



## RISE CHARTER SCHOOL

### Policy 4420: Visitors to District ~~School~~ Property, Including Sex Offenders

Status: ADOPTED

Original Adopted Date: May 17, 2021

Last Revised Date:

Last Reviewed Date:

#### ~~Sex Offenders~~

~~The~~ RISE Charter School recognizes the danger sex offenders pose to student safety. Therefore, ~~the School implements this policy~~ 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 Charter School buildings, whether or not they are being used as a school; vehicles used for Charter School purposes; any location being ~~utilized~~ **used** during a Charter School athletic event or other Charter School-sponsored event; properties posted with a notice that they are used by a Charter School; and Charter School grounds.

#### **Sample Posted Notice**

**The School shall post a notice, as required by Idaho Code, that shall be at least 100 square inches, at commonly used entrances to the property, and contain the following statement:**

**“This property is used by or as a school. Pursuant to IC § 18-8329, registered sex offenders only have limited rights to enter upon or be near school property. Please contact the school district at 208-423-4170 or your probation/parole officer for more information.”**

~~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 Executive Director’s office. Any person wishing to confer with a staff member must contact that staff member by telephone to make an appointment. Conferences with teachers are held outside school hours or during the teacher’s conference or 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 Charter School activity or function, including using cellular phones in a disruptive manner;~~
- ~~8. Enter upon any portion of Charter School premises at any time for purposes other than those that are lawful and authorized by the Board of Directors;~~
- ~~9. Operate a motor vehicle in a risky manner, in excess of twenty (20) miles per hour, or 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**

#### **Prohibitions**

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; or
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 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 208-423-4170 x5070 or your probation or parole officer for more information.*~~

~~Provided, however, section numbers 1 and 2 immediately above shall not apply when the person:~~

Items 1 and 2 from the list above shall not apply when the person:

1. Is a student in attendance at the school;
2. Resides at a state licensed or certified facility for incarceration **or at a hospital, health care, or convalescent care; or**
3. Is exercising ~~his or her~~ **their** right to vote in public elections;
4. Is taking delivery of ~~his or her~~ **their** mail through an official post office located on school grounds;
5. Has contacted the Charter School ~~Office~~ **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
6. 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 individual’s 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 Executive Director or 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 Executive Director or designee shall disseminate sex offender registry information received. The Executive Director or designee 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 if a staff member is the school official assigned to escort the sex offender.

When sex offender registry information is disseminated by the Executive Director or designee, 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 Charter 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 administrators shall take appropriate action to enforce this policy. ~~Violations will be handled as follows:~~

~~1. Anyone observing a parent/guardian or other person violating this policy shall immediately notify the Executive Director or designee. The Executive Director 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 Executive Director or designee shall request that the person immediately leave Charter School property and may contact law enforcement, if appropriate; and~~

~~2. If a sex offender violates this policy, Charter School officials shall immediately contact law enforcement.~~

**Legal References:**~~I.C. § 18-916 Abuse of School Teachers~~~~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. § 33-512(11) Governance of Schools – District Permitted to Prohibit Entry to School Grounds~~~~I.C. § 33-5210(3) Application of School Law – Accountability – Exemption from State Rules~~

| <b>Legal References</b> | <b>Description</b>                                                                                        |
|-------------------------|-----------------------------------------------------------------------------------------------------------|
| IC § 18-8323            | Public Access to Sexual Offender Registry Information                                                     |
| IC § 18-8324            | Dissemination of Registry Information                                                                     |
| IC § 18-8326            | Penalties for Vigilantism or Other Misuse of Information                                                  |
| IC § 18-8329            | Adult Criminal Sex Offenders – Prohibited Access to School Children                                       |
| IC § 18-916             | Abuse of School Teachers                                                                                  |
| IC § 33-512(11)         | Governance of Schools – District Permitted to Prohibit Entry to School Grounds                            |
| IC § 33-5210(3)         | Application of School Law – Accountability - Exemption from State Rules                                   |
| <b>Other References</b> | <b>Description</b>                                                                                        |
| ISBA Policy Services    | <a href="https://www.idsba.org/member-services/policy/">https://www.idsba.org/member-services/policy/</a> |

**Cross References**

| <b>Code</b> | <b>Description</b>                    |
|-------------|---------------------------------------|
| 4140        | Visitors to the Schools               |
| 5725        | Private Service Providers/Consultants |

**Policy History:****Adopted on: May 17, 2021****Revised on:****Reviewed on:**