

NEW MILFORD RECREATION DEPARTMENT
POLICIES & PROCEDURES

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I. DEFINITIONS

New Milford Recreation Department (the “Department”).

New Milford Recreation Director (“Director”). The Director is in charge of all Recreational Program activities in New Milford.

New Milford Assistant Director (“Assistant Director”). The Assistant Director shall assist the Director and shall assume his/her duties in the event of his/her absence.

New Milford Recreation Advisory Committee (“NMRAC”). Members of the NMRAC seek to improve the recreational programs and facilities of New Milford, promote and foster community involvement and communicate with members of the community to insure that the Recreation programs offered are consistent with the needs and desires of the borough.

New Milford Recreation (“Recreation”). The programs organized and run by the New Milford Recreation Department

Sport Coordinators. Each Sport Coordinator is responsible for all activities related to his/her assigned sport and shall supervise the officials, volunteers, teams and players in that sport.

Officials. Officials are referees and umpires.

Coach. There will be a volunteer Head Coach and a volunteer Assistant Coach for each team. The coaches shall support the Recreation Department, Director and Sport Coordinator in supervising/conducting practices and games for Recreation and Travel Sports. They will work with their teams to instill good sportsmanship, to give instruction, to organize team activities. Volunteer. Head Coaches, Assistant Coaches and Team Parents.

II. JOB DESCRIPTIONS

A. COMPENSATED POSITIONS

1. RECREATION DIRECTOR (DIRECTOR)

The Director shall be in charge of all recreational program activities in New Milford. The Director shall report to the Mayor and Council via the Borough Administrator or, when necessary, directly to the Mayor and Council.

The Director shall have the power to assign any employee of the Department to any work or position therein. The Director shall report to the Mayor and Council via the Borough Administrator. The Director shall provide the Mayor and Council with a full report on activities and operations of the Department at intervals determined by the Mayor and Council. The Director, subject to the approval of the Mayor and Council, may prescribe such rules and regulations as he/she may deem necessary or expedient for the proper conduct of the Department and the operation and use of recreational playgrounds, parks, fields, recreational equipment and Borough Recreation programs.

The Director shall

- a. Be responsible for the proper custody and preservation of the records (financial and otherwise), books, papers, and other property of the Department.
- b. Direct, organize, plan and promote all Recreation programs under the Policies and Procedures enacted by the Department and any other legal municipal authority, supervise the care, maintenance and upgrade of all Recreation facilities.
- c. Plan, organize, expand and administer the Borough Recreation program pursuant to the Policies of the Department or other legal authority.
- d. Supervise the maintenance and operation of all municipal parks, Recreation fields and playgrounds including foliage and physical appearance.
- e. Conduct a public information program designed to keep borough residents informed of programs and resources available through the Department.
- f. Oversee the programs and policies of the Department
- g. Implement uniform procedures and policies for all Department programs.
- h. Insure that all policies and procedures are followed and suggest changes as needed.
- i. Establish administrative procedures to insure maximum service to all residents at a reasonable cost.
- j. Prepare and implement an annual fiscal budget and a capital improvement budget. All budgets shall be reviewed and approved by the Mayor and Council.
- k. Direct the purchase of all materials and equipment necessary for the operation of programs, parks and Recreation fields and report to the Mayor and Council on a monthly basis via the Borough Administrator.
- l. Oversee the hiring, training, safety training and supervision of all Recreation staff, including coaches and other volunteers.
- m. Insure that all safety and insurance issues concerning park equipment are corrected in a timely manner. Discuss same with the Borough Risk Manager when appropriate.

- n. Maintain complete records of program costs, participants, correspondence, staff, safety issues and measures, coach certification and property needs.
- o. Attend all NMRAC meetings and prepare/present monthly budget and program reports.
- p. Prepare and submit press releases to the Twin Boro News.
- q. Create sign-up flyers. Distribute the flyers to all New Milford public schools as well as St. Joseph's, Ascension and Hovnanian.
- r. Serve as an "alternate" coordinator for all travel league sports.
- s. Provide any and all annual reports deemed necessary by New Milford's Risk Manager to insure proper insurance coverage and policy compliance.
- t. Insure compliance with all Department of Labor requirements for the employment of minors.
- u. Act as a Head Coach for a Recreation team only if there are no other applicants for the position.

2. ASSISTANT RECREATION DIRECTOR (ASSISTANT DIRECTOR)

The Assistant Director shall assume the duties, responsibilities and authority of the Director in the Director's absence. The Assistant Director shall report to the Director or when necessary, to the Mayor and Council or the Borough Administrator regarding the performance of his/her duties.

The duties and responsibilities of the Assistant Director as listed below are not to be construed as all-inclusive. The job duties will include other responsibilities as assigned and required.

The Assistant Director shall

- a. Maintain employment, safety and training records for all employees and volunteers.
- b. Insure compliance with Department Policies and Procedures and other legal authorities.
- c. Update and monitor the Recreation website, Recreation online registration and online message system and shall insure the accuracy and relevance of information distributed and posted.
- d. Assist Sport Coordinators with the creation of schedules and management of Recreation fields and facilities. Submit requests for use of New Milford Board of Education facilities as needed.
- e. Act as liaison to the Friends of New Milford Travel and Friends of New Milford Recreation and insure their compliance with Department policies and procedures.

f. Track and maintain inventory records for all sport equipment, summer Recreation supplies and other Recreation property used to support Recreation programs.

g. Report items lost and items designated for disposal to the Director.

h. Organize equipment for distribution to Sport Coordinators.

i. Attend monthly NMRAC meetings and take and prepare NMRAC meeting minutes for distribution and publication on the Borough website.

j. Prepare a monthly Department newsletter and create timely program flyers. Insure distribution of flyers through Recreation website and Department email list.

3. SPORT COORDINATOR

The duties and responsibilities of the Sport Coordinator as listed below are not to be construed as all-inclusive. The job duties will include other responsibilities as assigned and required.

The Sport Coordinator shall

a. Be in charge of all activities related to his/her assigned sport. He/she shall report to the Assistant Director or, when necessary, directly to the Director. However, Travel Sport Coordinators shall report to the Director.

b. Be responsible for the proper custody and preservation of records (financial and others), books, papers and property of the Department until turned over to the Director.

c. The Sport Coordinator shall direct, organize, plan and promote his/her individual program under the Policies and Procedures established by the Department.

d. Retain receipts and records of activity throughout the season and shall give the documents to the Director at the end of the season.

e. Establish dates for sign-up/registration and request the distribution of announcement flyers or other information through email, printed media, social media or handouts.

f. Conduct in-person sign-up/registration when appropriate. Monitor online registrations and maintain sign-up/registration records.

g. Insure that any fees collected are submitted to the Director immediately following registration. **NO CASH WILL BE ACCEPTED OR COLLECTED.**

h. Inventory equipment and supplies. Determine items needed for a successful program and ask the Director to purchase those items if possible.

i. Provide price quotes or proposals for equipment or supplies, special event fees or tournament fees to the Director.

