



## SEXUAL OFFENDERS ON SCHOOL PROPERTY

### Definitions

For the purpose of this policy:

- A *sexual offender* is defined in NDCC 12.1-20-25.
- A *parent sexual offender* is an individual who meets this policy's definition of sexual offender and who has either parental or legal guardianship rights to a child attending the school.
- A *nonparent sexual offender* is an individual who meets this policy's definition sexual offender and who has no parental rights or legal guardianship rights to a child attending the school.
- *School property* includes all land within the perimeter of the school site and all school buildings, structures, facilities, computer networks and systems, and school vehicles, whether owned or leased by the school, and the site of any school-sponsored activity.

#### 1. Nonparent Sexual Offenders

A nonparent sexual offender is prohibited from entering the school except:

- a. When s/he is a qualified voter and is entering school property solely for the purpose of casting his/her vote.
- b. In accordance with NDCC chapter 44-04, open meetings are only required of organizations expending public funds. Hope Christian Academy is a private entity. Therefore, none of our meetings require us to be opened to registered sex offenders.

A nonparent sex offender who attempts to communicate electronically with a student while the student is on school property will be considered on school property without permission and will be in violation of this policy.

#### 2. Parent Sex Offenders

Parent sexual offenders are prohibited from entering school property except for purposes outlined in section one parts a and b of this policy and with the administrator prior written approval in the following instances:

- a. To transport his/her child to and/or from school. The parent sex offender will only be permitted to transport his/her own child.
- b. To attend a conference to discuss his/her student's progress, placement, or individual education program (IEP).
- c. Under other circumstances on a case-by-case basis, as determined by the administrator.

A parent sex offender who attempts to communicate electronically with a student other than his/her child while the student is on school property will be considered on school property without permission and will be in violation of this policy.

3. Student Sex Offenders

Registered sex offenders will not be admitted as students at Hope Christian Academy.

4. General Provisions

The administrator will inform the appropriate principal and other relevant staff of the scope of the permission granted to each sexual offender.

Sexual offenders who receive permission to enter school property must immediately report to the individual or location designated in the administrator written permission statement. The building principal shall assign a chaperone to accompany the sexual offender while s/he is on school property. The only exceptions to these requirements are when the administrator grants permission to a parent sex offender to transport his/her child and when a student sex offender receives permission to attend the school in which case the guidelines developed for this individual shall apply.

The administrator may establish a system for identifying sexual offenders and may inform known sexual offenders of this policy. It is not the intent of the school to expand or modify the school's potential liability exposure through the implementation of this notification system. The school's voluntary creation of this safety precaution shall not be construed to create or assume any potential liability under any local, state or federal law or regulation. Lack of notification does not excuse sexual offenders from abiding by the requirements and prohibitions in this policy.

The administrator will contact law enforcement anytime a sexual offender violates this policy and will immediately revoke any privileges granted to the sexual offender under this policy.

### **CRITERIA FOR GRANTING PARENT OFFENDERS PRIVILEGES TO ENTER SCHOOL PROPERTY**

The administrator may consider the following criteria and/or other relevant information when determining if a parent offender shall be granted privileges to enter school property for any purpose beyond those rights afforded by state and federal law.

1. The risk level assigned to the parent offender by the Bureau of Criminal Investigation. High risk and lifetime offenders will generally not be granted privileges to enter school property in excess of those provided in law. When the administrator deems it necessary to grant a high risk or lifetime offender privileges, will be limited in scope.
2. When available, the circumstances surrounding the crime/offense.
3. The age of the offender's victim. Parent offenders who have committed the crime/offense against a minor will generally not be granted privileges in excess of those provided in law. When the administrator deems it appropriate to grant these offenders privileges may be limited in scope.
4. The age at which the offender committed the crime/offense.
5. The duration of time that has passed since the parent offender committed the crime/offense.

6. The nature of the activity, event or purpose for which the parent offender has requested entry on to school property. The administrator shall take into account the level of supervision provided to district students and the level of supervision the district will be able to provide, if any, to the parent offender during the time the offender has requested to be on school property.

The administrator may solicit the input of law enforcement officials when determining if a parent offender shall be granted privileges to enter school property beyond those rights afforded in law. These privileges will be granted in accordance with the district's sexual offender policy and may contain restrictions and prohibitions. The administrator may at any time, with cause, revoke these privileges.