

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.

A. DEFINITIONS

For purposes of this policy, the following definitions apply.

1. Registered Sex Offender

A registered sex offender is a person who (1) is required to register under the Sex Offender and Public Protection Registration Program and (2) has committed any of the following: an offense in G.S. 14, art. 7B; a federal offense or offense committed in another state, which if committed in this state, is substantially similar to an offense in G.S. 14, art. 7B; an offense in which the victim was under the age of 18 years at the time of the offense; or an offense in violation of G.S. 14-190.16, 14-190.17 or 14-190.17A or any federal offense or offense committed in another state, which if committed in this state, is substantially similar to an offense in violation of G.S. 14-190.16, 14-190.17 or 14-190.17A.

2. School Property

School property is defined as any school grounds or any property owned or operated by the school system where minors frequently congregate.

B. REGISTERED SEX OFFENDERS BANNED FROM ALL SCHOOL PROPERTY

In accordance with G.S. 14-208.18, ~~registered sex offenders all persons who (1) are required to register under the Sex Offender and Public Protection Program AND (2) have been convicted of (a) any offense in Article 7B of Chapter 14 of the General Statutes, (b) any federal offense or offense committed in another state, which if committed in this state, is substantially similar to an offense in Article 7B, or (c) any offense in which the victim was under the age of 18 years at the time of the offense, are expressly forbidden to knowingly be present on any school 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 for any reason, including attendance at sporting events or other school-related functions, whether before, during or after school hours. In addition, registered sex offenders subject to G.S. 14-208.18 may not attend or be present at any student function or field trip on or off school property that is (1) school-sponsored or (2) otherwise under the official supervision or control of school personnel. This policy applies to all registered covered-sex offenders regardless of their~~

relationship to or affiliation with a student in the school system. ~~(Refer to the North Carolina Attorney General's publication *The North Carolina Sex Offender & Public Protection Registration Program*, p.13, for a description of which offenders are subject to G.S. 14-208.18 and thus, this policy.)~~

C. ENFORCEMENT

All school personnel must immediately report to a school administrator the presence or suspected presence of a known or suspected registered sex offender on school property. School administrators and other supervisory personnel shall report to the superintendent and law enforcement when they reasonably believe that a registered sex offender is or has been on school property or at a school event.

School administrators also shall notify the superintendent or designee of any known student or parent or guardian of a student at their school who is suspected to be a registered sex offender.

D. EXCEPTIONS

A person who is banned from school property under G.S. 14-208.18 may be on school property only under the following circumstances.

1. Students

Students who are ~~subject to G.S. 14-208.18~~ registered sex offenders may be on school property only in accordance with policy 4260, Student Sex Offenders.

2. Voters

~~Voters who are subject to G.S. 14-208.18 and~~ Registered sex offenders who are eligible to vote may be present on school property for the sole purpose of voting if the school property is being used as a voting place. ~~The voter must not be outside the voting enclosure other than for the purpose of entering and exiting the voting place. If the voting place is a school, the voter must notify the principal of the school that he or she is registered under the Sex Offender and Public Protection Registration Program and the voter must remain at all times in the portion of the school being used as the polling place.~~ The voter must leave school grounds property immediately after voting.

3. Parents or Guardians

a. ~~An individual who is subject to this policy and~~ A registered sex offender who is the parent or guardian of a student enrolled in school may be on school property only for the following reasons:

- 1) to attend a scheduled conference with school personnel to discuss the ~~child's~~ **student's** academic or social progress; or
 - 2) at the request of the principal or designee, for any reason relating to the welfare or transportation of ~~his or her child~~ **the student**.
- b. ~~For each visit authorized by the principal in accordance with subsection (a) above, In order to visit school property for one of the reasons authorized by subsection (a) above, the parent or guardian must provide~~ **notify** the principal ~~with prior written notice~~ of his or her registration ~~on~~ **under** the Sex Offender **and Public Protection Registration Program** ~~Registry and notice~~ of his or her presence at school. Notice of his or her presence at school includes the nature and specific times of the visit.
 - c. For each visit authorized by subsection (a) above, the parent or guardian must arrange to meet a staff member at the edge of school property, check in at the principal's office upon arrival and departure, and remain under the direct supervision of school personnel at all times. If school personnel are not available to supervise the parent or guardian during any visit, then the parent or guardian will not be permitted to enter or remain on school property.
 - d. For each visit authorized by subsection (a) above, the parent or guardian must comply with all reasonable rules and restrictions placed upon him or her by the principal, including restrictions on the date, time, location and length of meeting.

E. CONTRACTUAL PERSONNEL

~~In order to ensure compliance with this policy, each contract executed by the board must include a provision that requires the other party to the contract to conduct an annual check of the State Sex Offender and Public Protection Program and the State Sexually Violent Predator Registration Program on all employees who may be sent to perform tasks on or deliver products to school property. Persons who are subject to Section A of this policy may not be sent onto school property for any reason.¶¶~~

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~~In addition, each time the board enters into any contract or agreement for contracted services that involve direct interaction with children, the contract must include a provision that requires~~ **Each contract executed by the board must include a provision requiring** the other party to the contract 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** ~~on~~ **for** all contracted employees ~~who may have direct contact with children~~ **whose contractual job with the board requires or may result in direct interaction with students, including but not limited to any employee whose contractual job duties include: (1) delivering services**

directly to students; or (2) performing tasks on or delivering products to school property.

The contract must specify that No contractor or employee of a contractor registered with the State Sex Offender and Public Protection Registration Program, the State Sexually Violent Predator Registration Program or the National Sex Offender Registry may have direct interaction with children. This provision applies to contracts with a single individual.

Legal References: G.S. ch. 14, art. 7B, 14-190.16, -190.17, -190.17A, -208.18, -208.19; 115C-332, -332.1

Cross References: School Safety (policy 1510/4200/7270), Student Sex Offenders (policy 4260), Visitors to the Schools (policy 5020), Recruitment and Selection of Personnel (policy 7100)

~~Other References: *The North Carolina Sex Offender & Public Protection Registration Programs*, North Carolina Department of Justice (September 2014), available at <http://ncdoj.gov/Protect-Yourself/Find-Sex-Offenders/SexOffenderRegPrograms.aspx>~~

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