

To protect the morals, health, and safety of students, it is the policy of the district to deny entrance onto the premises of any district school or at any school activity or event to registered sex offenders, of whom the district has knowledge. District officials will make a good faith effort to identify registered sex offenders residing within the district's boundaries or who have children or wards enrolled in the district by periodically reviewing the Idaho State Police registry of sexual offenders. District officials shall notify each registered sex offender identified that access to the school premises shall be prohibited unless expressly permitted by the superintendent or designee.

The superintendent or designee may grant a limited exception to this prohibition for the following individuals:

1. An enrolled student of the district;
2. A parent or guardian of a student attending a school within the district, and whose right to educational information or access to his/her child or ward has not been limited by court order. Such parents or guardians may be permitted access to a particular school or school event, with or without limitations, as determined appropriate by the superintendent or designee, including to transport a child or children or to attend an academic conference or other scheduled school event with school officials and in which his/her child is participating.
3. An individual who is temporarily on school grounds, during school hours, for the purpose of delivering mail, food, or other items. The delivery person's employer is responsible for contacting the district and obtaining permission for the individual to be on school premises. The superintendent or designee may grant admission to such individual, deny admission, provide direct supervision, or require that the delivery person's employer provide appropriate supervision.

The decision to grant or deny the request for an exception, and/or impose other restrictions, is not appealable to the board.

The decision shall be based upon review of all of the relevant circumstances, including the risk to the morals, health, and safety of other students, employees, and patrons.

School personnel shall not use information received by the district regarding any registered sexual offender to harass, intimidate, commit a crime against, or cause harm to any person.

For purposes of this policy, "school premises" shall mean all school buildings, grounds, events or activities sponsored by the district without regard to the location of the event or activity, and shall include means of transportation sponsored, owned, leased, or contracted by the district.



**LEGAL REFERENCE:**

Idaho Code Sections

3-512(4) and (11)

18-8301, *et seq.*

18-8325

18-8329

**ADOPTED: November 15, 2005**

**AMENDED: November 14, 2006**

[SCHOOL DISTRICT LETTERHEAD]

Date

Name

Address

Address

Re: Denial of Access to \_\_\_\_\_ School District Premises and Activities

Dear \_\_\_\_\_:

Enclosed herewith is a copy of Policy No. 1006 of the \_\_\_\_\_ School District No. \_\_\_\_, which prohibits the entrance onto school premises or school activities by registered sex offenders. Your name and address appear on the Idaho State Police web page indicating that you reside within the boundaries of the \_\_\_\_\_ School District, and you have been required to register as a sexual offender. I am aware that you have a child enrolled in the school district and, as such, may wish to gain information regarding your child's progress and education. As a result, I am notifying you that you are prohibited from entering any school buildings or grounds, or attending any school events or activities, except as specifically directed by me.

The Board of Trustees has a duty to assure the safety and well-being of students, and is empowered by Idaho Code Section 33-512(11) to make such prohibition:

To prohibit entrance to each schoolhouse or school grounds, to prohibit loitering in schoolhouses or on school grounds and to provide for the removal from each schoolhouse or school grounds of any individual or individuals who disrupt the educational processes or whose presence is detrimental to the morals, health, safety, academic learning or discipline of the pupils. A person who disrupts the educational process or whose presence is detrimental to the morals, health, safety, academic learning or discipline of the pupils or who loiters in schoolhouses or on school grounds, is guilty of a misdemeanor.

Under Idaho law, any violation of this directive on your part may result in trespassing charges and disruption of educational process charges being filed against you, as well as law enforcement being immediately asked to respond to the site.

Further, Idaho Code Section 18-8329 makes it a misdemeanor for a registered sex offender to be on the premises of any school building or school grounds when the person has reason to believe children under the age of eighteen (18) are present. Limited exceptions to this exclusion are allowed with the permission of school district authorities.

The \_\_\_\_\_ School District takes its duty to assure the safety and well-being of its students very seriously. If you have questions regarding this matter, or if you wish to request an exception to the policy, please contact the district office during regular business hours at \_\_\_\_\_ to discuss such arrangement.

Sincerely,

\_\_\_\_\_  
Superintendent

Enclosure—Policy No. 1006