



NJDOE News

For More Information Contact the Public Information Office:

Jon Zlock
Richard Vespucci
Ron Rice
609-292-1126

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Department of Education Issues Summary Report to Roxbury School District and Community Cites Need for Two-year Corrective Action Plan; Need to Address Students Directly

- [Summary of the Department of Education's Findings](#)
[Re: Roxbury's Delay in Reporting the Sexual Assault Case of February 26, 2003](#)

Deputy Commissioner of Education Dwight Pfennig and Assistant Commissioner for the Northern Region Judith Weiss last night issued the Department of Education (DOE) summary report to the Roxbury School District, in response to allegations that the district failed to properly notify law enforcement officials after a sex assault occurred at the high school in the spring of 2003.

Based on request from Morris County Prosecutor Michael M. Rubbinaccio, the DOE investigated the matter over the last three weeks and found that the district and the community at-large must continue to educate its students and staff regarding unacceptable behaviors — with an emphasis on sexual and violent behaviors — and the consequences associated with them.

"We believe Superintendent Louis Ripatrazone and the Roxbury School Board are aware that major steps must be taken by the district and its community to prevent this unfortunate situation from ever occurring again," Deputy Commissioner Dwight R. Pfennig said. "All student-related issues should receive top priority. What is most unfortunate here must not be overlooked in the future: an innocent student has been abused. The act, in this case, a crime, must never occur again, and the district, with help from the community, must handle such delicate situations more effectively should they occur in the future."

In its summary report to the Roxbury School District, the DOE found that the district must immediately address the critical needs of the district while sustaining district improvements in the immediate future. As a result, the DOE has asked Dr. Ripatrazone to work collaboratively with Interim Morris County Superintendent, Richard Dorrow, to develop a two-year Corrective Action Plan (CAP).

As part of the Corrective Action Plan, the DOE has directed Dr. Ripatrazone to:

- Ensure that the Athletic Director and new high school principal have reviewed the ethical responsibilities of students and staff, as well as the behavioral responsibilities of the students and staff at Roxbury High School. According to the summary report, "There should be no misunderstanding about the definition of unacceptable student and staff behavior, not the consequences for such behavior";
- Ensure the sustainability of a program for building security at Roxbury High School — as well as all other schools in the district. According to the report, "It is incumbent upon the administration to ensure that all district staff members have a clear understanding of ... protocols, responsibilities and district policies related to building security"; and
- Ensure the sustainability of a program for all Roxbury School District staff members so that they understand the proper protocols and responsibilities associated with reporting incidents, according to both the Board of Education policies and the *Uniform State Memorandum of Agreement Between Education and Law Enforcement Officials*.

While the DOE is encouraged that the district has made strides in addressing security issues at the school, it is clear that the district, along with the Roxbury community, must also continue to show improvement as to what are acceptable student, staff and cultural behaviors and what are not, officials found. The summary report was issued during the Roxbury School District's monthly school board meeting on Monday, Feb. 23.

"It is anticipated that the district's Corrective Action Plan will continue to address student behaviors, the athletic code of conduct and security, as well as attitudes which may have contributed to student and staff behavioral problems," Dr. Pfennig said. "Not lost in this process is the community's commitment and need to hold both the administration and board of education responsible for such problems. We expect the Roxbury community to

remain committed to assisting wherever possible. Public accountability is a key factor in the success of these efforts. We cannot stress enough that an incident like this is preventable."

Summary Report

The corrective action plan, which is already being developed by the Superintendent and DOE, will specifically address the following:

- The development and implementation of a program that: addresses bullying and sexual harassment issues, defines athletic responsibilities of coaches, defines the responsibilities of athletes, and provides staff and student training for intervention in matters of student behavior and gender issues;
- A provision for staff accountability on awareness and criminal reporting training as encompassed by the Board of Education code and *Uniform State Memorandum of Agreement Between Education and Law Enforcement Officials*;
- The incorporation of student safety and school security measures in the Roxbury School District long range facilities plan; and
- The development of standards of conduct for athletes and all other extra-curricular activities, as well as a review of procedures as they relate to both the Morris County Prosecutor's Office and the DOE reports on this matter.

