

## SEX OFFENDER VISITS TO SCHOOL

The Waterloo Community School District recognizes the danger sex offenders may pose to student safety. Therefore, to protect students while they travel to and from school, attend school or at school-related activities, the district is implementing this regulation.

### Visitors To and Conduct On School Property

For purposes of this policy, “school property” means school buildings, district 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.

### Convicted Sex Offender, Not a Student of the School—Offense Against a Minor

State law prohibits a person who is currently registered or is required to register under the sex offender registration act due to conviction for a sex offense against a minor *unless that person is a student in that school*, (in this regulation, a registrant), from:

1. Being present on school property or being in any school vehicle when the vehicle is transporting students, unless enrolled as a student at the school, without the consent of the building administrator or designee (see Criteria for Granting or Denying Consent below)
2. Loitering<sup>1</sup> within 300 feet of the school’s boundary,
3. Being employed by, a volunteer at, or acting as a contractor at a school.

There is no provision in the law for making an exception for #2, loitering, or #3, employment or volunteering. A vendor or contractor of the school is absolutely prohibited from having a registrant convicted of a sex offense against a minor on school property. There is no exception for contractors doing work only when students are not present (such as summertime). There is no exception for contractors doing work on a building not populated by students (such as the bus barn or a new attendance center).

### Exceptions.

A registrant *may* do the following:

- a. Be on school property for the purpose of voting for the time reasonably necessary to vote if the school is the registrant’s voting location;
- b. Transport a child or ward of the registrant to and from school for the time reasonably necessary for this task.

### Students

Students who have been convicted of a sex offense against a minor must have permission from the building administrator/principal of that school to be on the property

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<sup>1</sup> “Loiter” is defined in the law as “remaining in a place or circulating around a place under circumstances that would warrant a reasonable person to believe that the purpose or effect of the behavior is to enable a sex offender to become familiar with a location where a potential victim may be found, or to satisfy an unlawful sexual desire, or to locate, lure, or harass a potential victim.”

of a school other than the one in which they are enrolled. Iowa Code section 282.9 governs the school placement of these students.

### Criteria for Granting or Denying Consent

The building administrator/principal has full discretion to determine whether to grant permission for a registrant to be on school grounds. Principals should use their common sense, knowledge of their community, and information from law enforcement, regarding the underlying offense, to make these decisions. Some issues to consider:

- The victim – is he or she a student and likely to be at the event?
- Relatives of the victim – are relatives of the victim likely to be at the event?
- The crime itself – how recent is it?
- Is the event a special occasion such a graduation, honors banquet, etc.?
- Does local law enforcement have an opinion on whether the building administrator should grant approval?
- District's ability to control the environment in which the registrant will be present (e.g., will the district have enough staff present to supervise the registrant?)?
- What staff members need to know about the registrant's presence on school grounds and their duties while the registrant is on school grounds?
- Does staff know what to do if they have concerns when a registrant acts inappropriately?
- Recognition that the child of the registrant will be present and to remember that when dealing publicly with the registrant.

The above is not an exhaustive list; principals may include any reasonable terms and conditions.

### Procedures for Granting or Denying Consent

- a. The administrator will have the sex offender fill out form 900.6-E, Registrant Request Form, located in our online district policies. This allows the administrator to decide the amount of access the offender can have. This form needs to be copied and filed at the school, as well as given to the offender. This form only needs to be filed out once at each school the offender requests to visit.
- b. The administrator can check the Iowa Sex Offender Registry to see the severity of the crime to determine the amount of access the offender can have at the school. <http://www.iowasexoffender.com/search>
- c. If the individual indicates that there is a mistake, please encourage him or her to contact the state listing the individual's name to rectify the matter. Staff members may choose to give the parent a print out of the alert, if desired.
- d. The building administrator will send a letter regarding the guidelines that the parent or guardian must follow when on campus. Administrators may add specific guidelines as appropriate.
- e. The School Resource Officer (SRO) for that campus will be contacted to determine the status of this individual and if there are any conditions of their probation or parole that impact their access to the campus.
- f. The parent or guardian will not be permitted to mingle with students or walk through the school unescorted.

- g. Parents or guardians who require a teacher conference shall be encouraged to do so when other children are not in class and separated from the student population.
- h. Failure to follow these procedures may result in the parent or guardian being banned from the campus.

#### Permission to visit other schools

The building administrator does not have authority to permit a visit to another school's property. That permission must be requested from the administrator of that school.

#### Frequency, conditions

Building administrators must individually tailor each written permission to fit the registrant seeking permission. Thus, a building administrator may require a registrant to seek permission for each and every occasion or may be given permission limited for recurring events or may be given a blanket permission to cover all occasions. The last option should be used very sparingly. Also, remember to include in the permission such items as the following:

- (1) Have the registrant check in with a designated person at each event;
- (2) Give the registrant parameters regarding time (arrive no sooner than x minutes prior to start of event and leave no later than x minutes after event ends, for example);
- (3) Prohibit the registrant from using school restrooms;
- (4) Prohibit the registrant from being anywhere else on school property other than where the registrant should be for the event or occasion;

The above is not an exhaustive list; school principals may include any reasonable terms and conditions.

#### 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.

If a sex offender violates this policy, school officials shall immediately contact law enforcement.

#### Other Restrictions on Sex Offenders

This regulation does not address residency or other requirements for sex offenders under the law, only access to school property.

ADOPTED: 10/6/11

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