

RELEASE OF INFORMATION CONCERNING STUDENT SEXUAL AND KIDNAPPING OFFENDERS

STUDENTS

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 board is desirous of taking appropriate precautionary measures in situations where the district has been advised by law enforcement officials that a student required to register as a sex or kidnapping offender is enrolling or is attending a school within the district.

Primary Responsibilities:

Principals are required to respond to notification by local law enforcement and to disseminate information about students required to register as a sex or kidnapping offender to appropriate staff within the school as required by law. The principal shall 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 shall work with local law enforcement to coordinate the receipt of notifications regarding students registered as sex or kidnapping offenders. The principal or designee shall 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 as a result of a notification are confidential and may not be further disseminated except as provided in state or federal law.

Immunity from Liability:

Any school district or employee who releases the information 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. A student required to register as a sex or kidnapping offender is also required to notify law enforcement of their intent to enroll in school.

Written Procedures:

The Superintendent or his designee shall adopt written procedures for school principals describing how they will disseminate information received from law enforcement with appropriate school personnel.

Cross References:

- Policy 3143 District Notification of Juvenile Offenders
- Policy 3120 Enrollment
- Policy 4020 Confidential Communication
- Policy 4315 Release of Information Concerning Sexual and Kidnapping Offenders

Legal References:

- RCW 4.24.550 Sex offenders – and kidnapping offenders – Release of information to public – when authorized – Immunity
- RCW 28A.225.330[4] Enrolling students from other districts – Requests for information and permanent records – Withheld transcripts – Immunity from liability – Notification to teachers and security personnel – Rules
- 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 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
- RCW 9A.44.130(1)(e)(i) Registration of sex offenders and kidnapping offenders – Procedures – Definition – Penalties
- RCW 13.04.155 Notification of school principal of conviction, adjudication or diversion agreement – Provision of information to teachers and other personnel – Confidentiality
- 20 U.S. Code, Section 1232g et. Seq Family and Educational and Privacy Rights Act of 1994
- WA State Constitution Article IX, Section 1
- Management Resources: Policy News, December 2006 Student Sex and Kidnapping Offender Notice Requirements

Lopez Island School District
Classification: Essential
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