j. Attend league-related meetings that require mandatory attendance.

k. Assemble and organize coaching staff and other volunteer staff. Coordinate mandatory training and background checks. Insure that proof of completion of each is emailed by the coach/volunteer directly to the Assistant Director. Compliance with the following is mandatory:

i. Blood-Borne Pathogen Training.

ii. Concussion Protocol Training.

iii. Coaching Safety Course.

iv. Background Check/Investigation.

l. Conduct player drafts in accordance with the Department drafting procedures. Prepare team rosters.

m. Order team shirts or uniforms.

n. Provide appropriately formatted spreadsheet of player and player parent/guardian information to the Assistant Director.

o. Create pre-season practice schedules and season schedules. Coordinate field/facility use with the Assistant Director.

p. Select date for picture day and reserve said day with the vendor. Reserve facility for indoor photos in case of inclement weather.

q. Meet with coaches, by division, prior to the season to review expectations, rules and Codes of Conduct. Provide information packet that includes roster, playing schedule, picture schedule, rules, Code of Conduct, etc. (Digital media is encouraged.) Uniform t-shirts should be distributed at this meeting.

r. Hire and schedule officials. Establish assigner if appropriate. Distribute payroll paperwork, W4 forms, Working Papers (under age 18) and New Hire Form to new Recreation employees prior to the first game of the season.

s. Insure that throughout the season payroll forms for Recreation sports are submitted bimonthly to the Director in accordance with the Borough's payroll schedule.

t. Monitor play throughout the season to insure that coaches, players and spectators are maintaining an environment that promotes good sportsmanship, mutual respect, learning and fair, healthy competition. Bring any potential problems to the attention of the Director for immediate action. If warranted, a Coordinator should be physically present at an event to deter problems.

u. Routinely update the Assistant Director of league standings and other pertinent information for the Recreation website (schedule changes, school/field closings, etc.).

v. Coordinate the ordering of trophies through the Director. Provide a copy of price quotes to the Director prior to placing an order and an invoice after the order is received.

w. Distribute standardized evaluation rating sheets to all head coaches. Collect all completed evaluations and submit them to the Director.

x. Conduct the selection of the recipient of the "Steve LePage Sportsmanship Award" through the votes of the head coaches in the senior divisions. Conduct awards ceremonies/presentation of trophies.

y. Collect and inventory Recreation equipment and supplies at the end of the season.

z. Make recommendations to the Director for replacement or repair of equipment and supplies.

B. VOLUNTEER JOB DESCRIPTIONS

1. NEW MILFORD RECREATION ADVISORY COMMITTEE (NMRAC)

NMRAC shall work in the public interest to improve New Milford's Recreational programs and facilities, promote and foster community involvement and communicate with members of the community to insure that Recreation programs are consistent with the needs and desires of the community.

NMRAC shall

a. Study and review the borough's existing Recreation facilities in order to determine how best to maintain and improve their use and to make recommendations to the Director to advance the objectives of the Department.

b. Advise the Director with respect to coordinating Recreation programs, functions, special events, the management of existing programs and the development of new initiatives.

c. Advise the Director annually regarding the formulation and administration of appropriate policies and procedures, codes of conduct, rules and regulations and safety guidelines that may be needed in order to fulfill Department objectives.

d. Elect a chairperson at its first meeting of every year. Other such officers and/or sub-committees may be elected throughout the year as NMRAC deems necessary (and pursuant to the ordinance) to carry out its powers and duties. Elected terms are for one (1) year and shall commence at NMRAC's annual January re-organization meeting and shall terminate on December 31 of that year. The Mayor and Council shall approve of any new officer positions but sub-committees may be created by NMRAC without the approval of the Mayor and Council. If additional paid employees are needed, NMRAC shall inform the Director who shall present the matter to the Mayor and Council for its review and decision.

e. Advise the Director in the preparation of NMRAC's annual budget.

2. COACH

The Coach shall support the Department, Director and Sport Coordinators in supervising/conducting practice and games for Recreation and Travel Sports.

The Coach shall

- a. Complete all training and background checks required by ordinance and policy in order to be allowed to participate in Recreation activities.
- b. Attend all pre-season organization meetings called by the Department.
- c. Participate in player drafts when required.
- d. Inventory and inspect individual equipment provided pre-season by the Department. Report unserviceable items to the Sport Coordinator for replacement or repair.
- e. Strive to improve individual coaching skills and techniques and insure that they are appropriate to the skill and age level of those being coached.
- f. Communicate with parents/guardians regarding practice schedules, game schedules and the distribution of uniforms and equipment.
- g. Schedule, organize and conduct practices.
 - i. Conduct practice by teaching age-appropriate skills and proper techniques.
 - ii. Insure practice area is suitable for the practice or activity being conducted.
 - iii. Survey the area for any potential hazards. Correct and report unsafe conditions to the Director.
 - iv. Have player emergency contact information available during practices and games, either on paper or digitally on a hand-held device in case of injury requiring medical attention.
 - v. Have available at all practices, games and other Recreation activities a functional medical kit that contains ice packs to be used in case of minor injuries. In the event of an emergency or serious injury, call 911. If a parent/guardian is present, they will make decision regarding transportation and treatment of their child.
- h. Coach games.
 - i. Determine strategy based on the team's capabilities and assign team positions.

- ii. Reinforce positive behavior and promote good sportsmanship.
- iii. Insure playing time is distributed among the players according to Recreation Policy.
 - i. Shall not impose any additional fees on a parent/guardian for equipment, uniform, training, etc. without the consent of the Director or his/her designee.
 - j. Provide player evaluations for individual team players at the end of each season. Evaluations shall be used to assist coaches in the selection of players in the draft in the following year.
 - k. Shall not use insulting, foul, embarrassing, racist, sexist, homophobic or abusive language. Shall correct unwanted behavior through positive and constructive language.
 - l. Clean, inspect and return Recreation equipment and supplies at the end of the season or activity.
 - m. Shall wear Department issued identification card over outer most layer of clothing while conducting Department activities
 - n. HAVE FUN!

III. GENERAL POLICIES

- A. The New Milford Recreation Department (Department) with the assistance of the Recreation Advisory Committee (NMRAC) shall organize and operate educational and recreational programs for residents of New Milford.
- B. The Department and NMRAC shall establish policies and procedures to ensure consistent philosophies and operations of New Milford Recreation programs.
- C. These Policies and Procedures may be amended by the Director at his request or at the request of NMRAC and with the consent of the Mayor & Council.
- D. Department members and NMRAC members shall report thefts, moral violations, public law violations, failure to pay fees or any other serious conduct issues to the Director and/or the Borough Administrator for action.
- E. Department employees, sport coordinators, coaches, volunteers, parents/guardians and players shall abide by the Recreation Policies and Procedures while engaged in Recreation activities.
- F. Sport Coordinators shall manage, coordinate and control sports activities in accordance with these policies.

IV. SAFETY, INSURANCE AND SECURITY

A. Before being allowed to participate, players must submit a completed player registration form signed by a parent/guardian. Said registration form shall include but not be limited to permission to participate, medical emergency information and person(s) to contact in case of emergency.

B. In the event of a serious injury, such as loss of consciousness or an injury requiring immediate emergency medical attention, transportation to emergency facilities will be handled by calling 911. If a parent/guardian is present all decisions regarding treatment and transportation will be at their discretion.

C. The coach shall promptly report all injuries to the Sport Coordinator who shall then advise the Director. The Director, the coach and/or the Sport Coordinator shall follow up with the player's parents/guardians within 24 hours of the injury.

D. Practice must be held in areas designated for practice.

E. Coaches and other volunteers shall correct, when possible, any unsafe conditions and report same to the Sport Coordinator who shall then notify the Director. If an unsafe condition exists and cannot be corrected promptly, activities shall cease until the condition is remediated.

F. Players are prohibited from wearing any jewelry (including watches) while playing while playing except they may wear religious medals and medical alert medallions both of which must be taped to the body.

G. Parking is permitted only in designated areas.

V. PRIVACY, EMAIL, SOCIAL MEDIA, PHOTOS, ETC.

A. The Department maintains email lists of players, their parents/guardians, Sport Coordinators, coaches and other volunteers for the use of the Department.

B. No person privy to any of these email lists shall under any circumstances divulge or share any information about anyone on the lists. No email list may be sold or given to any organization or individual.

C. The Department, with the Director's approval, may send out email "blasts" to inform involved persons about Recreation sign-ups, schedules and programs and about non-Recreation-related activities that may be of interest to the members.

D. No one may use any Recreation email list to send personal, political or commercial email.

E. Photos may be taken at Recreation activities and published in the local newspaper, on the website or in other appropriate places. In the event that a player's parent/guardian does not want their child to be in a photo or have their child's photo published, the parent/guardian must notify the Director in writing prior to the start of each season.

F. On publicly accessed web pages and in other social media, players will only be identified by their first name and the first initial of their last name.

G. Articles describing Recreation activities may also be published.

H. All posts on social media must conform to the requirements of New Milford's Social Media Policy, which can be found on the Borough's website.

VI. RECREATION SPORTS

A. Age and Residence

1. Registration for all Recreation sports shall be open to all children residing in and/or attending school in New Milford, beginning with children registered for kindergarten.

2. Adult programs shall be limited to New Milford residents.

B. Registration Period

1. The registration period for each sport shall be determined by the Director and shall consist of an open registration period followed by a late registration period. Children who register late shall be placed on a waiting list and shall not be guaranteed participation.

2. Notice of the registration period shall be posted on the Recreation website and distributed by flyers when appropriate.

3. After completing an online registration form and providing payment, a participant shall be considered properly registered and allowed to participate in practices and games.

4. No registrations shall be accepted after teams have been drafted unless the Director determines through the Sport Coordinator that the league needs additional players in which case late registrants may be added to rosters.

C. Registration, Fees, Refunds and Hardships

1. Registration fees are set by borough ordinance.

2. Registration fee refunds shall only be provided as follows:

a. A full refund shall be provided if the request is made to the Director prior to the player draft for that season or the player has signed up during the late registration period and the request is made before the player has been placed on a roster. After issuing the refund, the Director shall remove the player's registration information from the player database.

b. No refunds shall be issued after the season has started.

3. A registrant who is experiencing financial hardship may request a waiver or reduced registration fee. Such requests must be submitted in writing to the Director and a decision on the request shall be made within five (5) calendar days. The Director shall file the request in lieu of payment. All requests shall remain confidential.

D. Rules

1. New Milford Recreation follows the individual sport rules as outlined at NJSIAA.org (NEW JERSEY STATE INTERSCHOLASTIC ATHLETIC ASSOCIATION) with the exceptions listed by sport in Appendix C.

E. Volunteer Staff

1. Volunteer Staff positions shall consist of Head Coach, Assistant Coach and Team Parent.

2. Volunteer staff shall be selected by the Sport Coordinator with the assistance of the Director and the Assistant Director.

3. Procedures for Selection:

a) During registration, parents may choose to be considered for the position of Head Coach, Assistant Coach or Team Parent by checking off the appropriate box on the registration form.

b) After the close of registration, the Sport Coordinator shall contact candidates to confirm their interest.

c) The Assistant Director shall review the list and make recommendations to the Sport Coordinator.

d) The Sport Coordinator shall select the volunteer staff and shall notify the Head Coach who shall then notify the Assistant Coach and Team Parent.

e) If a conflict arises at any step, a grievance may be filed.

H. Budget

1. The Director shall work with the Sport Coordinator to establish an expense budget for each recreation sport season.

2. While preparing the budget, previous years expenses should be examined to insure all needs are met in the most cost-effective manner. Some of the areas to consider are equipment repair and replacement uniforms, field supplies, overtime support, game officials and awards.

3. Each sport will strive to be financially self-sufficient (expenses=revenues) unless otherwise approved by the Director.

4. New programs that are not initially able to be financially self-sufficient due to high startup costs or large overhead shall obtain advance budget approval from the Director and Borough Administrator. No fundraising or other activities to cover the deficit are permitted without the approval of the Director and Borough Administrator.

VIII. RECREATION SPORTS - DRAFTS

A. Player Drafts

1. Teams will be drafted annually at the beginning of each season.
2. With the Director's approval, the Sport Coordinator may modify draft rules within this policy.
3. Drafts shall be attended by the Sport Coordinator and Head Coaches. The Director, Assistant Director and members of the NMRAC may attend a draft to insure its integrity.
4. Absent extraordinary circumstances, no player shall be placed on a particular team with another by request. Reasons such as carpool requirements or friendship are not considered extraordinary circumstances and will not be approved. Legitimate special circumstances such as those requiring special accommodation will be considered by the Sport Coordinator and/or Director.
5. Any disputes concerning a draft that cannot be resolved by the Sport Coordinator will be resolved through the grievance procedure outlined in "Other Grievances, Multi-Sport, Program or Activity."

B. DRAFT PROCEDURES

1. Head Coaches will be contacted at least one (1) week prior to the draft.
2. The Department recognizes that certain players will be designated "Frozen" and will be placed together on certain teams. Those who qualify as "Frozen" are:
 - a. Children of the Head Coach.
 - b. Relatives living at the same address.
 - c. Step siblings whether or not living at the same address.
 - d. Siblings (including step siblings) will be drafted to the same team unless otherwise requested by the parent/guardian.
3. Prior to the start of the draft, the Sport Coordinator and coaches will rate each player.
 - a. Ratings will be numeric ranging from 1 to 5 with 5 being the best.
 - b. Ratings will be determined based on past performance experience with the player and evaluation scores at tryouts (if applicable).
 - c. If the coaches are unable to reach a consensus about the rating of a particular player, the Sport Coordinator shall make the final decision.
 - d. Depending on the sport, players may also be rated by specific positions (e.g., basketball point guard, soccer goalie or softball pitcher).
 - e. Player names will be written on one side of an index card and his/her rating and grade level on the other. There will only be one card per player.
 - f. Player cards with players identified as "Frozen" will be removed from the pile and held by the Sport Coordinator.

