

The General Assembly of North Carolina has recognized that sex offenders often pose a high risk of engaging in sex offenses after being released from incarceration or commitment and that the protection of students from sex offenders while on school property and at school-sponsored activities serves an important governmental interest.

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.

Through the adoption of this policy, the Board of Education desires to implement rules to effectuate the purposes of the Jessica Lunsford Act for North Carolina (the “Act”).

**I. REGISTERED SEX OFFENDERS BANNED FROM ALL SCHOOL PROPERTY**

In accordance with G.S. 14-208.18, all persons who (1) are required to register under the Sex Offender and Public Protection Program AND (2) have been convicted of certain sexually violent offenses or any offense where the victim was under the age of 16 years at the time of the offense (“Prohibited Persons”) are expressly forbidden to knowingly be present on any 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, Prohibited Persons may not attend or be present at any student function or field trip on or off of school property that is 1) school-sponsored, or 2) otherwise under the official supervision or control of school personnel. This policy applies to all Prohibited Persons regardless of their relationship to, or affiliation with, a student in the school system (i.e., aunts, uncles, grandparents, etc).

**A. PROHIBITED PERSONS**

The Superintendent or designee (Human Resources) shall consult with the Board Attorney and create a list of the criminal offenses that qualify an individual as a Prohibited Person under this policy.

**B. EXCEPTION FOR VOTING**

A Prohibited Person may be on school property to vote. However, that individual must notify the principal that they are a Prohibited Person when they arrive on school property and must remain at all times in the portion of the school being used as the polling place. The Prohibited Person must leave school grounds immediately after voting.

**C. LIMITED EXCEPTION FOR PROHIBITED PERSONS WHO ARE PARENTS/GUARDIANS OF A STUDENT**

1. A Prohibited Person who is the parent/guardian of a student may be on school property only for the following reasons:
  - a. To attend a previously scheduled school conference with school personnel to discuss their child’s academic or social progress; or
  - b. At the request of the principal/designee, for any other reason relating to the welfare or transportation of their child.
  
1. For each visit authorized by the principal in accordance with subsection (1)(a) above, the parent/guardian must provide the principal with prior written notice of their registration on the Sex Offender Registry and notice of their presence at the school. Notice of their presence at school includes the nature and specific times of any visit.
  
2. For each visit authorized by subsection (1) above, the parent/guardian must check in at the principal’s office upon arrival and departure. In addition, during each and every visit, the parent/guardian must be under the direct supervision of school personnel at all times. If personnel are not available to supervise the parent/guardian during any visit then they shall not be permitted on the school property.
  
3. For each visit authorized by subsection (1) above, the parent/guardian shall comply with all reasonable rules and restrictions placed upon them by the principal, including any restrictions on the date, time, location and length of meetings.

**A. POSSIBLE EXCEPTIONS FOR STUDENTS**

Students who meet the definition of a Prohibited Person may be on school property only in accordance with the Student Sex Offender Policy.

**B. NO SPECIAL PERMISSION**

There shall be no “special permission” given by the Board of Education, the Superintendent or any principal in the school system for Prohibited Persons to be on school grounds or attend events or activities in violation of this policy.

**II. ENFORCEMENT**

All school personnel must immediately report to a school administrator the presence or suspected presence of a known or suspected Prohibited Person 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. Any suspected

violation of this policy shall be reported by a school administrator to the Superintendent and to law enforcement for immediate investigation and appropriate action.

**III. CONTRACTED SERVICES**

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.

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 the other party to the contract to conduct an annual check of the National Sex Offender Registry on all contracted employees who may have direct contact with children.

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

**III. APPLICABILITY**

This policy shall supersede any conflicting provisions in all other Board policies regarding school safety, parental involvement, school field-trips, school visitors, school volunteers and student transportation.

Legal References: G.S. 14-208.18, -25A; 115C-332,-332.1

Cross References: School Safety Policy, Student Sex Offenders Policy, Visitors to Schools Policy, Recruitment and Selection of Personnel Policy

APPROVED BY BOARD  
AND EFFECTIVE \_\_\_\_\_