

To protect the morals, health, and safety of students, it is the policy of Grace School District No. 148 to deny entrance onto the premises or conveyances owned or leased by a school, and prevent loitering on a public way within five hundred (500) feet of the property line of any district school or any building used for school activities, to registered sex offenders or persons required to register under the sex offender registration act of whom the district has knowledge. District officials will make efforts to identify registered sex offenders residing within the district's boundaries or who have children or wards enrolled in the district.

The board authorizes the superintendent or designee to enforce this policy, including the decision to grant or deny any request for an exception, and/or impose other restrictions consistent with enforcing this policy.

DEFINITIONS

“Contact the school district office” includes mail, facsimile machine, email, or by computer using the internet.

“Extracurricular” means any school-sponsored activity, occurring during or outside regular school hours, that is outside of the regular curriculum including, but not limited to, academic, artistic, athletic or recreational activities.

“School premises” includes all buildings, facilities, and property being utilized for district-sponsored activities regardless of location, including transportation that is owned, leased, sponsored, or contracted by the district.

EXCEPTIONS

The superintendent or designee may grant a limited exception, in writing (see Policy No. 1006F2, Registered Sex Offender Sample Petition for Exception), to this prohibition for the following individuals:

- 1. A student in attendance at the school.*
- 2. An individual exercising his right to vote in public elections during non-school hours.*
- 3. An individual taking delivery of his mail through an official post office located on or in the vicinity of school grounds.*
- 4. A parent or guardian of a student attending a school within the district whose right to educational information or access to his/her child or ward has not been limited by court order. Such parent or guardian may be permitted access to a particular school or school event, with or without limitations, as determined appropriate by the superintendent or designee, including to transport a child or children or to attend an academic conference*

or other scheduled school activity at which school officials are present and his/her child is participating.

5. *An individual who is temporarily on school grounds, during school hours, for the purpose of delivering mail, food, or other items as part of the individual's employment. The delivery person's employer is responsible for contacting the district and obtaining permission for the individual to be on school premises. The superintendent or designee may grant admission to such individual, deny admission, provide direct supervision, or require that the delivery person's employer provide appropriate supervision.*
6. *Individuals who have a legitimate need to access the school or building, as determined by the superintendent or designee.*

Any individual who falls under any of the above exceptions, not including a student already in attendance at the school or an individual exercising his right to vote in a public election during non-school hours, must contact the school district office annually and file a written request and obtain written permission from the district prior to his first visit of a school year. This provision is required for an individual who:

1. *Is dropping off or picking up a child or children and the person is the child(ren)'s parent or legal guardian.*
2. *Is attending an academic conference or other scheduled extracurricular school event with school officials present when the offender is a parent or legal guardian of a child who is participating in the conference or extracurricular event.*
3. *Is temporarily on school grounds, during school hours, for the purpose of making a mail, food, or other delivery.*

The decision to grant or deny the request for an exception, and/or impose other restrictions, is not appealable to the board. Any decision to grant the request for an exception may be revoked by the school district for any reason at any time, with or without notice.

The decision will be based upon review of all of the relevant circumstances, including the risk to the morals, health, and safety of other students, employees, and patrons.

District administrators will immediately report to law enforcement any registered sex offender or person required to register under the sex offender registration act who has not been granted permission pursuant to this policy and who is observed or known to be on the premises, or loitering within five hundred (500) feet of the property line of a school or other location where a school activity is scheduled to occur.

School personnel will not use information received by the district regarding any registered sex offender to harass, intimidate, commit a crime against, or cause harm to any person.

[SCHOOL DISTRICT LETTERHEAD]

Date

Name

Address

Address

Re: Denial of Access to _____ School District No. ____ Premises and Activities

Dear _____:

Enclosed is a copy of district Policy No. 1006, Registered Sex Offenders, which prohibits registered sex offenders from entering school premises or attending school-sponsored activities. Your name and address appear on the Idaho Sex Offender Registry. As a result, I am notifying you that you are prohibited from entering any school buildings or grounds, or attending any school-sponsored events or activities unless I have granted you special permission in writing.

Idaho Code Section 18-8329 makes it a misdemeanor for a registered sex offender to be on the premises of any school building or school grounds when the person has reason to believe children under the age of eighteen (18) are present, with limited exceptions.

