

Association of Alaska School Boards (AASB)

BP 3515.5 RESTRICTIONS ON SEX OFFENDERS ON CAMPUS

Prior to restricting any person accused of a sex offense from campus, the district shall verify that the person is actually listed on the Alaska Department of Public Safety Sex Offender/Child Kidnapper Registry.

Note: Alaska law does not prohibit sex offenders from entering school campuses. School districts may want to have a policy that prohibits non-parent sex offenders from coming onto school grounds and that puts reasonable procedures in place for sex offenders that are parents of students enrolled in district schools. The following policy was developed by the Kenai Peninsula Borough School District. It may be adapted or revised to reflect the needs of your district.

Recognizing that all students have the right to a public education in a safe and positive environment, the Board prohibits any sex offender from being on district property, except as authorized below. District property includes all land within the perimeter of the school site and all district buildings, structures, facilities, computer networks and systems, and school vehicles, whether owned or leased by the district, and the site of any school-sponsored activity.

(cf. [3515](#) - *School Safety and Security*)

(cf. [5030](#) - *School Discipline and Safety*)

(cf. [5137](#) - *Positive School Climate*)

Sex offenders are those convicted of a sex offense as defined in this or another state, or by federal law, and who are required to register as a sex offender under Alaska law or by court order. This policy also applies to those individuals convicted of child kidnapping who are required to register on the Alaska Department of Public Safety Sex Offender/Child Kidnapper Central Registry. This policy is not intended to impose a duty upon any district administrator or employee to review the Sex Offender/Child Kidnapper Central Registry to determine the presence of sex offenders in the community. This policy shall apply when district or school administrators are actually aware that a person in question is on the Registry.

Sex Offenders Who Do Not Have Children Enrolled in the District

A sex offender or child kidnapper who does not have a child enrolled in the district is prohibited from entering district property except:

1. When he/she is a qualified voter and is coming upon district property, before or after normal school hours, solely for purpose of casting a vote;
or
2. To attend an open meeting held outside the student instructional day.

Parent/Guardian Sex Offenders

A parent/guardian sex offender or child kidnapper who has a child attending a district school is prohibited from entering district property, except in the following instances:

1. When he/she is a qualified voter and is coming upon district property, before or after normal school hours, solely for purpose of casting a vote;
2. To attend an open meeting held outside the student instructional day; or
3. With the Superintendent or school administrator's prior approval, under the procedures set forth below:
 - a. to pick up or drop off his/her own child at the school where the child is enrolled;
 - b. to attend a parent-teacher conference or other meeting with faculty or staff to discuss the child's progress or other educational needs of the child;
 - c. under other special circumstances, on a case-by-case basis, for which the school administrator has given written consent.

In no event will entrance onto district property be allowed if prohibited by court order.

Procedures for Prior Approval

A parent/guardian sex offender or child kidnapper who comes onto school property to pick up or drop off his/her child(ren) needs to make specific arrangements in advance with the school administrator. These arrangements are to be approved by the Superintendent. The parent/guardian can only transport his/her own child(ren).

If a parent/guardian sex offender or child kidnapper wishes to come on to school property for another reason (e.g. parent-teacher conferences, student performances), he/she shall only do so under the following conditions:

- he/she must notify the principal of the school at least 48 hours in advance of the activity and obtain consent prior to coming onto district property;
- if consent is granted, the school administrator will assign an individual(s) to accompany the parent while on district property;
- he/she must report to the office, come only for the specific activity, cooperate with district supervision, and leave school property promptly upon the conclusion of the activity; and
- he/she must abide by all other terms and conditions of the school administration.

The school principal and/or Superintendent shall have the discretion to refuse permission if it is reasonably believed that the parent/guardian's presence on school property would be inappropriate or a danger to others, provided such permission shall not be unreasonably withheld.

At all times, the school administrator shall endeavor to protect the privacy of the offender's child.

(cf. [5021](#) - *Noncustodial Parents*)

Electronic Communications

The Board prohibits electronic communications between sex offenders and students. A parent/guardian sex offender/child kidnapper may not communicate electronically with a student other than his/her own child while the student is on district property. A non-parent sex offender/child kidnapper may not communicate electronically with any student while the student is on district property. "Communicate electronically" means actual *or attempted* communication by electronic means, including, but not limited to, phone, email, text, instant messaging, social networks, web postings, web contacts, computer, fax, or photographs.

Student Sex Offenders

The Superintendent or designee shall determine the appropriate placement for student sex offenders, except those identified as having a disability. When determining educational placement, including placement in an alternative educational setting, the Superintendent or designee shall consider such factors as the safety and health of other students and staff. The Superintendent or designee shall develop written procedures for managing each student sex offender in the district. The student's plan shall specify requirements for supervision and whether or not the student is permitted to attend school-sponsored or school-related activities outside of the instructional day.

If a student subject to this policy is a student with disabilities, he/she will be provided educational services in compliance with federal and state law.

Contractors

Any outside contractor with whom the district contracts, and whose employees or agents may have contact with students, is prohibited from sending any employee or agent who is a sex offender/child kidnapper to any district property. The contractor shall certify in writing the contractor's knowledge and understanding of this policy.

Violations of this Policy

The district will contact law enforcement when a sex offender/child kidnapper violates this policy and will immediately revoke any privileges granted to the individual under this policy.

Legal Reference:

ALASKA STATUTES

12.63.010-.020 *Registration of sex offenders and related requirements; Duration of sex offender or child kidnapper duty to register*

12.63.100(5) *Registration of Sex Offenders - Definitions*

*Added 2/11
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