4. Player cards will be separated by grade and rating then placed in order by grade starting with the highest grade and highest rated players on top.
5. The higher grade paired “Frozen” players cards will be marked and placed in the appropriate place in the pile.
6. Separate drafts will be held for leagues based on the grade combinations.
 - a. Only the Head Coach may participate in drafting a team.
 - b. The draft order will be determined by lot, with the winner receiving the top player card.
 - c. The player cards will be distributed with the order being reversed at the end of each round (e.g., 12345 then 54321). Distribution will continue until all available player cards have been distributed.
 - d. The Sport Coordinator will insert previously separated “Frozen” player cards into rotation when appropriate.
 - i. Example #1: If a Coach’s child is in 5th grade and rated ‘3’, the Sport Coordinator will insert that Coach’s child’s Frozen Player card into the rotation after all 5th grade ‘4’ rated players are distributed and the coach is next to receive a card.
 - ii. Example #2: The Sport Coordinator shall note when the higher grade Frozen Player card is distributed and shall insert the lower grade Frozen Player card in the same way as described in Example #1 above.
7. Teams unable to complete their roster due to a lack of enrolled players will have players added to them as players register.
8. The Sport Coordinator shall maintain the draft order in effect at the time of the draft and add players to the appropriate team as new players enroll.
9. Coaches MAY NOT TRADE PLAYERS. However, the Sport Coordinator reserves the right to negotiate or make player trades if necessary for the benefit of a player or league.

VIII. Travel Sports

A. General Guidelines

1. All Recreation-sanctioned traveling teams shall abide by the Policies and Procedures of the Department and by the Policies and Procedures of their respective travel organization.
- 2.. Players will furnish required proof of birth and insure availability for the projected traveling team schedule as requested by the traveling team staff.
3. Travel team players and parents/guardians recognize and accept the additional volunteer needs and costs incurred by traveling teams.

4. There is no guaranteed minimum playing time for players on a traveling team. However, coaches are directed to play all participants as game conditions allow.

5. Sport Coordinators have primary responsibility to resolve questions and make assignments insuring all traveling teams have quality and balanced staff.

6. A top travel team concept, meaning that the better players will all be on the first team, will be followed.

7. Recreation does not guarantee traveling team placement.

8. Recreation shall create as many traveling teams as reasonable and shall attempt to accommodate all interested players and increase involvement.

9. Staff and field/gym availability are key considerations for determining the number of traveling teams.

10. Teams will be filled first with players that participated in the travel team tryouts and then with other qualified Recreation players.

B. Residency Requirements

1. Recreation travel teams shall be selected first from residents of New Milford who participate in a tryout.

2. If there is an insufficient number of New Milford residents to field a travel team, the team may be filled with non-residents who participated in a tryout.

C. Organization

1. The Sport Coordinator shall be responsible for the coordination of travel team activities and supervision of travel team coaches.

2. Regardless of organizational structure, all travel sports shall be subject to the Policies and Procedures of the Department.

3. Recreation travel sport organizations may establish and adopt policies and procedures for their specific program provided they are consistent with the Policies and Procedures of the Department and approved by the Director.

D. Coach Selection Process

1. Travel coaches shall be selected annually for each team. Returning coaches are not guaranteed a position.

2. Coaching positions shall be advertised in advance of the team tryout via the Recreation website and other social media.

3. Persons interested in becoming a coach shall apply in writing or by email.

4. A Selection Committee consisting of the Sport Coordinator, Director, and Assistant Director shall select the Head Coach and in turn the Head Coach shall select the assistant coaches. The assistant coach selections are subject to review and approval by the Selection Committee.

5. The selection process shall provide each applicant with an opportunity to present the Selection Committee with his/her credentials either in person or in writing.

6. In order to avoid the automatic selection of a coach's child prior to tryouts, the travel team coaching staff will not be selected until after the tryouts and player selection are complete.

7. Once the selection of the members of a travel team has been completed, the Selection Committee shall review the list of applicants and select a Head Coach.

8. Only as a last resort may a Sport Coordinator be part of the coaching staff of a travel team.

9. Any person serving as a coach shall not officiate a game within the same league.

E. Tryouts and Player Selection

1. Player tryouts for each sport will be held annually at a minimum.

2. Player tryouts shall be advertised in advance via the Recreation website, flyer and other social media as appropriate.

3. Tryout sessions should be age-appropriate, allowing only children close in age to try out at the same time.

4. The Sport Coordinator will verify the availability of candidates for the anticipated travel schedule. Players unable to attend at least three-quarters of the schedule will not be considered.

5. All candidates must try out. If a player has good cause for not attending tryouts, the Sport Coordinator must be notified. An individual tryout may be arranged prior to the scheduled tryout if it is possible and if time allows.

6. Any emergencies prior to the start of tryouts must be brought to the Sport Coordinator's attention at the earliest possible time.

7. Once scheduled tryouts are completed, there will be no additional open tryouts. Individuals who notified the Sports Coordinator about missing a tryout for good cause or emergency may be considered for a tryout (see '5' above).

8. Three evaluators shall separately rate all candidates according to a pre-determined list of criteria and shall use a uniform scale of 1 to 5 with 5 being best and 1 being worst.

9. After removing the high and low scores, the remaining scores will be averaged.

10. Each sport will have its own performance criteria. A comment section will be available to note work ethic, enthusiasm, attention, response to requests, etc.

11. When possible, evaluators from outside the league should be used.

12. Tryout evaluation score sheets obtained during tryouts shall be confidential and shall be available only to the Sport Coordinator, Director and NMRAC with the Director's approval.

F. Notification of Players

1. After being named by the Selection Committee, the Coach shall notify the players making the team and confirm their availability for the anticipated travel schedule.

2. The Sport Coordinator will notify candidates not making the team within 24 hours after the completion of the selection process.

3. Sport Coordinators will explain the selection process to players and parents.

4. The dialogue for those who did not make the team shall be compassionate and shall encourage the player to continue to work hard in developing their skills for future competitive teams.

G. Registration and Budget

1. All participants shall complete an online Recreation registration form and provide any other documentation that may be required by the travel league.

2. Players whose fees and/or registration forms have not been received by the Department in a timely manner shall be ineligible to participate.

3. The Director shall work with the Sport Coordinator to establish an expense budget for each travel sport season.

4. While preparing the budget, the Director and Sport Coordinator shall examine the previous year's expenses to insure all needs are met in the most cost-effective manner possible. Areas to consider are equipment repair and replacement uniforms, field supplies, overtime support, game officials and awards.

5. Unless otherwise approved by the Director, each sport will strive to be financially self-sufficient (expenses=revenues).

6. New programs that are not initially able to be financially self-sufficient due to high startup costs or high overhead shall obtain advance budget approval from the Director and Borough Administrator.