The Corrective Action Plan must be reviewed and submitted for approval to Dr. Weiss and Deputy Commissioner Pfennig by March 15, 2004. Progress in meeting the requirements of the CAP shall be reviewed through quarterly meetings between Roxbury administrators and the Morris County Superintendent of Schools.

The CAP and quarterly status reports shall be presented to the public at the first regularly scheduled Board of Education meeting following their acceptance/approval by the Department of Education.

Report Background

In a letter dated January 29, 2004, Mr. Rubbinaccio, the Morris County Prosecutor, requested that Commissioner of Education William L. Librera investigate the delayed reporting of a spring, 2003 sexual assault at Roxbury High School to the Roxbury Police Department, a delay that lasted approximately two months. The Commissioner recused himself from the investigation and assigned Assistant Commissioner for the Northern Region, Dr. Judith Weiss, to investigate all the relevant issues and prepare a report and recommendations to be submitted for approval to Deputy Commissioner Pfennig.

The DOE investigated four issues surrounding this event before making its findings:

- A thorough review of the Morris County Prosecutor's Report to the Commissioner of Education;
- Proactive measures taken in the area of bullying, sexual harassment as they pertain to students in general, athletes' responsibilities, in particular, and staff training for intervention;
- Student safety and security measures; and
- Staff Accountability and Training on reporting requirements and procedures.

Report review and NJSIAA

According to the summary report issued to the board of education, "it appears that the administration had a 'reason to believe' that a crime involving sexual contact had been committed on school property, and therefore the principal should have contacted law enforcement officials." The report additionally says that the Prosecutor's report found no criminal intent on the part of administrators to "cover up or protect anyone."

In addition to the CAP that will address all pertinent issues found in the Prosecutor's report, the DOE will also be working with the New Jersey State Interscholastic Athletic Association to further address how to best move the Roxbury School District forward.

Increased Training and Awareness

An area not addressed directly in the Prosecutor's report, but which is an area of concern to the Department of Education, is in the area of a school culture which has for years "exalted" certain athletic teams, thereby leading the students to question any responsibility they have.

There have been too many abusive situations regarding athletic teams reported in the press in a variety of communities to ignore the need to take proactive measures to address this culture of superiority and lack of responsibility. To that end, the Superintendent has held various workshops for staff and students this year on bullying, harassment and intimidation.

Additionally, the Athletic Director has been directed (as well as the new high school principal) to review both coaches' ethical responsibilities, as well as students' responsibilities, unacceptable behavior and consequences.

Student Safety

The DOE is aware that the Superintendent immediately (March 12, 2003) began to address what he quickly began to see were security issues in the high school. He included the Athletic Director, coaches, the Director of Buildings and Grounds, high school administrators and custodians in developing security procedures for all staff.

In addition, between March 2003 and February 2004 the building and locker rooms were all re-keyed, cameras were installed, a security guard was hired, and a swipe card entry system is currently being installed. Additionally, monthly meetings have been held to review the record-keeping of reporting events and persons in the gym area, as well as any concerns to be addressed by staff.

Staff Accountability

The Prosecutor's report clearly states that "...the delay in reporting did not rise to the level of criminal conduct", and "... that the failure to report was due to the school officials' serious misunderstanding of the reporting requirement...set forth in the administrative code and the uniform statewide [memorandum of] agreement between educational and law enforcement officials". The administration began to conduct an investigation as soon as they heard rumors of the event (7 days after it occurred), including multiple attempts to have the parents and the girl come into the school to corroborate the incident that all the boys denied.

After several consultations with the Prosecutor's office, the Superintendent and, in some instances the board attorney, had no fewer than four meetings with district administrators to clarify and outline their responsibilities related to reporting incidents if "there is a reason to believe" a crime involving sexual contact has been committed.

The Assistant Prosecutor is confident that all - including the Board attorney - are now clear on the protocols and responsibilities.

For more information, please contact the Department of Education Public Information Office at (609) 292-1126.