wishes to interview a pupil shall be required to ask the principal for access to the pupil, regardless of the pupil's location in or about school premises or on a school-sponsored trip or at a school-sponsored event.
 2. The principal shall ascertain the reason for the interview and whether the pupil is suspected of having committed an offense involving the use, possession, or distribution of a controlled dangerous substance or is merely being questioned for information.
 3. The principal shall ask the law enforcement officer to delay the interview or conduct the interview away from school. In general, it should not be necessary to conduct an interview in school unless the matter involves
 - a. A crime committed in school or
 - b. An investigation that would be compromised without the interview in school or
 - c. An endangerment to the lives or safety of pupils or other persons.
 4. The principal shall notify the pupil's parent of the interview before it begins. The pupil may be questioned in the absence of the parent only if the parent refuses to attend or cannot be reached after all reasonable efforts at notification have failed.
 5. If the interview is to be conducted in school, the principal shall call the pupil to his or her office and shall remain present throughout the interview.
 6. If the law enforcement officer has not done so, the principal shall inform the pupil that he or she is not required by law to answer questions.
 7. If the police officer has not done so, the principal shall inform the pupil that he or she may request the presence of an attorney. If the pupil or his or her parent so requests, the interview will be terminated pending the participation of the pupil's attorney.
 8. The principal shall make it clear to both the law enforcement officer and the pupil that his or her presence is for the protection of the pupil, not to assist the interview process. The principal shall
 - a. Neither encourage nor discourage the pupil in his or her response to questioning nor counsel the pupil in any way;

- b. Prohibit the use of threats or pressure of any kind to elicit a response from the pupil;
 - c. Refrain from conducting the interview on behalf of the law enforcement officer; and
 - d. Terminate the interview whenever he or she determines that it is conducted with less than fundamental fairness to the pupil.
9. No school employee shall conduct the interview of a pupil at the direction of a law enforcement officer when the circumstances are such that the law enforcement officer cannot legally question the pupil.

F. Undercover operations

- 1. The purpose of undercover operations is to identify and remove from school environments those persons who distribute illicit drugs and to impress on all persons that those who violate the drug laws will be subject to arrest, prosecution, and punishment.
- 2. Undercover operations may be undertaken as part of a comprehensive program designed to deal with substance abuse problems and drug trafficking activities on or near schools. No undercover operation should be permitted to interfere with school substance abuse counseling and educational initiatives.
- 3. Principals shall cooperate with law enforcement officials in the planning of undercover school operations; principals will cooperate in the conduct of such operations that have been duly approved by the Superintendent and the appropriate law enforcement authorities.
- 4. All undercover operations will be planned and conducted so as to maximize their legitimate deterrent benefits while minimizing to the greatest extent possible the risk of disruption to the educational program.
- 5. A request for an undercover operation, whether submitted by a school administrator or a law enforcement agency, must be directed to the Superintendent. No such request shall be made public. The request should include
 - a. A description of the extent and nature of the suspected drug trafficking activities and
 - b. A confidential plan for the operation that details
 - (1) The procedures to be taken to provide for the security and safety of the undercover officer;

- (2) Recommendations of school officials to assure the least disruption of the educational program;
 - (3) Assurances that any information acquired about pupils, not related to the purposes of the operation, will be kept confidential;
 - (4) A list of the school and law enforcement officers who have been apprised of the undercover operation and a chain of command; and
 - (5) School contact persons available on a round-the-clock basis.
6. School employees necessarily involved in the undercover operation shall be briefed about all legal requirements of the operation.
7. Whenever possible, the principal will be informed of the identity of the undercover officer. A school employee who learns that the identity of an undercover officer may be revealed or is compromised should convey that information immediately to the law enforcement agency directing the operation.
8. No undercover officer will
 - a. Encourage or counsel a pupil to purchase or use alcohol or any controlled dangerous substance;
 - b. Violate the confidentiality of treatment and substance abuse counseling programs and records;
 - c. Discourage a pupil from seeking substance abuse counseling or from reporting his or her dependency on drugs or alcohol;
 - d. Participate in drug or alcohol treatment or counseling
 - e. Require a school employee to violate the trust relationship established by the employee with a pupil'
 - f. Use or distribute controlled dangerous substances;
 - g. Engage in activities that disrupt the educational program;
 - h. Engage in or encourage a romantic relationship with a pupil;
 - i. Except as may be expressly approved by the officer's superior, bring a firearm to school; or
 - j. If the officer takes the position of school employee,

- (1) Teach a formal class of instruction without the express permission of the Superintendent or
 - (2) Establish or stimulate a confidential trust, or counseling relationship with any pupil.
9. Undercover operations are subject to the rules of confidentiality set forth in paragraph L.
10. The principal and the Superintendent shall be notified when the undercover operation is concluded.