Furthermore, Idaho Code Section 33-512(11) authorizes the board to prohibit an individual who disrupts the educational processes or whose presence is detrimental to the morals, health, safety, academic learning or discipline of the pupils from entering or loitering in a school or on its premises, and to provide for the removal of the individual. Any individual who violates this section is guilty of a misdemeanor.

I am aware that you have a child enrolled in the school district and may wish to gain information regarding your child's progress and education. However, as a registered sex offender, you must complete and return the attached form to the principal of your child's school at least ten (10) days before your first anticipated visit to the school. If you have children attending more than one school in this district, you must complete the form for each school.

When you visit your child at school or a school event that you have not already described on the attached form, you must inform the principal's secretary that you need to make an entry on your record of school visits maintained in the building principal's office.

Should you violate this directive, criminal charges may be filed against you and/or law enforcement may be called to respond to the site.

Sincerely,

Name

Superintendent, _____ School District No. ____

Enclosure: Policy No. 1006, Registered Sex Offenders

Policy No. 1006F2, Petition for Exception to Policy No. 1006

**PETITION FOR EXCEPTION TO ENTER _____ SCHOOL
DISTRICT NO. _____ PREMISES AND/OR ACTIVITIES**

District policy, in compliance with applicable state and local laws, allows the board of trustees, or superintendent or designee, to grant permission, with or without limitations as determined appropriate, to a registered sex offender to enter school premises or activities. Please read the form carefully and complete ALL requested information. Failure to fully complete the entire form may result in denial of the petition.

Full Legal Name:		Home Phone:
Address Line 1 (Street):		Cell Phone:
Address Line 2 (City, State, Zip):		Fax:
Convicted offense(s):		Date of conviction:
Probation? <input type="checkbox"/> Yes <input type="checkbox"/> No	Probation Officer:	Officer Phone:

Date(s) and Time(s) of Requested Visit: _____

Location(s) of Requested Visit: _____

Reason(s) for Request (check all that apply and provide supporting documentation):

Voting in public election during school hours Taking delivery of mail in the vicinity of school grounds

Employed as a delivery person; Company/Employer

Other legitimate interest:

Parent/guardian of a student attending school within the district:

Student 1:	School:	Grade:
Student 2:	School:	Grade:
Student 3:	School:	Grade:

Student 4:	School:	Grade:
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Have your parental rights been limited by court order? Yes No
 (If yes, please attach a copy of the court order)

Additional Supporting Documentation:

- Court Order(s)/Pleadings
- Proof of Paternity/Guardianship
- Proof of custody of student(s)
- Statement of “good standing” from Court/Probation Officer
- Other: _____
- Other: _____
- Other: _____

CERTIFICATION

I declare under penalty of perjury, under the laws of the State of Idaho, that all statements and information I have provided in this petition and any accompanying documents is true, correct, and complete. I understand that all statements made in this petition are subject to investigation and the Grace School District may request additional information or clarification of items herein contained or referred to while considering this petition. I also understand that this exception, if granted, may be revoked by the Board or designee at any time for any reason, and legal redress sought for any injuries, including attorney's fees and costs. Moreover, I understand that any false or dishonest answer may be grounds for denial or subsequent revocation of privileges and also may result in criminal charges being pursued by the State of Idaho and local government to the full extent of the law. **I also agree to indemnify, protect and hold harmless the Grace School District No.148 from and against any and all claims, liabilities, demands, losses, causes of action, damages, lawsuits, judgments, including attorneys' fees and costs, of whatsoever kind and nature, arising out of or relating to this petition.** In the event of litigation relating to enforcement of the terms of this petition, the non-prevailing party shall reimburse the prevailing party for all reasonable attorney fees and costs resulting therefrom.

Petitioner's Signature: _____ Date: _____

ADMINISTRATIVE USE ONLY

Petitioner's request for an exception to *Policy No. 1006, Registered Sex Offenders*, is hereby:

- DENIED**
- APPROVED**, with the following limitations (check all that apply):
- Must be an event in which the child is actually participating or pertains to the child's education.
 - Must notify school and have permission from Principal/Superintendent PRIOR to entering school premises for each school-sponsored event.
 - Must check-in with Principal/Superintendent upon arriving on school premises.
 - Must have a pre-approved escort in school building or at school events.
 - Must leave premises immediately upon conclusion of business.
 - May NOT visit while school is in session.
 - May NOT be alone or unsupervised by a district employee or other pre-approved adult on school grounds or during school-sponsored events.
 - Must provide regular updates and documentation based on changes/updates by the Court and/or probation office.

