

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

### **Principal 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 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 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: teaching staff, volunteers or paraprofessionals working in the student's classrooms; and counselors, coaches, nurses, bus drivers, custodians, and playground supervisors that may have contact with the student.

### **Collaboration**

The principal will work with local law enforcement to coordinate the receipt of notifications regarding students registered as sex or kidnapping offenders. The principal 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 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 will adopt written procedures describing how they will disseminate information received from law enforcement with appropriate school personnel.

Cross Reference:	Board Policy 3120 3143	Enrollment District Notification of Juvenile Offenders
Legal Reference:	RCW 4.24.550  RCW 9A.44.130(1)(e)(i)  RCW 13.04.155  RCW 13.40.215  RCW 28A.225.330 [4]	Sex offenders — and kidnapping offenders — Release of information to public — When authorized — Immunity Registration of sex offenders and kidnapping offenders — Procedures — Definition — Penalties Notification to school principal of conviction, adjudication, or diversion agreement — Provision of information to teachers and other personnel — Confidentiality 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 Enrolling students from other districts — Requests for information and

RCW 72.09.345

20 U.S. C. 1232g et.seq

Art. IX, Section 1, Washington State Constitution

permanent records — Withheld  
transcripts — Immunity from  
liability — Notification to teachers  
and security personnel — Rules  
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  
Family and Educational and Privacy  
Rights Act of 1994

**Management Resources:**

*Policy News*, December 2006

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Notice Requirements