G. Handling of drugs and drug paraphernalia

1. A school employee, including any substance abuse coordinator or counselor, who seizes or discovers any substance or item believed to be a controlled dangerous substance or drug paraphernalia shall immediately notify and turn over the substance or paraphernalia to the school principal.
2. The principal shall immediately notify the Superintendent, who will notify the County Prosecutor or a person designated by the County Prosecutor to receive such information.
3. The principal shall safeguard the substance or item against further use, loss, or destruction until a law enforcement officer takes custody of it.
 - a. The principal shall place the substance or item in a protective container (such as an envelope or box) and shall seal the container.
 - b. The principal shall record or cause to be recorded on the container or on a document attached to the container
 - (1) A description of the substance or item,
 - (2) The name and signature of the person who found or seized the substance or item,
 - (3) The date, time and place the substance or item was found or seized,
 - (4) The circumstances under which the substance or item was found or seized,
 - (5) The name of the pupil or staff member believed to be in possession of the substance or item when it was found or seized.

- c. The container will be placed in a secure location under lock and key and under the principal's direct control.
 - d. In the event any person other than the principal is permitted access to the substance or item prior to its retrieval by a law enforcement officer, that person shall enter his or her name and signature on the record along with the time and date of inspection and the reason for the access. Access to the substance or item will be permitted only in the presence of the principal.
 - e. The law enforcement officer who takes custody of the substance or item shall be required to sign and date the record to indicate his or her receipt of the substance or item.
4. The principal shall provide to the law enforcement officer who takes custody of the substance or item
- a. All information concerning the manner in which it was found or seized,
 - b. The identify of all persons who had custody of the substance or item following its discovery or seizure, and
 - c. The identity of any pupil or staff member believed to have been in possession of the substance or item, except that the identity of any pupil or staff member will not be released if that pupil or staff member
 - (1) Voluntarily and on his or her own initiative turned over the substance or item to a school employee and not as the result of questioning initiated by the staff member or following the discovery of the substance or item;
 - (2) Is reasonably believed to have been involved with the substance or item for his or her personal use and not for the purpose of distributing it to others; and
 - (3) Agrees to participate in an appropriate treatment or counseling program.

H. Notifying law enforcement authorities of suspected violations of the drug abuse laws

- 1. A school employee who has reason to believe that a pupil or employee has possessed or in any way been involved in the distribution of a controlled dangerous substance or drug paraphernalia on or near school property shall report the matter as soon as possible to the principal.

2. The principal shall promptly notify the Superintendent.
3. The Superintendent shall notify as soon as possible the County Prosecutor or the law enforcement official designated by the County Prosecutor to receive such information. Such notice will include
 - a. All known information concerning the matter and
 - b. The identity of the person or persons suspected of involvement, except that the Superintendent will not disclose the identity of any pupil or staff member who
 - (1) Has sought treatment or counseling for a substance abuse program voluntarily and not in response to questioning by a school employee or law enforcement officer or following the discovery of a controlled dangerous substance or drug paraphernalia, and
 - (2) Is not currently involved or implicated in drug distribution activities.
4. All referrals of pupils and employees under this section shall conform to the requirements for confidentiality set forth at N.J.A.C. 6:3-6.6 and in paragraph L of this regulation.

