

SEX OFFENDERS

St. Maries Joint School District No. 41 recognizes the danger sex offenders pose to student safety. Therefore, in an effort to protect students while under the control and supervision of the District, the District is implementing this Policy.

VISITORS TO AND CONDUCT ON SCHOOL PROPERTY

For the 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, and 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, including parents of students (unless otherwise exempted), 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 or e-mail to make an appointment. Conferences with teachers are held outside school hours or during the teacher's conference/preparation period.

The District expects mutual respect, civility and orderly conduct among all individuals on school property or at a school event. No person on school property or at a school event shall:

1. Injure, threaten, harass or intimidate a staff member, a School Board Trustee, sports official or coach, or any other person;
2. Damage or threaten to damage another's property;
3. Damage or deface District property;
4. Violate any Idaho law, or town or county ordinance;
5. Smoke or otherwise use tobacco products;
6. Consume, possess, distribute or be under the influence of alcoholic beverages or illegal drugs, or possess dangerous devices or weapons;
7. Impede, delay, disrupt or otherwise interfere with any school activity or function (including using cellular phones in a disruptive manner);
8. Enter upon any portion of school premises at any time for purposes other than those that are lawful and authorized by the Board of Trustees;

9. Operate a motor vehicle: (a) in a risky manner, (b) in excess of 20 miles per hour, or (c) in violation of an authorized District employee's directive;
10. Engage in any risky behavior, including rollerblading, roller skating or skateboarding; or
11. Violate other District policies or regulations, or an authorized District employee's directive.

CONVICTED SEX OFFENDERS

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

1. Be on or remain on the premises of a school building or school grounds, or upon other properties posted with a notice that they are used by a school, when the person believes students under the age of eighteen (18) years are present and are involved in a school activity or when students 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 students 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 students 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.

All notices posted as required by Idaho Code shall be at least one hundred (100) square inches, make reference to Idaho Code Section 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.

SAMPLE POSTED NOTICE

"This property is used by or as a school. Pursuant to Idaho Code Section 18-8329, registered sex offenders only have limited rights to enter upon or be near school property. Please contact the School District at 208 245-2579 or your probation/parole officer for more information."

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. Resides at a state licensed or certified facility for incarceration, health care or convalescent care; or
- C. Is exercising his or her right to vote in public elections;
- D. Is taking delivery of his or her mail through an official post office located on school grounds;
- E. Has contacted the District Office annually to obtain written permission from the District, to be on the school grounds or upon other property posted with a notice that the property is used by a school; or
- F. 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.

NOTE: These provisions are required for an individual who is dropping off or picking up a student and is the student's parent or legal guardian, is attending an academic conferences or other scheduled extra-curricular event, or is temporarily on school grounds, during school hours, for the purpose of delivering mail, food, or other items.

An individual seeking written permission as outlined above must contact the District at least ten (10) working days prior to the first visit. In determining whether to grant written permission as provided above, the District may, in its discretion, consider the nature of the offense committed, the time since an offense has been committed, the safety of the students, the likely disruption caused by the individual's access to the property, or any other factor. The District will provide a response to the requesting individual within seven (7) working days of receipt of the request.

SEX OFFENDER REGISTRY NOTIFICATION

The Superintendent or his/her designee shall request notification of registered sex offenders in the same contiguous zip codes as any school within the District. The request can be made to either the Idaho State Police, the local Sheriff's Department, or the Idaho State Superintendent of Public Instruction. Such request and notification shall be made in accordance with Idaho Code. 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.

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. 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:

- A. 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.
- B. If a sex offender violates this Policy, school officials shall immediately contact law enforcement.

**LETTER TO PARENTS REGARDING VISITS TO SCHOOL
BY CONVICTED SEX OFFENDERS**

Dear Parents/Guardians:

The purpose of this letter is to help St. Maries Joint School District No. 41 and its schools comply with State law placing restrictions on sex offenders' access to school students and school property.