7. No fundraising or other activities to cover the deficit are permitted without the approval of the Director and Borough Administrator.

H. Age Limits and Tryout Criteria

1. Each travel program is dictated by the host league and age limits and criteria will be announced prior to individual sports tryouts.

IX. FIELDS, GYMS AND GAME SCHEDULING

A. Scheduling Fields and Gyms

1. Fields and Gyms will be assigned by the Sport Coordinators in a manner determined to be most effective for their program.
2. Higher quality fields and gyms shall be distributed equally among all teams throughout the season.
3. When games are scheduled simultaneously, the more advanced team will be scheduled on the higher quality field or gym.
4. Every effort shall be made to schedule teams with older players in the later time slots.

B. Field Closures and Cancellations

1. Field Closures

a. "Block Field Closure" refers to times when the entire day's/night's schedule of games is canceled by the Sport Coordinator or Director.

b. A block closure can only occur after it has been determined that player safety may be compromised or field damage of sufficient extent exists.

c. When a block closure occurs, teams may not opt to play. Coaches and umpires may close a field and postpone a game if conditions are less than marginal or dangerous and a block cancellation is not in effect.

d. Every effort shall be made by the Sport Coordinator to reschedule games canceled due to a field closure.

2. Gym Closures

a. The Board of Education may, at its discretion close gyms and make them unavailable.

b. Every effort shall be made by the Sport Coordinator to reschedule games canceled due to a gym closure.

C. Cancellations

1. Games may be canceled by the Sport Coordinator for good cause.
2. A game may be canceled by a coach if there is agreement between that coach and the opposing team's coach, and the cancellation is approved by the Sport Coordinator.
3. All cancellations shall be announced via email, social media, text or telephone. Every effort shall be made to insure the widest distribution of the cancellation notice to those affected.

Sport Coordinators shall notify officials and volunteer staff and the volunteer staff shall then notify the players

4. Every effort shall be made by the Sport Coordinator to reschedule games canceled due to the scenarios described above.

5. A shortage of managers or players at game time is not an acceptable reason to reschedule a game and may result in a forfeit.

D. Notification of Cancellation or Closure

1. All cancellations and closures shall be announced via email, social media, text or telephone. Every effort shall be made to insure the widest distribution of the information. Sport Coordinators shall notify officials and volunteer staff and the volunteer staff shall then notify the players.

E. Softball

1. At the end of play on an individual field, the home coach/manager shall secure all bases and other Recreation equipment and tools in the Recreation building.

2. At the conclusion of play for the day, the home team coach/manager shall lock the Recreation building and/or equipment box.

F. When necessary, the Recreation Department will provide portable toilets at game fields that do not have permanent restrooms

X. RECREATION YOUTH OFFICIATING PROGRAM

A. The New Milford Recreation Youth Officiating Program is designed to maintain quality officiating within its leagues. To insure its success, there shall be cooperation and respect among participants, parents and spectators.

B. Every candidate for the Youth Officiating Program must:

1. Be an incoming high school freshman or older.
2. Submit an application in writing to the Director.

C. Approved Youth Officials must:

1. Attend and successfully complete annual training requirements.
2. Complete a minimum of three (3) training games within that sport at half-pay with an experienced official.
3. Maintain a professional working relationship with the Sport Coordinator.
4. Understand and enforce the rules and regulations of the sport he/she is officiating.

5. Dress appropriately (sport specific equipment and attire) at all games and contests.
6. Arrive at least fifteen (15) minutes prior to the scheduled start time of the game or contest.
7. Act with fairness and integrity.
8. Abide by the New Milford Recreation Code of Conduct.
9. Insure that all players, coaches and parents/guardians obey the Code of Conduct.
10. Provide the Sport Coordinator with timely notification of a planned absence.

D. Annual Training Requirements

1. Review sport rules, Code of Conduct, safety concerns.

XI. CODES OF CONDUCT

A. Code of Conduct for Coaches.

My role as a coach gives me the power to influence the behavior and attitude of my players. I will use this power to act as a role model for my players. I take seriously my role of helping to promote character building and ethics in sports. I therefore agree:

1. I will place the emotional and physical well-being of my players ahead of a personal desire to win.
2. I will treat each player as an individual, remembering the large range of emotional and physical development in the age group.
3. I will do my best to provide a safe playing situation for my players.
4. I promise to review and practice basic first aid principles needed to treat injuries of my players.
5. I will do my best to organize practices that are fun and challenging for all my players.
6. I will lead by example in demonstrating fair play and sportsmanship to all my players.
7. I will provide a sports environment for my team that is free of drugs, tobacco and alcohol.
8. I will know the rules of each sport that I coach and I will teach these rules to my players.
9. I will use coaching techniques appropriate for the skills I teach.
10. I will remember that I am a youth sports coach and that the game is for children and not adults.

11. I will not engage in any kind of unsportsmanlike conduct with any official, coach, player or parent including but not limited to booing, taunting, name-calling refusing to shake hands or using racist, sexist, derogatory or profane language or gestures.

12. I will discourage any behaviors or practices that would endanger the health and well-being of the athletes.

13. I will never ridicule or yell at my child or other participants for making a mistake or losing a game or competition.

14. I will respect the officials and their authority during games and will never question, discuss or confront coaches at the game field. I will take time to speak with coaches at an agreed upon time and place.

15. I will report immediately to the Director any incident that could jeopardize my eligibility to coach or supervise children including, but not limited to, an arrest or conviction of a crime.

16. I agree that if I fail to abide by the aforementioned rules and guidelines, I will be subject to disciplinary action that could include, but not be limited to, the following: (a) a written warning from the Recreation Department; (b) game forfeiture; (c) game suspension; (d) season suspension; and (e) indefinite loss of coaching privilege.

B. Code of Conduct for Parents and Guardians

1. I will not force an unwilling child to participate.

2. I will encourage my child to play by the rules.

3. I will turn defeat into victory by helping children work towards improving their skills and being good sports. I will not ridicule, criticize or yell at my child or any other child for making a mistake or losing a competition.

4. Children learn by example. I will applaud good play by my team as well as the opposing team.

5. I will not publicly question the officials' judgment or integrity.

6. I will recognize the value and importance of officials and volunteer coaches. They give of their time and resources to provide recreational activities for my child.

7. I will not argue with other parents/spectators or coaches over things that happen on the field. I will not tolerate derogatory or profane comments and taunting (verbal or physical) directed at coaches, players and/or spectators from any team. (Violent Fan's Law; NJS.2C:12-1).

8. I understand that I am responsible for supervising my child's siblings during practice sessions and all games. I am responsible for the safety of my child's siblings. I will keep all siblings off the fields and make sure they do not damage or disturb Borough or Board of Education property.

9. I will not drop off my child at practices or games unless his/her coach is present.

10. I understand that coaches are NOT babysitters. If I cannot be at the field/gym at the designated pick-up time, I shall make arrangements for my child to be picked up on time by another parent or guardian.

