

Sex Offenders

To protect the morals, health, and safety of students, it is the policy of the district to deny entrance onto the premises of any district school or at any school activity to registered sex offenders, of whom the district has knowledge.

The superintendent may grant an exception to this prohibition for an individual who is a parent or guardian of a student attending a school within the district, and whose right to educational information or access to his/her child or ward has not been limited by court order. The decision shall be based upon a review of all of the relevant circumstances, including the risk to the morals, health, and safety of other students. Such parents or guardians may be permitted access to a particular school or school event, with or without limitations, as determined appropriate by the superintendent. The decision to grant or deny the request for an exception is not appealable to the board.

Visitors to and Conduct on School Property

For purposes of this policy, "school property" means school buildings, District buildings not being used as a school, vehicles used for school purposes, any location being utilized during a school athletic event or other school-sponsored event, properties posted with a notice that they are used by a school and school grounds.

Visitors are welcome on school property provided their presence will not be disruptive. All visitors must initially report to the building principal's office. Any person wishing to confer with a staff member must contact that staff member by telephone to make an appointment. Conferences with teachers are held outside school hours or during the teacher's conference/preparation period.

Convicted Sex Offender

State law prohibits a person who is currently registered or is required to register under the sex offender registration act to:

1. Be on or remain on the premises of a school building or school grounds when the person believes children under the age of eighteen (18) years are present and are involved in a school activity or when children are present within thirty (30) minutes before or after a school activity.
2. Loiter on a public way within five hundred (500) feet of the property line of school grounds or a school building when children under the age of eighteen (18) years are present.
3. Be in any vehicle owned, leased or contracted by a school to transport students to or from school or school-related activities when children under the age of eighteen (18) years are present in the vehicle.

4. Reside within five hundred (500) feet of a school, measured from the nearest point of the exterior wall of the offenders dwelling unit to the school's property line, unless the person's residence was established prior to July 1, 2006.

The posted notices required in this section shall be at least one hundred (100) square inches, make reference to I.C. § 18-8329, include the term "registered sex offender" and be placed at commonly used entrances to the property. In addition, there shall be at least one (1) notice posted every six hundred sixty (660) feet along the property line.

Provided, however, section numbers 1 and 2 immediately above shall not apply when the person:

- A. Is a student in attendance at the school; or
- B. Is attending an academic conference with school officials as a parent or legal guardian of a child who is enrolled in the school and is participating in the conference; or
- C. Is attending a scheduled extracurricular school event with school officials as a parent or legal guardian of a child who is participating in the school event; or
- D. Resides at a state licensed or certified facility for incarceration, health care or convalescent care; or
- E. Is picking up a child or children or dropping off a child or children and the person is the child or children's parent or legal guardian;
- F. Is temporarily on school grounds, during school hours, for the purposes of making a delivery involving mail, food or other necessary delivery;
- G. Is exercising his or her right to vote in public elections; or
- H. Is taking delivery of his mail through an official post office located on school grounds;
- I. Has written permission from a school principal, vice-principal, or the equivalent, to be on the school grounds or upon other property posted with a notice that the property is used by a school; or
- J. Stays at a homeless shelter or resides at a recovery facility if such shelter or facility has been approved for sex offenders by the county sheriff or municipal police chief.

Sex Offender Registry Notification

District officials will make a good faith effort to identify registered sex offenders residing within the district's boundaries by periodically reviewing the Idaho State Police registry of sexual offenders. The Superintendent or his/her designee shall request notification of registered sex offenders in the same or contiguous zip codes as any school within the District. The request can be made of either the Idaho State Police, the local Sheriff's Department, or the Idaho State Superintendent of Public Instruction. District officials shall notify each registered sex offender identified as residing within the boundaries of the district that he/she is not allowed entrance to the premises of any school of the district or to any school activities. Such request and notification shall be made in accordance with Idaho Codes 18-8323 and 18-8324. The information in the sex offender registries is for purposes of protecting the public. It is not to be used for the purpose of harassing or intimidating anyone. See Idaho Code 18-8326.

Staff Notification

At a quarterly meeting, the building principal shall disseminate sex offender registry information received. The principal shall inform staff of the roles and responsibilities of staff in dealing with instances of convicted sex offenders on school property, including, but not limited to, sex offenders on school property without approval, and/or if a staff member is the school official assigned to escort the sex offender.

When sex offender registry information is disseminated by the principal, it shall include a notice that such information should not be shared with others and may only be used for the purposes discussed in this policy and in accordance with Idaho Code 18-8326. School personnel shall not use information received by the district regarding any registered sexual offender to harass, intimidate, commit a crime against, or cause harm to any person. Employees who share registry information with others may be disciplined.

Enforcement

Any staff member may request identification from any person on school property. Any staff member shall seek the immediate removal of any person who refuses to provide requested identification.

As circumstances warrant, the District’s administrators shall take appropriate action to enforce this policy. Violations will be handled as follows:

- Anyone observing a parent/guardian or other person violating this policy shall immediately notify the building principal or designee. The principal or designee will request that the person act civilly or otherwise refrain from the prohibited conduct. If the person persists with uncivil or prohibited behavior, the principal shall request that the person immediately leave school property and may contact law enforcement, if appropriate.
- If a sex offender violates this policy, school officials shall immediately contact law enforcement.

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| Legal Reference: | I.C. § 18-8323 | Public Access to Sexual Offender Registry Information |
| | I.C. § 18-8324 | Dissemination of Registry Information |
| | I.C. § 18-8326 | Penalties for Vigilantism or Other Misuse of Information |
| | I.C. § 18-916 | Abuse of School Teachers |
| | I.C. § 33-512(11) | Governance of Schools |

Policy History:

Adopted on: August 10, 2009

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