I. Requesting uniformed police attendance at extra-curricular events

1. The principal will supply the law enforcement agency having patrol jurisdiction over his or her school with a calendar of extra-curricular events at which the presence of police officers may be required.
2. In accordance with Regulation No. 9161, Crowd Control, the law enforcement agency will be informed of the date and time of each event and of the anticipated public attendance.
3. The principal will cooperate with the law enforcement agency in planning adequate police protection as required for deterring illegal drug use and trafficking and maintaining public order and safety.
4. The presence of uniformed police officers will be required at all major school interscholastic athletic events. The use of uniformed officers at other events, especially those conducted within school buildings, must be approved by the principal, except where the County Prosecutor or Chief of the law enforcement agency determines the use of uniformed officers is dictated by compelling reasons.

J. Notification of parent

1. The principal will notify the pupil's parent as soon as possible whenever a pupil is arrested or taken into custody for violating any laws prohibiting the possession, use, sale or other distribution of any controlled substance or drug paraphernalia.
2. The principal will notify the pupil's parent whenever a pupil is interviewed regarding his or her involvement with a controlled dangerous substance, in accordance with paragraph E of this regulation.
3. Notification will be by telephone call to the parent's home or place of work. If necessary and advisable, a school employee may be dispatched to deliver notice in person.
4. The principal will make every reasonable effort to reach the parent and will record in writing the date, time, and nature of each such effort.
5. If all reasonable efforts at telephone and personal notification have failed to locate and inform the parent, the principal will notify the parent by registered mail, return receipt requested, sent to the address indicated in the pupil's records.

K. Resolution of disputes

1. A dispute should be directed, in the first instance, to the principal. The principal, in consultation with the district liaison officer, will attempt to resolve the dispute at the most immediate level.
2. A dispute that cannot be resolved by the principal shall be referred to the Superintendent, who shall direct the matter to the chief executive officer of the law enforcement agency.
3. A dispute that cannot be resolved by the chief executive officer of the law enforcement agency will be referred to the County Prosecutor, who will cooperate with the County Superintendent toward a resolution of the matter.
4. A dispute that cannot be resolved at the county level will be resolved by the Attorney General.
5. Nothing in this paragraph should be construed as attempting to divest any person of his or her right to take action in a court of competent jurisdiction.

L. Confidentiality

1. All information concerning a pupil's or school employee's involvement in a school intervention or treatment program shall be kept strictly confidential in accordance with §408 of the Drug Abuse Prevention, Treatment and Rehabilitation Act, 21 U.S.C. 1175, and implementing regulations, 42 C.F.R. Part 2.

2. Nothing in this regulation shall be construed in any way to authorize or require the transmittal of any information or records that are in the possession of a substance abuse counseling or treatment program.
3. The principal shall not disclose to law enforcement officers or to any person other than a member of the district substance abuse program
 - a. The information that a pupil or school employee has received or is receiving evaluation or treatment services from the district's substance abuse program or
 - b. Any information, including the pupil's or school employee's identify or information about illegal activity, learned in the course of or as a result of evaluation or treatment services provided by the district's substance abuse program.
4. Undercover operations are subject to the following rules of confidentiality:
 - a. All information about an undercover operation shall be kept strictly confidential, including but not limited to
 - (1) The request to undertake the operation
 - (2) Information submitted as justification or explanation for the need for a proposed operation, and
 - (3) The identity of the undercover officer.
 - b. A school official or employee informed of the operation will disclose no information about the operation without the express permission of the County Prosecutor.
 - c. A school official or employee informed of the operation will report immediately to the County Prosecutor any information he or she receives that suggests that
 - (1) The true identity of the undercover officer has been revealed or
 - (2) Any person has questioned the identity or status of the undercover officer as a bona fide member of the school community or
 - (3) The integrity of the operation has been in any way compromised.

5. Plans for planned narcotics surveillance and routine patrols by law enforcement officers shall be kept strictly confidential by the principal and any other school employee to whom they are reported.
6. Nothing in this paragraph shall be construed to preclude the disclosure of information about illegal activity that was learned by any school employee outside the district's substance abuse program; any such information shall be reported in accordance with paragraph G and paragraph H of this regulation.

M. Memorandum of understanding

In the event the Board of Education formally enters a memorandum of understanding with a law enforcement agency regarding the reciprocal rights and responsibilities of the school district and the law enforcement agency in the matter of the planning and conduct of law enforcement operations relating to the use, possession, and distribution of controlled dangerous substances on school property, the terms of that agreement will supersede any conflicting term in this regulation.

Adopted: 21 December 1995