

Descriptor Term:
REGISTERED SEX OFFENDERS

Descriptor Code:
5.0220/7.4878

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

Cross References: 4.3350 Student Sex Offenders

Pursuant to Session Law 2008-117, The Jessica Lunsford Act for North Carolina (the "Act"), and N.C.G.S. § 14-208.18 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. The board is committed to the safety of students and other persons on school property. In order to maintain a safe school environment, the superintendent and all school personnel shall enforce the provisions of this policy at all times.

I. REGISTERED SEX OFFENDERS BANNED FROM ALL SCHOOL PROPERTY AND SCHOOL EVENTS

Except as otherwise provided herein, all persons who are required to register under the North Carolina Sex Offender and Public Protection Program (hereinafter referred to as "Prohibited Persons") are expressly forbidden to 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 (hereinafter referred to as "school property") 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 school or student function or event 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. EXCEPTION FOR VOTING

A Prohibited Person may be on school property to vote if the school property is used as a voting place as defined by N.C.G.S. 163-165. 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. Furthermore, the Prohibited Person must leave school grounds immediately after voting.

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

1. Subject to other restrictions set forth herein, a Prohibited Person who is the parent, legal guardian or legal custodian of a student enrolled in school 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 or his/her designee, for any other reason relating to the welfare or transportation of his or her child.
2. For each visit authorized by subsection (a) above, the parent, legal guardian or legal custodian must provide the Principal with prior written notice of his or her requirement to register pursuant to the North Carolina Sex Offender Registration and Public Protection Program and notice of their presence at the school. Notice of his or her presence at school includes the nature and specific times of any visit.
3. For each visit authorized by subsection (a) above, the parent/legal guardian or legal custodian must arrange to meet a school staff member at the edge of the school property, check in at the Principal's office immediately upon arrival and departure, and remain under the direct supervision of school personnel at all times while on school property. If personnel are not available to supervise the parent/legal guardian or legal custodian during any visit, then the parent or guardian shall not be permitted to enter or remain on the school property.
4. For each visit authorized by subsection (a) above, the parent/legal guardian or legal custodian 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.
5. Except as otherwise provided herein and except in situations in which the Prohibited Person is a blood relative or otherwise the parent, legal guardian or legal custodian of a student who is injured at school or who is receiving a special recognition or award, there shall be no special permission give by the board of education, the superintendent or any principal in the school system for a Prohibited Peron to be on school grounds or attend events or activities in violation of this policy.

C. EXCEPTION FOR STUDENTS

Students who are subject to N.C.G.S. 14-208.18 may be on school property only in accordance with policy 4.3550 Student Sex Offenders.

II. ENFORCEMENT

All school personnel must immediately report to a school administrator the presence or suspected presence of a known or suspected Prohibited Person on school property. 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 at all times during their employment as principal, register with the North Carolina Sex Offender and Public Protection Registration Program to receive e-mail notification when a registered sex offender moves within a five (5) mile radius of the that principal's school.

Principals shall immediately notify the Superintendent or his designee of any such e-mail notifications immediately when they are received by the principal.

Principals shall immediately notify the Superintendent of any known or suspected Prohibited Person who is a student enrolled in their school, or a parent or guardian of a student enrolled in their school.

III. CONTRACTED SERVICES

Each time the School District enters into any contract or agreement for contracted services, it shall include a term in the contract requiring the individual or entity with whom it is contacting 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.

Furthermore, the board shall include a term in the contract that 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.

IV. 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.