

# Policy 0709-10

## Sex Offenders

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The West Ada School District recognizes the danger sex offenders pose to student safety. Therefore, in an effort to, protect students while under the control and supervision of the District, the District has adopted this policy in accordance with Idaho Code 18-8329.

For purposes of this policy, “school property” means school buildings, District buildings not being used as a school, vehicles used for school purposes, any location being utilized during a school athletic event or other school- sponsored event, properties posted with a notice that they are used by a school, and school grounds.

## Convicted Sex Offender

State law prohibits a person who is currently registered or is required to register under the sex offender registration act to:

1. Be on or remain on the premises of a school building or school grounds, or upon other properties posted with a notice that they are used by a school, when the person believes children under the age of 18 years are present and are involved in a school activity or when children are present within 30 minutes before or after a school activity;
2. Loiter on a public way within 500 feet of the property line of school grounds or a school building when children under the age of 18 years are present;
3. Be in any vehicle owned, leased, or contracted by a school to transport students to or from school or school- related activities when children under the age of 18 years are present in the vehicle; or
4. Reside within 500 feet of a school, measured from the nearest point of the exterior wall of the offenders’ dwelling unit to the school’s property line, unless the person’s residence was established prior to July 1, 2006.

Provided, however, section numbers 1 and 2 immediately above shall not apply when the person:

1. Is a student in attendance at the school; or

1. Resides at a State licensed or certified facility for incarceration, health care, or convalescent care; or
2. Is exercising his or her right to vote in public elections;
3. Is taking delivery of his or her mail through an official post office located on school grounds;

4. Has contacted the District Office annually to obtain written permission from the District to be on the school grounds or upon other property posted with a notice that the property is used by a school; or
5. Stays at a homeless shelter or resides at a recovery facility if such shelter or facility has been approved for sex offenders by the county sheriff or municipal police chief.

**Note:** These provisions are required for an individual who is dropping off or picking up a student and is the student's parent or legal guardian; is attending an academic conference or other scheduled extracurricular event; or is temporarily on school grounds, during school hours, for the purpose of delivering mail, food, or other items.\*\*

An individual seeking written permission as outlined above must contact the Region Directors at least 10 work days prior to the first visit. In determining whether to grant written permission as provided above, the team of Region Directors may, in its discretion, consider the nature of the offense committed, the time since an offense has been committed, the safety of the students, the likely disruption caused by the individual's access to the property, or any other factor. The Region Directors will provide a response to the requesting individual within seven days of receipt of the request.

If a sex offender violates this policy, school officials shall immediately contact law enforcement.

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Reference: Idaho Code 18-8329 Adult Criminal Sex Offenders – Prohibited Access to School Children, Idaho Code 18-8323 Public Access to Sexual Offender Registry, Idaho Code 18- 8324 Dissemination of Registry Information