11. I will not drink alcoholic beverages (Borough Ordinance 3-8.1) and/or smoke/chew tobacco products anywhere on the Recreation fields or in Recreation facilities (NJ Smoke Free Air Act).

C. Code of Conduct for Players

1. I will try my best in every game to win while playing within the rules and using good sportsmanship.

2. I will not swear, use foul language, fight or disrespect officials or coaches or other players.

3. I will never argue about an official's decision.

4. I will cooperate with my coaches and teammates. I will be a team player and not seek individual glory.

5. I will be respectful to my opponents in victory and in defeat.

6. I will try to learn from my mistakes. I will work hard in practice to improve my skills and decision-making.

XII. VIOLATIONS OF CODES OF CONDUCT

A. The Code of Conduct shall be made available to players and parents/guardians during registration and coaches prior to the start of each season. Good sportsmanship and good conduct are required at every New Milford Recreation event. The Director, Assistant Director, Sport Coordinator, officials and coaches shall enforce the Codes of Conduct.

B. Disciplinary procedures shall begin at the team level, move to the Sport Coordinator level, then to the Director and finally to the Borough Administrator depending on the severity and/or frequency of the violation.

C. At the team level, the coach may address a minor violation by discussing the problem with the player, benching the player or having the player leave the premises (but only if a parent or guardian is present).

D. In the event of a serious violation, the coach shall inform the Sport Coordinator, Director and the parent/guardian. Officials may assist coaches when necessary to deal with volatile situations. Officials have the authority to warn and/or eject fans, coaches or players from play, from the playing field and from the area adjacent to the fields.

E. Officials shall report all serious warnings or ejections to the Sport Coordinator immediately following the game. The Sport Coordinator shall advise the Director as soon as possible.

XIII. DISCIPLINARY ACTIONS/PENALTIES

Penalties for Violations of the Code of Conduct include:

A. **FORMAL REPRIMAND.** A formal reprimand is a letter addressed and sent to the violator (a) informing him/her of the violation and the findings; (b) ordering that the offending actions cease; and (c) advising him/her of higher levels of discipline should the offending actions continue.

B. **PROBATION.** The violator is placed on probation for a specified period of time but may continue to coach. Probation will terminate when the specified time period expires. In the event there are additional or continued violations, the violator may be dismissed or barred from attending Recreation activities.

C. **SUSPENSION.** A Sport Coordinator, coach or other volunteer who is found by the Director to have violated these Policies and Procedures or Codes of Conduct shall be removed immediately from his/her position for a specified period of time. The players' parents/guardians shall be notified. When appropriate a substitute will be provided. The Director may reinstate a Sport Coordinator coach or other volunteer after the time period has expired if he/she deems said individual is ready, able and willing to obey these Policies and Procedures and Codes of Conduct. A second dismissal will result in debarment.

D. **DEBARMENT.** A coach, Sport Coordinator, volunteer or player who is found to have violated the Code of Conduct shall be removed immediately from his/her position and in addition shall not be present at the team's sanctioned play for the remainder of the season. When appropriate a substitute will be provided. If the violator is a spectator or player, he/she shall be barred from attending Recreation activities for the remainder of the season. A player's parents/guardians shall be notified.

E. **PERMANENT REMOVAL.** In the event that an individual who has suffered debarment at any time continues in any subsequent season to violate the Code of Conduct, he/she shall be permanently barred from attending and/or participating in any and all Recreation activities.

XIV. GRIEVANCE PROCEDURES

A. Single-Sport Grievance

1. In the event of a grievance involving an individual sport, the grievant shall file a grievance with the Sport Coordinator as soon as possible. The Sport Coordinator shall discuss the grievance with the Director and provide a resolution to the grievant within five (5) calendar days. The grievance and the resolution do not need to be in writing. If the grievant is unable to file a grievance with the Sport Coordinator, the grievant shall file it with the Director.

2. If the grievant is not satisfied with the decision of the Sport Coordinator, the grievant shall submit the grievance in writing to the Director. The Director shall respond to the grievant within five (5) calendar days. The Director's response shall be in writing and shall provide

reasons supporting the decision. The Director is encouraged to consult the NMRAC for assistance in resolving the grievance.

3. If the grievant is not satisfied with the Director's decision, the grievant may submit the grievance in writing to the Department. The Department shall provide the grievant with the opportunity to present the grievance at the next regularly scheduled NMRAC meeting unless the Director or NMRAC Chairperson calls a special meeting. The NMRAC may review and discuss the grievance in a closed (confidential) session when legally appropriate. The NMRAC may support, amend or overrule the Director's written decision by a majority vote. The NMRAC Chairperson shall transmit the decision in writing to the grievant and Director within five (5) calendar days of the meeting.

B. Other Grievances, Multi-Sport, Program or Activity

1. In the event of a grievance that is not confined to a single sport, the grievant shall file the grievance with the Director as soon as possible. The Director may discuss the grievance with the NMRAC but in any case, shall provide a resolution to the grievant within five (5) calendar days of receipt of the grievance. The grievance and the resolution do not need to be in writing.

2. If the grievant is not satisfied with the Director's decision, the grievant may submit the grievance in writing to the Department. The Department shall provide the grievant with the opportunity to present the grievance at the next regularly scheduled NMRAC meeting unless the Director or NMRAC Chairperson calls a special meeting. The NMRAC may review and discuss the grievance in a closed (confidential) session when appropriate. The NMRAC may support, amend or overrule the Director's written decision by a majority vote. The NMRAC Chairperson shall transmit the decision in writing to the grievant and Director within five (5) calendar days of the meeting.

XV. SUMMER RECREATION

New Milford Summer Recreations is a 5-week program for residents of New Milford who are in grades K through 7. The children must be registered as of the upcoming school year.

A. Term of Program and Activities

1. Summer Recreation begins after school ends in June and usually ends the last week of July.

2. Summer Recreation is held Monday through Friday from 9 am to 12:30 pm rain or shine.

3. The Summer Recreation program consists of both indoor and outdoor activities and field trips.

a. Outdoor activities include basketball, volleyball, whiffle ball and kickball.

b. Indoor activities include games, movies and small group play.

c. Field trips and off-site activities are open to all children (for an additional fee).

B. Program Sites:

1. D.E.O. Middle School for grades 5 through 7.
2. The Berkley School and the B.F. Gibbs School for grades K through 4.
3. Individual sites will be closed in the event of a field trip or off-site activity.

C. Staff

1. The Staff shall consist of a Program Coordinator, Site Supervisors, Arts and Crafts Director and Counselors.

a. The Program Coordinator shall be responsible for the overall supervision and organization of Summer Recreation staff and activities.

b. Site Supervisors shall be responsible for the supervision and organization of summer Recreation counselors and activities at their assigned sites.

c. The Arts and Crafts Director shall coordinate with Site Supervisors to organize Arts and Crafts activities at each site.

d. Summer Recreation Counselors shall supervise participants in summer recreation activities. There is a minimum ratio of one counselor for every ten children.

