

1 The Transylvania County Board of Education (the “board”) is committed to the safety of
2 students and other persons on school property. In order to maintain a safe school environment,
3 the superintendent and all school personnel shall enforce the provisions of this policy at all times.
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5 **A. REGISTERED SEX OFFENDERS BANNED FROM ALL SCHOOL PROPERTY**
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7 In accordance with G.S. 14-208.18, all persons, who (1) are required to register under the
8 Sex Offender and Public Protection Program AND (2) have been convicted of (a) any
9 offense in Article 7A of Chapter 14 of the General Statutes, (b) any federal offense or
10 offense committed in another state, which if committed in this state, is substantially
11 similar to an offense in Article 7A, or (c) any offense in which the victim was under the
12 age of 16 years at the time of the offense, are expressly forbidden to knowingly be
13 present on any property owned or operated by the school system, including school
14 buildings, athletic fields, playgrounds, parking lots, school buses, activity buses, or other
15 property of any kind for any reason, including attendance at sporting events or other
16 school-related functions, whether before, during, or after school hours. In addition, sex
17 offenders subject to G.S. 14-208.18 may not attend or be present at any student function
18 or field trip on or off school property that is (1) school-sponsored or (2) otherwise under
19 the official supervision or control of school personnel. This policy applies to all covered
20 sex offenders regardless of their relationship to or affiliation with a student in the school
21 system. (Refer to the North Carolina Attorney General’s publication *The North Carolina*
22 *Sex Offender & Public Protection Registration Program*, p.13, for a description of which
23 offenders are subject to G.S. 14-208.18 and, thus, this policy.)
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25 **B. ENFORCEMENT**
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27 All school personnel must immediately report to a school administrator the presence or
28 suspected presence of a known or suspected registered sex offender on school property.
29 School administrators and other supervisory personnel shall report to the superintendent
30 and law enforcement when they reasonably believe that a registered sex offender is or has
31 been on school property or at a school event.
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33 School administrators also shall notify the superintendent or designee of any known
34 student or parent or guardian of a student at their school who is suspected to be a
35 registered sex offender.
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37 **C. EXCEPTIONS**
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39 A person who is banned from school property under G.S. 14-208.18 may be on school
40 property only under the following circumstances.
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42 **1. Students**
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44 Students who are subject to G.S. 14-208.18 may be on school property only in

45 accordance with policy 4260, Student Sex Offenders.

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47 **2. Voters**

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49 Voters who are subject to G.S. 14-208.18 and are eligible to vote may be present
50 on school property for the sole purpose of voting if the school property is being
51 used as a voting place. The voter must notify the principal of the school that he or
52 she is registered under the Registry Program and the voter must remain at all
53 times in the portion of the school being used as the polling place. The voter must
54 leave school grounds immediately after voting.

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56 **3. Parents or Guardians**

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58 a. An individual who is subject to this policy and is the parent or guardian of
59 a student enrolled in school may be on school property only for the
60 following reasons:

- 61
62 1) to attend a scheduled conference with school personnel to discuss
63 the child's academic or social progress; or
64
65 2) at the request of the principal or designee, for any reason relating
66 to the welfare or transportation of his or her child.

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68 b. For each visit authorized by the principal in accordance with subsection
69 (a) above, the parent or guardian must provide the principal with prior
70 written notice of his or her registration on the Sex Offender Registry and
71 notice of his or her presence at school. Notice of his or her presence at
72 school includes the nature and specific times of the visit.

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74 c. For each visit authorized by subsection (a) above, the parent or guardian
75 must arrange to meet a staff member at the edge of school property, check
76 in at the principal's office upon arrival and departure, and remain under
77 the direct supervision of school personnel at all times. If school personnel
78 are not available to supervise the parent or guardian during any visit, then
79 the parent or guardian will not be permitted to enter or remain on school
80 property.

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82 d. For each visit authorized by subsection (a) above, the parent or guardian
83 must comply with all reasonable rules and restrictions placed upon him or
84 her by the principal, including restrictions on the date, time, location, and
85 length of meeting.

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87 **D. CONTRACTUAL PERSONNEL**

89 In order to ensure compliance with this policy, each contract executed by the board must
90 include a provision that requires the other party to the contract to conduct an annual
91 check of the State Sex Offender and Public Protection Program and the State Sexually
92 Violent Predator Registration Program on all employees who may be sent to perform
93 tasks on or deliver products to school property. Persons who are subject to Section A of
94 this policy may not be sent onto school property for any reason.

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96 In addition, each time the board enters into any contract or agreement for contracted
97 services that involve direct interaction with children, the contract must include a
98 provision that requires the other party to the contract to conduct an annual check of the
99 National Sex Offender Registry on all contracted employees who may have direct
100 contact with children.

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

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107 Legal References: G.S. ch. 14, art. 7A, 14-208.18, -208.19; 115C-332, -332.1

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109 Cross References: School Safety (policy 1510/4200/7270), Student Sex Offenders (policy 4260),
110 Visitors to the Schools (policy 5020), Recruitment and Selection of Personnel (policy 7100)

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112 Other References: *The North Carolina Sex Offender & Public Protection Registration Programs*,
113 North Carolina Department of Justice (September 2014), available at <http://ncdoj.gov/Protect-Yourself/Find-Sex-Offenders/SexOffenderRegPrograms.aspx>

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116 Adopted:

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