

## Release of Information Concerning Student Sexual and Kidnapping Offenders

The district recognizes its responsibility for the health and safety of all students, including students required to register as a sex or kidnapping offender enrolled within the district. Therefore, the ~~district board~~ will take appropriate precautionary measures in situations where the building principal has been advised by law enforcement ~~or a court officials~~ that a student required to register as a sex or kidnapping offender is enrolling or is attending a school within the district.

### Principal Responsibilities

~~When a principal receives notice from~~ **Principals are required to respond to notification by local** law enforcement ~~or a court that~~ **and to disseminate information about students required to register as** a sex or kidnapping offender ~~will be attending to appropriate staff within~~ the ~~principal's~~ school ~~based on the following offender levels:~~

~~A. Level I~~

~~Sex offenders are classified as Level I when their risk assessments indicate a low risk of reoffense within the community at large.~~

~~B. Level II~~

~~Sex offenders are classified as Level II when their risk assessments indicate a moderate risk of reoffense within the community at large.~~

~~C. Level III~~

~~Sex offenders are classified as Level III when their risk assessments indicate a high risk of reoffense within the community at large.~~

~~A principal receiving notice must disclose the information received as follows:~~

~~A. If the student who is required to register as a sex offender is classified as a risk Level II or III, the principal will provide the information received to every teacher of the any student **required to register** and to any other personnel who, in the judgment of the principal, supervises the student or for security purposes should be aware of the student's record.~~

~~B. If the student who is required to register as a sex offender is classified as a risk Level I, the principal will provide the information received to personnel who, in judgment of the principal, for security purposes, should be aware of the student's record.~~

~~C. Students required to register as a kidnapping offender are not subject to leveling and therefore should be treated on a case by case basis.~~

~~The principal will designate additional school personnel to be notified following consultation with probation/parole (or the student's family if not on court supervision) in order to identify or recognize high risk situations. The following staff should be considered: district superintendent or designee, adjacent building principals, appropriate administrative and teaching staff, security~~

~~personnel, volunteers or paraprofessionals working in the student's classrooms; and counselors, coaches, advisors, nurses, bus drivers, custodians, district daycare providers and playground supervisors that may have contact with the student.~~

### **Collaboration**

The principal will work with ~~local~~ law enforcement and courts to coordinate the receipt of notifications regarding students registered as sex or kidnapping offenders. The principal or designee will also consult and collaborate with department of corrections, juvenile justice staff, treatment providers, victim support groups, and families, as applicable, when working with students required to register as a sex or kidnapping offender.

### **Confidentiality**

~~The principal and school staff will maintain confidentiality regarding these students, the same as all students in the school.~~ Any ~~written~~ information ~~or records~~ received by a principal or school personnel as a result of a notification ~~is~~ are confidential and may not be further disseminated except as provided in state, other statutes or ~~case~~ federal law, and the Family and Educational Privacy Rights Act (FERPA), 20 U.S.C. § 1232g et. seq.

### **Immunity from Liability**

Any school district or district employee who releases ~~the~~ information under RCW 28A.225.330 ~~in compliance with federal and state law~~ is immune from civil liability for damages unless it is shown that the school district or district employee acted with gross negligence or in bad faith.

### **Inquiries by the Public**

Inquiries by the public at large (including parents and students); regarding students required to register as a sex or kidnapping offender are to be referred directly to ~~local~~ law enforcement. Law enforcement agencies receive relevant information about the release of sex and kidnapping offenders into communities and decide when such information needs to be released to the public.

### **Student Rights and Responsibilities**

All students, including those students required to register as a sex or kidnapping offender, have a constitutional right to a public education. Students ~~A student~~ required to register as ~~a~~ sex or kidnapping ~~offenders are~~ offender is also required to notify law enforcement of their intent to enroll in school.

### **Written Procedures**

The superintendent or his/her designee will adopt written procedures for school principals describing how they will disseminate information received about students who are sex or kidnapping offenders ~~from law enforcement~~ with appropriate school personnel.

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Cross References:	Board Policy 3143 Board Policy 3120 -	District Notification of Juvenile Offenders Enrollment
Legal References:	RCW 4.24.550 RCW 9A.44.130	Sex offenders and kidnapping offenders — Release of information to public — Web site Registration of sex offenders and kidnapping offenders —

	Procedures — Definition — Penalties
RCW 13.04.155	Notification to school principal of conviction, adjudication, or diversion agreement — Provision of information to teachers and other personnel — Confidentiality
RCW 13.40.215	Juveniles found to have committed violent or sex offense or stalking — Notification of discharge, parole, leave, release, transfer, or escape — To whom given — School attendance — Definitions
RCW 28A.225.330	Enrolling students from other districts — Requests for information and permanent records — Withheld transcripts — Immunity from liability — Notification to teachers and security personnel — Rules
RCW 72.09.345	Sex offenders — Release of information to protect public — End-of-sentence review committee — Assessment — Records access — Review, classification, referral of offenders — Issuance of narrative notices
20 U.S. C. 1232g et.seq	<a href="#">20 U.S. C. 1232g et.seq</a> Family and Educational and Privacy Rights Act of 1994 Art. IX, Section 1, Washington State Constitution

Management Resources: 2018 - August Issue  
Policy News, December 2006 Student Sex and Kidnapping  
Offender Notice Requirements

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