

Sex Offenders

The Charter School recognizes the danger sex offenders pose to student safety. Therefore, in an effort to protect students while under the control and supervision of the Charter School, the Charter School is implementing this policy.

Visitors to and Conduct on School Property

For purposes of this policy, “school property” means school buildings, school 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, 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 front office. Any person wishing to confer with a staff member must contact that staff member by telephone or email to make an appointment. Conferences with teachers are held outside school hours or during the teacher’s conference/preparation period.

The Charter School 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 member, sports official or coach, or any other person;
2. Damage or threaten to damage another’s property;
3. Damage or deface Charter School 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 school board;
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 Charter School employee’s directive;
10. Engage in any risky behavior, including rollerblading, roller skating or skateboarding; or
11. Violate other Charter School policies or regulations, or an authorized Charter School employee’s directive.

## Convicted Sex Offender

State law prohibits a person who is currently registered or is required to register under the sex offender registration act 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 children under the age of eighteen (18) years are present and are involved in a school activity or when children 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 children 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 children 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 I.C. § 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 I.C. § 18-8329, registered sex offenders only have limited rights to enter upon or be near school property. Please contact the school at (208) 939-5400 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 mail through an official post office located on school grounds;
- E. Has contacted the Charter School Office annually to obtain written permission from the Charter School, 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 conference or other scheduled extracurricular 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 Charter School at least ten (10) work days prior to the first visit. In determining whether to grant written permission as provided above, the Charter School 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 individuals access to the property, or any other factor. The Charter School will provide a response to the requesting individual within seven (7) days of receipt of the request.

#### Sex Offender Registry Notification

The Principal or his/her designee shall request notification of registered sex offenders in the same or contiguous zip codes as the Charter School. The request can be made of 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 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 Charter School's administrator shall take appropriate action to enforce this policy. Violations will be handled as follows:

- Anyone observing a parent/guardian or other person violating this policy shall immediately notify the 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.
- If a sex offender violates this policy, school officials shall immediately contact law enforcement.

Legal Reference:	I.C. § 18-8323	Public Access to Sexual Offender Registry Information
	I.C. § 18-8324	Dissemination of Registry Information
	I.C. § 18-8326	Penalties for Vigilantism or Other Misuse of Information
	I.C. § 18-8329	Adult Criminal Sex Offenders – Prohibited Access to School Children
	I.C. § 18-916	Abuse of School Teachers
	I.C. § 33-512(11)	Governance of Schools

Policy History:

Adopted on: 12/11/2013

Revised on: