

Registered Sex Offenders

Board Policy: A-42
Adopted: November 3, 2008

I. General Policy Statement

Pursuant to Session Law 2008-117, *The Jessica Lunsford Act for North Carolina* (the "Act"), the General Assembly of North Carolina has recognized that sex offenders often pose a high risk of engaging in sex offenses after being released from incarceration or commitment and that the protection of students from sex offenders while on school property and at school-sponsored activities serves an important governmental interest.

II. CERTAIN SEX OFFENDERS BANNED FROM ALL SCHOOL PROPERTY AND SCHOOL EVENTS

In accordance with G.S. 14-208.18, all persons who (1) are required to register under the Sex Offender and Public Protection Program AND (2) have been convicted of certain sexually violent offenses or any offense where the victim was under the age of 16 years at the time of the offense ("Prohibited Persons") are expressly forbidden to knowingly be present on any property owned or operated by the school system, including school buildings, athletic fields, playgrounds, parking lots, school buses, activity buses or other property of any kind for any reason, including attendance at sporting events or other school-related functions, whether before, during or after school hours. In addition, Prohibited Persons may not attend or be present at any student function or field trip on or off of school property which is 1) school-sponsored or 2) otherwise under the official supervision or control of school personnel. This policy applies to all Prohibited Persons regardless of their relationship to, or affiliation with, a student in the school system (i.e. aunts, uncles, grandparents, etc).

A. PROHIBITED PERSONS

The Superintendent or designee shall consult with the Board Attorney and create and maintain a list of the criminal offenses that qualify an individual as a Prohibited Person under this policy.

B. EXCEPTION FOR VOTING

A Prohibited Person may be on school property to vote. However, that individual must notify the Principal that they are a Prohibited Person when they arrive on school property and must remain at all times in the portion of the school being used as the polling place. The Prohibited Person must leave school grounds immediately after voting.

C. LIMITED EXCEPTION FOR PROHIBITED PERSONS WHO ARE PARENTS / GUARDIANS OF A STUDENT

1. A Prohibited Person who is the Parent/Guardian of a student may be on school property only for the following reasons:
 - a. To attend a previously scheduled school conference with school personnel to discuss their child's academic or social progress; or
 - b. At the request of the Principal/designee, for any other reason relating to the welfare or transportation of their child.
2. For each visit authorized by subsection (a)(1) above, the Parent/Guardian must provide the Principal with prior written notice of their registration on the Sex Offender Registry and notice of their presence at the school. Notice of their presence at school includes the nature and specific times of any visit.
3. For each visit authorized by subsection (a) above, the Parent/Guardian must check in at the Principal's office upon arrival and departure. In addition, during each and every visit, the Parent/Guardian must be under the direct supervision of school personnel at all times. If personnel are not available to supervise the Parent/Guardian during any visit then they shall not be permitted on the school property.
4. For each visit authorized by subsection (a) above, the Parent/Guardian shall comply with all reasonable rules and restrictions placed upon them by the Principal, including any restrictions on the date, time, location and length of meetings.

D. POSSIBLE EXCEPTIONS FOR STUDENTS

Students who meet the definition of a Prohibited Person may be on school property only in accordance with Policy SA-18, Student Sex Offenders.

E. NO SPECIAL PERMISSION

There shall be no "special permission" given by the Board of Education, the Superintendent or any Principal in the school system for Prohibited Persons to be on schools grounds or attend events or activities in violation of this policy.

III. ENFORCEMENT

All school personnel should report the presence or suspected presence of a Prohibited Person to a school administrator. Any suspected violation of this policy shall be reported by a school administrator to the Superintendent and to law enforcement for immediate investigation and appropriate action. Principals shall immediately notify the Superintendent of any known or suspected Prohibited Person who is a student, or a parent or guardian of a student, at their school.

IV. CONTRACTED SERVICES

Each time the School District enters into any contract or agreement for contracted services, it shall require the other party to the contract to conduct an annual check of the State Sex Offender and Public Protection Registration Program, the State Sexually Violent Predator Registration Program and the National Sex Offender Registry for all of its employees who will have direct interaction with students as part of their job or service. Any such employee found to be on a registry shall be prohibited from having any direct interaction with students. This provision applies to contracts with a single individual.

V. APPLICABILITY

This policy shall supersede any conflicting provisions in all other Board policies regarding school safety, parental involvement, school field-trips, school visitors, school volunteers and student transportation.

Legal References: G.S. 14-208.18, -25A; 115C-332, -332.1