

## **REGISTERED SEX OFFENDERS**

It is the goal of the ECU Lab School to provide a safe environment for all students, staff and other persons on Lab School property. All Lab School personnel shall enforce the provisions of this policy at all times.

### **I. Registered Sex Offenders Banned From All School Property**

In accordance with N.C.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 (a) any offense in Article 7B of Chapter 14 of the North Carolina General Statutes, (b) any federal offense or offense committed in another state, which if committed in this State, is substantially similar to an offense in Article 7B, or (c) any offense in which the victim was under the age of 18 years at the time of the offense, are expressly forbidden to knowingly be present on any property owned operated or used by the ECU Lab School, including school buildings, athletic fields, playgrounds, parking lots, school buses, activity buses, or other property of any kind for any reason, including, but not limited to, attendance at sporting events or other school-related functions, whether before, during, or after school hours. In addition, sex offenders subject to N.C.G.S. § 14-208.18 may not attend or be present at any student function or field trip on or off Lab School property that is (1) school-sponsored or (2) otherwise under the official supervision or control of Lab School personnel. This policy applies to all covered sex offenders regardless of their relationship to or affiliation with a student in the Lab School.

### **II. Enforcement**

All Lab School personnel must immediately report to a school administrator the presence or suspected presence of a known or suspected registered sex offender on Lab School property. School administrators and other supervisory personnel shall report to the Dean of the College of Education and law enforcement when they reasonably believe that a registered sex offender is or has been on school property or at a school event.

School administrators also shall notify the Dean or his or her designee of any known student or parent or guardian of a student at the Lab School who is suspected to be a registered sex offender.

### **III. Notification to the Principal**

The principal must sign-up with the Sex Offender and Public Protection Registry to receive email notifications when a registered sex offender moves within a one- mile

radius of their Lab School. The principal shall notify the Dean or his or her designee any time he or she receives such a notification. Also, the principal shall notify the Dean or his or her designee any time they become aware that a parent or guardian of a student or a student at the ECU Lab School is a registered sex offender.

#### IV. **Parents/Guardians of Students**

A registered sex offender who is the parent or guardian of a student in the Lab School may only be present in school buildings, in school facilities, on school campuses, in or on any other school property owned, leased, used or maintained by the Lab School, or in attendance at a school-sponsored event with the prior written permission of the principal. A copy of such written permission also shall be provided to the Dean.

- a. If permission is granted by the principal, the parent or guardian may be on Lab School property only for one of the following purposes:
  - i. to attend a conference at the school with school personnel to discuss the academic or social progress of the parent/guardian's child; or
  - ii. when the parent/guardian's presence has been requested by the principal or his/her designee for any other reason relating to the welfare or transportation of the parent/guardian's child.
- b. In addition, if permission is granted, the following conditions must be met:
  - i. the parent/guardian must notify the principal of the nature of the visit and the hours when the visit will occur before he/she enters school property;
  - ii. the parent/guardian must notify the principal's office upon arrival to and departure from the school property;
  - iii. the parent/guardian must arrange to meet a staff member at the edge of the school property;
  - iv. the parent/guardian must remain under the direct supervision of school personnel at all times while on school system property;
  - v. if no school personnel are reasonably available to supervise the parent/guardian on a particular occasion, then the parent/guardian will not be permitted on school property at that time even for one of the permitted purposes; and
  - vi. the parent/guardian must comply with all reasonable rules and restrictions

placed upon him or her by the principal, including restrictions on the date, time, location, and length of the meeting.

## V. **Students**

### a. Student Sex Offenders on School Property

A student who is enrolled in the Lab School and is a registered sex offender subject to this policy, is expressly prohibited from (1) knowingly being present on any property owned, operated or used by the Lab School, including school buildings, athletic fields, playgrounds, parking lots, buses, and other property, and (2) attending school-sponsored or school-related activities, except to the extent the student is permitted to be on Lab School property to receive educational services. A student who is receiving educational services on school grounds must comply with the requirement that he or she be supervised by school personnel at all times.

### b. Exceptional Services for Student Sex Offenders

Except as may be limited by State and federal laws governing the education of children with disabilities, the Advisory Board, upon the recommendation of the Dean and principal, may expel any student who is a registered sex offender based on clear and convincing evidence that the student's continued presence in the Lab School constitutes a clear threat to the safety of other students or employees. Prior to expelling a student pursuant to N.C. G.S. § 115C-390.11(a)(2), the Advisory Board will consider whether there are alternative education services that may be offered to the student. If the Board chooses not to expel a student who is a registered sex offender and the student receives educational services on school property, then the student must be under the supervision of school personnel at all times.

## VI. **Voters**

Voters who are subject to the Jessica Lunsford Act (N.C. G.S. § 14-208.18) and are eligible to vote may be present on Lab School property as follows:

- a. the voter may be present for the sole purpose of voting if the Lab School property is being used as a voting place;
- b. the voter must notify the principal of the school that he or she is registered on the Sex Offender and Public Protection Registry before coming onto school property to vote;
- c. the voter must remain at all times in the portion of the school being used as the

polling place; and

d. the voter must leave school grounds immediately after voting.

## VII. **Contractual Personnel**

If the Lab School contracts with an outside person or entity to perform a job on the school campus or at a school-sponsored program, the contract must require the provider to conduct annual checks of contract personnel on the State Sex Offender and Public Protection Registry, the State Sexually Violent Predator Registry, and the National Sex Offender Registry. The contract with the outside person or entity shall provide that no individual who is on the State Sex Offender and Public Protection Registry, the State Sexually Violent Predator Registry, or the National Sex Offender Registry may be used to deliver goods or services on school property under the contract. 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 also applies to contracts with a single individual. This provision does not apply to individuals who are carrying out duties that are customarily performed by school personnel, such as custodians, bus drivers or substitute teachers. Criminal history checks of individuals in these positions is required by N.C.G.S. §116-239.12.

**Last Revision/Adoption:** None

**Legal References:** G.S. 14-208.18; 25A; 116-239.12

**Cross References:** None