D. Fees

1. Registration fees are established by Borough Ordinance.
2. There is an additional fee for trips and off-site activities.

XVI. SPECIAL EVENTS

A. All special events (e.g., New Milford Derby, soccer tournament, dinner dance) sanctioned by Recreation must be approved by the Department.

B. A presentation about the event shall be made to the Department a minimum of two (2) months prior to the anticipated date of the event and before any commitments or disbursements for the event are made. The presentation shall include a detailed description of the event, the event budget, schedule and resource plan.

C. If the Department approves the event, the Department may, upon request, authorize the event organizers to use the Recreation name, tax ID number, Recreation insurance and other Recreation resources in connection with the event.

D. The Department shall appoint a Department member as a liaison to monitor the event on behalf of the Department.

E. The liaison shall provide written or oral status reports at the monthly Department meetings or if he/she cannot attend a meeting shall provide an email report at least two (2) days prior to the meeting.

F. The organizers of the event shall follow all Recreation Policies and Procedures.

G. Any proposed advertising shall be submitted to the Department for its approval a minimum of thirty (30) days prior to a Department meeting.

XVII. LIGHTENING SAFETY

A. New Milford uses an automatic system that enables itself upon weather threats in the area. It is not controlled by a person.

1. When lightning approaches a five-mile radius from New Milford, the Lightning Detection System will activate a flashing light and an alarm will sound.

2. As soon as the Lightning Warning System activates, everyone **MUST** remove themselves from their outdoor activity and seek shelter or face severe penalties.

3. The flashing light will continue for thirty minutes after the last lightning strike within a five-mile radius; all fields must remain cleared throughout the duration of the activated warning system.

4. When the warning alarm sounds a short, steady tone and the flashing light goes out it is permissible to reenter the field.

5. Under absolutely no circumstances is anyone allowed back on the field prior to the Lightning Warning System disabling itself.

6. This system may reactivate at any time throughout the duration that the fields are open depending on the storm activity and its whereabouts. There are no false alarms.

7. Members of the Public using the parks and fields on an individual, unorganized basis are also subject to the same policy.

8. All protective measures must be adhered to at all times.

B. Recommendations

1. If you hear thunder as a storm approaches and the alarm system has not yet activated, it is recommended that you use this leeway time to organize your group to safety. Lightning has been known to strike up to ten miles away.

2. For places of safety during a thunderstorm, a vehicle with a solid metal roof and metal sides offers some protection. Close the windows, lean away from the sides of the car, and keep your hands in your lap. Do not touch the steering wheel, ignition, gear shifter or radio.

C. Five Levels of Lightning Safety

1. Plan ahead: coaches should watch the weather forecast prior to using the field.
2. Use the '30-30 Rule': after you see lightning, count the seconds until you hear thunder. If this time 30 seconds or less, go inside. Stay inside until 30 minutes after the last strike of thunder.
3. Avoid Dangerous Locations: DO NOT go under trees to keep dry in a thunderstorm! Avoid: elevated places, open areas, tall isolated objects, water activities, dugouts, open areas such as fields, open vehicles, unprotected open buildings, and large structures such as fences or bleachers.
4. Lightning Crouch (desperate last resort): If the lightning is about to strike near you, it will sometimes give a warning of a few seconds or less. Sometimes your hair will stand upright, your skin will tingle, light metal objects will vibrate, or you will hear a crackling static-like "kee-kee" sound. If this happens and you're in a group, spread out so there are several body lengths between each person. If one person is struck, the others may not be hit, and give first aid. Once you've spread out, use the lightning crouch: put your feet together, squat down, tuck your head and cover your ears. When the immediate threat of lightning has passed, continue heading to the safest spot possible. Remember this is a last resort; you are much safer having followed the previous steps and not gotten into this high-risk situation.
5. First Aid: Lightning deaths are caused by cardiac arrest or the person has stopped breathing from the cardiac arrest. Start CPR or rescue breathing if the person has no pulse or is not breathing, respectively. Have someone call 911. Use an Automatic External Defibrillator (AED) if one is available.

D. Penalties for Disregarding the Lightning Protection System

1. The umpire, coach, coordinator or adult in charge is responsible to ensure that their group follows the Lightning Safety Policy. Disregarding the policy subjects the umpire, coach, coordinator or adult in charge to a lifetime suspension of responsibility regarding all New Milford Recreation activities, and privileges including using the fields and parks for organized activity.

XVII. MISCELLANEOUS

A. Travel/Recreation Sport Picture Day

1. The purchase of an individual and/or team picture is optional.
2. Participation in the team picture is highly encouraged.

B. Smoking and the use of alcoholic beverages are prohibited on all Borough property.

C. Facility use fees and permits for non-Recreation sports are governed by Borough ordinance.

Appendix A – Violent Fan’s Law

New Jersey Violent Fans Law

CHAPTER 53

AN ACT concerning assaults and amending N.J.S.2C:12-1.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. N.J. S.2C:12 1 is amended to read as follows:

Assault.

2C:12 1. Assault. a. Simple assault. A person is guilty of assault if he:

- (1) Attempts to cause or purposely, knowingly or recklessly causes bodily injury to another; or
- (2) Negligently causes bodily injury to another with a deadly weapon; or
- (3) Attempts by physical menace to put another in fear of imminent serious bodily injury. Simple assault is a disorderly persons offense unless committed in a fight or scuffle entered into by mutual consent, in which case it is a petty disorderly persons offense.

Aggravated assault. A person is guilty of aggravated assault if he:

1. Attempts to cause serious bodily injury to another, or causes such injury purposely or knowingly or under circumstances manifesting extreme indifference to the value of human life recklessly causes such injury; or
2. Attempts to cause or purposely or knowingly causes bodily injury to another with a deadly weapon; or
3. Recklessly causes bodily injury to another with a deadly weapon; or
4. Knowingly under circumstances manifesting extreme indifference to the value of human life points a firearm, as defined in section 2C:39 1 £, at or in the direction of another, whether or not the actor believes it to be loaded; or
5. Commits a simple assault as defined in subsection a. (1), (2) or (3) of this section upon:
 - a. Any law enforcement officer acting in the performance of his duties while in uniform or exhibiting evidence of his authority or because of his status as a law enforcement officer; or
 - b. Any person engaged in emergency first aid or medical services acting in the performance of his duties while in uniform or otherwise clearly identifiable as being engaged in the performance of emergency first aid or medical services; or
 - c. Any school board member, school administrator, teacher, school bus driver or other employee of a school board while clearly identifiable as being engaged in the performance of his duties or

because of his status as a member or employee of a school board or any school bus driver employed by an operator under contract to a school board while clearly identifiable as being engaged in the performance of his duties or because of his status as a school bus driver; or

d. Any employee of the Division of Youth and Family Services while clearly identifiable as being engaged in the performance of his duties or because of his status as an employee of the division; or

e. Any justice of the Supreme Court, judge of the Superior Court, judge of the Tax Court or municipal judge while clearly identifiable as being engaged in the performance of judicial duties or because of his status as a member of the judiciary; or

f. Any operator of a motorbus or the operator's supervisor or any employee of a rail passenger service while clearly identifiable as being engaged in the performance of his duties or because of his status as an operator of a motorbus or as the operator's supervisor or as an employee of a rail passenger service; or