If you would like to obtain information regarding convicted sex offenders in your area, you can contact the Idaho State Police or your local Sheriff's Department. The Idaho State Police has a website available to provide this information. Currently, that website is: http://isp.idaho.gov/sor_id/

State law prohibits a sex offender from:

1. Being on or remaining on the premises of a school building or school grounds, or upon other properties posted with a notice that they are used by a school, when the person believes students under the age of eighteen (18) years are present and involved in a school activity or when students are present within thirty (30) minutes before or after a scheduled school activity.
2. Loitering on a public way within five hundred (500) feet of the property line of school grounds or a school building when students under the age of eighteen (18) years are present for a school activity, or when students are present thirty (30) minutes before or after such activity.
3. Being in any vehicle owned, leased or contracted by a school to transport students to or from school or school-related activities when students under the age of eighteen (18) years are present in the vehicle.
4. Residing within five hundred (500) feet of a school, measured from the nearest point of the exterior wall of the offender's dwelling unit to the school property line, unless the person's residence was established prior to July 1, 2006.

The following applies if you are parent/guardian who is a convicted sex offender:

You need to immediately return this letter with the blanks completed to the building Principal' office where your student is enrolled. This letter must be completed and returned to the school at least ten (10) working days before your first anticipated visit to the school. If you have students attending more than one school, you must complete this form for each school. The District will crosscheck responses to the list the District receives from law enforcement identifying sex offenders living within its jurisdiction.

When you visit your student at school or a school event that you have not already described on the form below, you must inform the Principal's secretary that you need to make an entry on your record of school visits. This record will be kept on file in the building Principal's office where your student is enrolled.

The following must be completed by a convicted sex offender who is a parent or guardian of a student enrolled in the school.

TO BE COMPLETED ONLY IF YOU ARE A PARENT/GUARDIAN AND ARE A CONVICTED SEX OFFENDER

Student's Name (please print)

School

Name of Parent/Guardian (please print)

Date

Signature

Date

1. At least once annually you need to obtain advance written permission to visit school property. Once written permission is obtained for the year, you will not need to obtain advance written permission for each individual visit, though you must comply with the procedures outlined in this letter, District policy, and with State and federal law.
2. You must provide the information requested below for the times you anticipate visiting the school, such as, after school to pick up your student, during specific sporting events, and during parent-teacher conferences.
3. For all other visits, you must go **immediately and directly** to the Principal's office and provide the information on your record of visits.
4. You must remain under the direct supervision of the assigned school official.
5. When you are to leave, you must go immediately and directly to the Principal's office and provide the time that you are leaving. You must then immediately leave the school grounds.

RECORD OF VISITS				
DATE	LOCATION & PURPOSE	SCHOOL OFFICIAL ASSIGNED	TIME IN	TIME OUT

THE FOLLOWING APPLIES IF YOU KNOW SOMEONE WHO IS A CONVICTED SEX OFFENDER WHO WOULD LIKE TO VISIT SCHOOL PROPERTY:

If you know a convicted sex offender who is not a parent/guardian of a student enrolled in the school, but who would like to visit school property, please refer them to the Superintendent at the District Office to request permission. A sex offender who is not a parent/guardian of a student enrolled in the school must complete a form in order to be granted permission to visit school property. This form must be completed at least once annually.

If permission is granted, the Superintendent or designee shall provide the details of the sex offender's upcoming visit to the building Principal. The Superintendent, or designee, who is a certified employee, will supervise the sex offender whenever the sex offender is in a student's vicinity.

TO BE COMPLETED IF YOU ARE A CONVICTED SEX OFFENDER AND ARE REQUESTING PERMISSION TO VISIT SCHOOL PROPERTY

A convicted sex offender who is not a parent/guardian of a student enrolled in the District must complete this form in order to seek permission to visit school property whenever students are present. This form must be provided to the District at least ten (10) days prior to the anticipated visit. After a decision is made whether to grant or deny permission to visit, a copy will be returned to you. This information will be kept in the District Office as well as in the building Principal's office where you are seeking permission to visit. Please be specific in completing this form.

