

# NOVATO UNIFIED SCHOOL DISTRICT

## Board Policy

Series 3000

BP 3515.5

### **BUSINESS SERVICES**

#### **REGISTERED SEX OFFENDER NOTIFICATION**

In order to help protect students while they are traveling to and from school, attending school or at a school-related activity, the Governing Board believes it is important that the district respond appropriately when a law enforcement agency contacts the district about registered sex offenders who may reside or work within district boundaries.

The Superintendent or designee shall establish an ongoing relationship with law enforcement officials to coordinate the receipt of such information and dissemination of such information. To the extent authorized by law, the Superintendent or designee also shall establish procedures for notifying appropriate staff as necessary.

The district and its employees shall be immune from liability for the good faith dissemination of sex offender information provided by a law enforcement agency or an employee of a law enforcement agency, so long as the dissemination is in the manner and to the extent authorized by the law enforcement agency. (Penal Code 290)

The Superintendent or designee shall annually notify parents/guardians of the district's planned response to this situation.

The Superintendent or designee shall annually notify parents/guardians of the availability of the CD-ROM regarding registered sex offenders, from local law enforcement, and recommend that they utilize the information contained on the disk.

#### Legal Reference:

##### EDUCATION CODE

32211 Threatened disruption or interference with classes; offense

35160 Authority of boards

35160.1 Board authority of school districts

##### PENAL CODE

290 Registration of sex offenders

290.4 Sex offender registration; compilation of information; "900" number

415.5 Disturbance of peace of school

626.8 Disruptive entry or entry of sex offender upon school grounds

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UNITED STATES CODE, TITLE 42

14071 Jacob Watterling Crimes Against Children and Sexually Violent Offender

Registration Program Act

ATTORNEY GENERAL OPINIONS

82 Ops. Cal Atty.Gen. 20 (1999)

Management Resources:

WEB SITES

California Department of Justice: <http://www.caag.state.ca.us>

Board Adopted April 17, 2001

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## Administrative Rules and Regulations

Series 3000

AR 3515.5

### **BUSINESS SERVICES**

#### **REGISTERED SEX OFFENDER**

##### **1. Procedures for Staff Notification**

- a. When a school in the district has received information about a registered sex offender from a law enforcement agency, all staff members will be notified including, but not necessarily limited to:
  - (1) Campus Supervisors
  - (2) Bus drivers
  - (3) All staff who may be involved in visitor registration
  - (4) Teachers
  - (5) Classified personnel
  - (6) Cafeteria workers
  - (7) Instructional aides
- b. After a school receives a registered sex offender notice from law enforcement, the principal/designee will ensure the procedures below are followed:
  - (1) Registered sex offender flyers or information will be placed in a folder and stored in the main school-site office. Sex offender flyers are not posted, duplicated, or distributed.
  - (2) When the school receives a new registered sex offender flyer or new information, the principal or designee will notify all school staff to come to the main office to view the folder containing the flyer or other information from law enforcement.

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- (3) Each school site will maintain a dated employee log sheet to demonstrate each staff member has reviewed the registered sex offender flyers or information from each law enforcement agency. The employee log sheet shall notify staff members of the following:
- (a) California law gives law enforcement agencies the authority to assess the relative danger of a registered sex offender and to notify the public when a danger exists,
  - (b) The district will share law enforcement notices with staff members solely to assist in identifying a danger, and
  - (c) Any person who uses registered sex offender information to commit a felony will be subject to criminal sanctions.

### **2. Campus Registration Procedures: Registered Sex Offender Who is a Parent or Guardian**

- a. A registered sex offender who is a parent or guardian of a child attending the school and has lawful business thereon, will directly proceed to the school office and seek registration to enter the school campus. Lawful business means a reason for being present upon school property which is not otherwise prohibited by statute, by ordinance, or by any regulation adopted pursuant to statute or ordinance (Penal Code 626.8). The school principal will grant registration to enter the school campus to a registered sex offender who is a parent or guardian of a pupil at the school *only when* that parent/guardian is accompanied by a staff member for the duration of any visit to the school or school grounds.

### **3. Campus Registration Procedures: School Response to Presence of a Registered Sex Offender Who is Not a Parent or Guardian of a Pupil at the School**

- a. If a suspected registered sex offender is seen on or nearby school grounds or around any pupil, staff members shall immediately inform the principal/designee.
- b. When the principal/designee receives information a suspected registered sex offender may be on or nearby school grounds or around any pupil, he/she will determine whether the suspected registered sex offender:
  - (1) has received written permission for the entry onto school grounds,
  - (2) is a parent or guardian of a child attending that school and, if possible,
  - (3) is actually a serious or high-risk registered sex offender as previously identified by law enforcement.

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- c. Any registered sex offender who comes into any school building or upon any school ground, or street, sidewalk, or public way adjacent thereto, unless the person is a parent or guardian of a child attending that school, or is a student at the school, or has prior written permission for the entry from the school principal/ designee will be asked to show identification, will be promptly directed to leave, and law enforcement will be notified. Law enforcement will determine if the registered sex offender is in violation of parole or probation conditions.

#### **4. Communication to Parents Concerning District Procedures**

- a. The Superintendent or designee shall, at the beginning of each school year, notify parents/guardians in the Guide for Parents and Students of the district's plan to work with law enforcement agencies on these matters and will briefly explain the appropriate roles and responsibilities of the district and law enforcement agencies. This notification shall describe:
  - (1) Law enforcement agencies' statutory responsibility to assess the relative danger of a registered sex offender and to notify the public accordingly when such danger exists.
  - (2) District procedures for processing registered sex offender information received from the law enforcement agencies.
  - (3) The parent's or guardian's access to information about registered sex offenders from law enforcement.

#### **5. Working Relationships with Law Enforcement**

- a. The Superintendent or designee shall develop a plan for receiving and communicating information from law enforcement agencies about registered sex offenders. The following components are part of the plan for receiving and communicating information about registered sex offenders:
  - (1) The Superintendent shall appoint a district designee to serve as liaison with law enforcement regarding these matters.

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- (2) A letter shall be sent annually, at the beginning of each school year, to law enforcement agencies with the names, fax numbers, phone numbers, and addresses of the district liaison and district principals. The district liaison will, in the letter, request law enforcement agencies to direct all notifications and correspondence regarding registered sex offenders to both the district liaison and the appropriate school-site principal(s).
- (3) When a law enforcement agency notifies the district of the residency or employment of a registered sex offender, the district liaison shall in turn notify appropriate central office and school staff consistent with law enforcement's determined distribution list.
- (4) When a law enforcement agency notifies a school about a registered sex offender and it cannot be determined the district liaison was also notified, the principal should immediately contact the district liaison.
- (5) Any staff member who receives information directly from law enforcement regarding a registered sex offender shall promptly notify his/her supervisor.
- (6) If the district liaison believes that parents/guardians should, but have not yet been notified of the presence of either a "high risk" or "serious" registered sex offender in the community, the liaison shall contact local law enforcement and ask the agency to consider conducting a broader notification.

Board Adopted April 17, 2001