6. Causes bodily injury to another person while fleeing or attempting to elude a law enforcement officer in violation of subsection b. of N.J.S.2C:29 2 or while operating a motor vehicle in violation of subsection c. of N.J.S.2C:20 10. Notwithstanding any other provision of law to the contrary, a person shall be strictly liable for a violation of this subsection upon proof of a violation of subsection b. of N.J.S.2C:29 2 or while operating a motor vehicle in violation of subsection c. of N.J.S.2C:20 10 which resulted in bodily injury to another person; or
7. Attempts to cause significant bodily injury to another or causes significant bodily injury purposely or knowingly or, under circumstances manifesting extreme indifference to the value of human life recklessly causes such significant bodily injury; or
8. Causes bodily injury by knowingly or purposely starting a fire or causing an explosion in violation of N.J.S.2C:17 1 which results in bodily injury to any emergency services personnel involved in fire suppression activities, rendering emergency medical services resulting from the fire or explosion or rescue operations, or rendering any necessary assistance at the scene of the fire or explosion, including any bodily injury sustained while responding to the scene of a reported fire or explosion. For purposes of this subsection, "emergency services personnel" shall include, but not be limited to, any paid or volunteer fireman, any person engaged in emergency first aid or medical services and any law enforcement officer. Notwithstanding any other provision of law to the contrary, a person shall be strictly liable for a violation of this paragraph upon proof of a violation of N.J.S.2C:17 1 which resulted in bodily injury to any emergency services personnel; or
9. Knowingly, under circumstances manifesting extreme indifference to the value of human life, points or displays a firearm, as defined in subsection f. of N.J.S.2C:39 1, at or in the direction of a law enforcement officer; or

10. Knowingly points, displays or uses an imitation firearm, as defined in subsection f. of N.J.S.2C:39 1, at or in the direction of a law enforcement officer with the purpose to intimidate, threaten or attempt to put the officer in fear of bodily injury or for any unlawful purpose; or
11. Uses or activates a laser sighting system or device, or a system or device which, in the manner used, would cause a reasonable person to believe that it is a laser sighting system or device, against a law enforcement officer acting in the performance of his duties while in uniform or exhibiting evidence of his authority. As used in this paragraph, "laser sighting system or device" means any system or device that is integrated with or affixed to a firearm and emits a laser light beam that is used to assist in the sight alignment or aiming of the firearm.

Aggravated assault under subsections b. (1) and b. (6) is a crime of the second degree; under subsections b. (2), b. (7), b. (9) and b. (10) is a crime of the third degree; under subsections b. (3) and b. (4) is a crime of the fourth degree; and under subsection b. (5) is a crime of the third degree if the victim suffers bodily injury, otherwise it is a crime of the fourth degree. Aggravated assault under subsection b.(8) is a crime of the third degree if the victim suffers bodily injury; if the victim suffers significant bodily injury or serious bodily injury it is a crime of the second degree. Aggravated assault under subsection b.(11) is a crime of the third degree.

- (1) A person is guilty of assault by auto or vessel when the person drives a vehicle or vessel recklessly and causes either serious bodily injury or bodily injury to another. Assault by auto or vessel is a crime of the fourth degree if serious bodily injury results and is a disorderly persons offense if bodily injury results.
- (2) Assault by auto or vessel is a crime of the third degree if the person drives the vehicle while in violation of R.S.39:4 50 or section 2 of P.L.1981, c.512 (C.39:4 50.4a) and serious bodily injury results and is a crime of the fourth degree if the person drives the vehicle while in violation of R.S.39:4 50 or section 2 of P.L.1981, c.512 (C.39:4 50.4a) and bodily injury results.
- (3) Assault by auto or vessel is a crime of the second degree if serious bodily injury results from the defendant operating the auto or vessel while in violation of R.S.39:4 50 or section 2 of P.L.1981, c.512 (C.39:4 50.4a) while:
- a. on any school property used for school purposes which is owned by or leased to any elementary or secondary school or school board, or within 1,000 feet of such school property;
 - b. driving through a school crossing 'as defined in R.S.39:1 1 if the municipality, by ordinance or resolution, has designated the school crossing as such; or
 - c. driving through a school crossing as defined in R.S.39:1 1 knowing that juveniles are present if the municipality has not designated the school crossing as such by ordinance or resolution.
- Assault by auto or vessel is a crime of the third degree if bodily injury results from the defendant operating the auto or vessel in violation of this paragraph.

A map or true copy of a map depicting the location and boundaries of the area on or within 1,000 feet of any property used for school purposes which is owned by or leased to any elementary or secondary school or school board produced pursuant to section 1 of P.L.1987, c.101 (C.2C:35 7) may be used in a prosecution under subparagraph (a) of paragraph (3) of this section.

It shall be no defense to a prosecution for a violation of subparagraph (a) or (b) of paragraph (3) of this subsection that the defendant was unaware that the prohibited conduct took place while on or within 1,000 feet of any school property or while driving through a school crossing. Nor shall it be a defense to a prosecution under subparagraph (a) or (b) of paragraph (3) of this subsection that no juveniles were present on the school property or crossing zone at the time of the offense or that the school was not in session.

As used in this section, "vessel" means a means of conveyance for travel on water and propelled otherwise than by muscular power.

d. A person who is employed by a facility as defined in section 2 of P.L.1977, c.239 (C.52:27G 2) who commits a simple assault as defined in paragraph (1) or (2) of subsection a. of this section upon an institutionalized elderly person as defined in section 2 of P.L.1977, c.239 (C.52:27G 2) is guilty of a crime of the fourth degree.

e. (Deleted by amendment, P.L.2001, c.443).

f. A person who commits a simple assault as defined in paragraph (1), (2) or (3) of subsection a. of this section in the presence of a child under 16 years of age at a school or community sponsored youth sports event is guilty of a crime of the fourth degree. The defendant shall be strictly liable upon proof that the offense occurred, in fact, in the presence of a child under 16 years of age. It shall not be a defense that the defendant did not know that the child was present or reasonably believed that the child was 16 years of age or older. The provisions of this subsection shall not be construed to create any liability on the part of a participant in a youth sports event or to abrogate any immunity or defense available to a participant in a youth sports event as used in this act, "school or community sponsored youth sports event means a competition, practice or instructional event involving one or more interscholastic sports teams or youth sports teams organized pursuant to a nonprofit or similar charter or which are member teams in a youth league organized by or affiliated with a county or municipal recreation department and shall not include collegiate, semiprofessional or professional sporting events

12. This act shall take effect immediately.

Approved August 3, 2002.

Appendix B: Recreation Sports, Amended Rules (CURRENTLY UNDER REVIEW)