Name (please print)

Residence Address

Signature

Residence City, State, Zip Code

Date

VISIT REQUEST		
Date and Time Requested	Location of Visit	Purpose of Visit

The following is to be completed by District personnel only:

Permission Granted

Permission Denied

Signature
(Superintendent or Designee)

Date

VISIT SUPERVISION

Time In: _____

Time Out: _____

Signature of Supervisor
(Building Principal or other certified employee)

Date

**LETTER TO EMPLOYERS AND CONTRACTORS
REGARDING ACCESS TO SCHOOL PROPERTY BY SEX OFFENDERS**

Dear Employer/Contractor:

The purpose of this letter is to help St. Maries Joint School District No. 41 and its schools comply with State law placing restrictions on sex offenders' access to school children and school property. State law prohibits a sex offender from:

1. Being on or remaining on the premises of a school building or school grounds, or upon other properties posted with a notice that they are used by a school, when the

person believes students under the age of eighteen (18) years are present and are involved in a school activity or when students are present within thirty (30) minutes before or after a scheduled school activity.

2. Loitering on a public way within five hundred (500) feet of the property line of school grounds or a school building when students under the age of eighteen (18) years are present for a school activity, or when students are present thirty (30) minutes before or after such activity.
3. Being in any vehicle owned, leased, or contracted by a school to transport students to or from school or school-related activities when students under the age of eighteen (18) years are present in the vehicle.
4. Residing within five hundred (500) feet of a school, measured from the nearest point of the exterior wall of the offender's dwelling unit to the school's property line, unless the person's residence was established prior to July 1, 2006.

**THE FOLLOWING APPLIES IF YOU AND/OR YOUR EMPLOYEE(S),
SUBCONTRACTORS, DELIVERY PERSONNEL, ETC., ARE A CONVICTED SEX
OFFENDER**

You need to immediately return this letter with the blanks completed to the building Principal's office where you, your employee(s), subcontractor(s), delivery personnel, etc., may be providing any form of work or visitation onto any school grounds.

It is your responsibility to inform your employee(s), subcontractor(s), delivery personnel, etc., of this requirement. Anyone who is a convicted sex offender must complete this form and return it to the building Principal prior to accessing school grounds.

When you and/or your employee(s), subcontractor(s), delivery personnel, etc., access school grounds that you have not already described on the form below, you must inform the Principal's secretary that you need to make an entry on your record of school visits. This record will be kept on file in the building Principal's office where you are performing work or accessing school grounds.

The following must be completed by a convicted sex offender who is accessing school grounds for the purpose of maintenance, deliveries, contract work, etc.

Name of School that the Convicted Sex Offender Will be Accessing

Name of Convicted Sex Offender
(please print)

Date

Signature

Date

1. At least once annually you need to obtain advance written permission for you to visit school property. Once written permission is obtained for the year, you will not need to obtain advance written permission for each individual visit, however, the work that you are to perform, reason for visit, or deliveries that you will complete must be known and approved of by the Principal prior to you accessing school grounds.
2. You must provide the information requested below for the times you anticipate visiting the school, such as, when work will be performed, when deliveries will be made, etc.
3. For all other visits, you must go immediately and directly to the Principal's office and provide the information on your record of visits.

4. You must remain under the direct supervision of the assigned school official.
5. When you are to leave, you must go immediately and directly to the Principal's office and provide the time that you are leaving. You must then immediately leave the school grounds.

RECORD OF VISITS				
DATE	LOCATION & PURPOSE	SCHOOL OFFICIAL ASSIGNED	TIME IN	TIME OUT

Policy Cross Reference:

Legal Reference:

Idaho Code §18-916	Abuse of School Teachers
Idaho Code §18-8323	Public Access to Sexual Offender Registry Information
Idaho Code §18-8324	Dissemination of Registry Information
Idaho Code §18-8326	Penalties for Vigilantism or Other Misuse of Information
Idaho Code §18-8329	Adult Criminal Sex Offenders – Prohibited Access to School Children
Idaho Code §33-512(11)	Governance of Schools
Idaho Code §18-8301	Short Title
Idaho Code §18-8302	Findings
Idaho Code §18-8303	Definitions
Idaho Code §18-8306	Notice of Duty to Register and Initial Registration

Policy History:

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