

1 The Transylvania County Board of Education (the “board”) is committed to the safety of  
2 students, school employees, and other persons on school property. In order to create and  
3 maintain a safe school environment and to comply with G.S. 14-208.18, the board establishes the  
4 following policy provisions.  
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6 **A. STUDENT SEX OFFENDER ON SCHOOL PROPERTY**  
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8 A student who is enrolled in the school system and is a registered sex offender subject to  
9 policy 5022, Registered Sex Offenders, is expressly prohibited from (1) knowingly being  
10 present on any ~~property owned or operated by the school system, including school~~  
11 ~~buildings, athletic fields, playgrounds, parking lots, buses, and other property,~~ **school**  
12 **grounds or any property owned or operated by the school system where minors**  
13 **frequently congregate** and (2) attending school-sponsored or school-related activities,  
14 except to the extent the student is permitted to be on school property to receive  
15 educational services.  
16

17 ~~A student subject to policy 5022, Registered Sex Offenders, who is receiving educational~~  
18 ~~services on school grounds must comply with the requirement that he or she be~~  
19 ~~supervised by school personnel at all times.~~  
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21 **B. EDUCATIONAL SERVICES FOR STUDENT SEX OFFENDERS**  
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- 23 1. If permitted by the board, a student who is subject to Section A of this policy and  
24 is eligible to attend public school under G.S. 115C-378 may be present on school  
25 property subject to any conditions and restrictions imposed by the board.  
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- 27 2. The board will hold a hearing to determine whether to expel the student or  
28 provide the student with educational services in accordance with subsection B.4.b.  
29 of policy 4353, Long-Term Suspension, 365-Day Suspension, Expulsion.  
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- 31 3. Prior to expelling a student pursuant to G.S. 115C-390.11(a)(2), the board will  
32 consider whether there are alternative education services that may be offered to  
33 the student.  
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- 35 4. If the board determines that a student will be provided with educational services  
36 on school property, the student must be supervised by school personnel at all  
37 times.  
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- 39 5. If a student subject to this policy violates the conditions and restrictions placed on  
40 the student by the board, school officials will impose disciplinary consequences  
41 consistent with the terms of the conditions and restrictions placed on the student’s  
42 admission or as otherwise provided in Section D of policy 4300, Student Behavior  
43 Policies, and any applicable provisions of the Code of Student Conduct.  
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45           6.       If a student subject to this policy is a student with disabilities, he or she will be  
46                   provided with educational services in compliance with federal and state law.  
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48   Legal References: Americans with Disabilities Act, 42 U.S.C. 12131 *et seq.*, 28 C.F.R. pt. 35;  
49   Individuals with Disabilities Education Act, 20 U.S.C. 1400 *et seq.*, 34 C.F.R. pt. 300;  
50   Rehabilitation Act of 1973, 29 U.S.C. 705(20), 794, 34 C.F.R. pt. 104; G.S. 14-208.18, -208.19;  
51   115C art. 9; 115C-378, -390.2, -390.11(a)(2)  
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53   Cross References: School Safety (policy 1510/4200/7270), Alternative Learning  
54   Programs/Schools (policy 3470/4305), Student Behavior Policies (policy 4300), Weapons, Bomb  
55   Threats, Terrorist Threats, and Clear Threats to Safety (policy 4333), Long-Term Suspension,  
56   365-Day Suspension, Expulsion (policy 4353), Registered Sex Offenders (policy 5022)  
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58   Adopted: May 1, 2017

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60   Revised: [DATE]

REVISED