

Regulation 3515.5: Sex Offender Notification

Status: DRAFT

Original Adopted Date: 08/14/2018 | Last Reviewed Date: 08/14/2018

The Superintendent or designee shall develop a plan for receiving and communicating information about registered sex offenders residing within district boundaries. ~~He/she~~**The Superintendent or designee** shall ensure, at a minimum, that the following components are part of the plan:

1. The Superintendent or designee shall appoint a staff member to serve as ~~the~~ liaison with law enforcement regarding these matters:~~sex offender information in relation to the safety of children~~
2. The Superintendent or district liaison shall, at the beginning of each school year, contact local law enforcement to coordinate the receipt of information
3. Law enforcement shall be informed that all notifications and correspondence should be directed to the liaison as well as the individual school sites

A letter shall be sent annually to local law enforcement, identifying the name, phone number, and address of the liaison.

4. The Superintendent or district liaison shall collaborate with law enforcement in order to alert children to the dangers of sex offenders, develop a system for distributing information about sex offenders, and train school staff and parents/guardians about the roles and responsibilities of both the district and law enforcement
5. The Superintendent or ~~district~~ liaison shall, at the beginning of each school year, notify parents/guardians of the district's willingness and intention to work with law enforcement on this matter~~keeping children safe from sex offenders~~ and shall explain the appropriate roles and responsibilities of both the district and law enforcement

This communication shall also explain:

- a. The reporting requirements pursuant to Penal Code 290 and 290.45, including the fact that law enforcement is the agency best able to assess the relative danger of a sex offender
- b. The ability of the parents/guardians to contact law enforcement for additional information and to view the information on the **Department of Justice's (DOJ)** Megan's Law Internet website
6. When law enforcement notifies the district of the residency or employment of a sex offender within district boundaries, the Superintendent or district liaison shall consult with law enforcement about the appropriate scope of the disclosure. ~~When authorized by law enforcement, the Superintendent or liaison may disclose information about a sex offender to the following staff:~~
 - a. ~~The principal of the school which is in the attendance area of the sex offender's residence or place of employment~~
 - b. ~~Teachers and classified personnel at that school, including staff responsible for visitor registration~~
 - c. ~~Principals and staff at adjacent schools, as appropriate~~
 - d. ~~Security staff~~
 - e. ~~Bus drivers~~
 - f. ~~Yard supervisors~~
7. Any staff member who receives information directly from law enforcement regarding registered sex offenders shall immediately contact the Superintendent or ~~district~~ liaison in order to help ensure that the district is able to respond appropriately
8. If an identified sex offender is seen on or near school grounds or around any student~~child~~, staff shall

immediately contact the district liaison. ~~A staff member may also,~~ **who shall** inform local law enforcement: **accordingly**

Notification to Parents/Guardians

When law enforcement has determined that parents/guardians should be notified regarding the presence of a sex offender in the community, the Superintendent or district liaison shall collaborate with local law enforcement in order to determine an appropriate response. This response may include:

1. An article in a school or parent council newsletter notifying parents/guardians that law enforcement information about registered sex offenders is available at the local law enforcement agency headquarters and/or at the school office. ~~This article shall encourage parents/guardians to contact local law enforcement and access the Department of Justice's (DOJ) Megan's Law Internet website for additional information.~~
2. A mailing, at law enforcement's expense, prepared by law enforcement, and printed on law enforcement letterhead and envelopes, notifying parents/guardians of the presence of registered sex offenders. ~~This notification shall encourage parents/guardians to contact local law enforcement and access the DOJ's Megan's Law Internet website for additional information.~~
3. A mailing of a letter, at district expense, prepared by law enforcement and printed on law enforcement letterhead and envelopes, notifying parents/guardians of the presence of registered sex offenders. ~~This notification shall encourage parents/guardians to contact local law enforcement and access the DOJ's Megan's Law Internet website for additional information.~~

The article and mailings listed above shall encourage parents/guardians to contact local law enforcement and access the DOJ's Megan's Law website for additional information.

Whenever the principal has granted permission to a person who is required to register as a sex offender pursuant to Penal Code 290 to come into a school building or upon school grounds to volunteer at the school, ~~he/she~~ **the principal or designee** shall notify the parent/guardian of each student at that school, at least 14 days in advance using one of the methods specified in Education Code 48981, that a registered sex offender has been granted such permission, the date(s) and times for which permission has been granted, and the parent/guardian's right to obtain information regarding the person from a designated law enforcement agency. ~~(Penal Code 626.81)~~ **This notice shall be provided by regular mail or any other method normally used by the district to communicate with parents/guardians in writing. If a parent/guardian requests such notice in electronic format, the district shall provide electronic notice. (Education Code 48985, Penal Code 626.81)**

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

Description

Ed. Code 32211	Threatened disruption or interference with classes
Ed. Code 35160	Authority of governing boards
Ed. Code 35160.1	Broad authority of school districts
Ed. Code 48981	Parental notifications
Ed. Code 48985	Translation of notifications
Pen. Code 290	Registration of sex offenders
Pen. Code 290.024	Internet identifiers; definition
Pen. Code 290.4	Information regarding sex offenders
Pen. Code 290.45	Sex offenders; authority of peace officers to provide information
Pen. Code 290.46	Making information about certain sex offenders available via the Internet
Pen. Code 290.9	Addresses of persons who violate duty to register
Pen. Code 290.95	Disclosure by person required to register as sex offender
Pen. Code 3003	Parole; geographic placement

State References

Pen. Code 626.8
Pen. Code 626.81
Pen. Code 830.32

Federal References

42 USC 14071

Management Resources References

Attorney General Opinion
Website
Website
Website

Cross References

0450
0450
1240
1240
1250
1250
1400
3515
3515
3515.2
3515.2
4112
4212
5142
5142
5145.6
5145.6-E(1)

Description

[Disruptions](#)
[Sex offender; permission to volunteer at school](#)
[School district and community college police](#)

Description

[Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Program Act](#)

Description

82 Ops.Cal.Atty.Gen. 20 (1999)
[U.S. Department of Justice, Sex Offender Registration and Notification Act](#)
[CSBA District and County Office of Education Legal Services](#)
[California Department of Justice, Megan's Law](#)

Description

[Comprehensive Safety Plan](#)
[Comprehensive Safety Plan](#)
[Volunteer Assistance](#)
[Volunteer Assistance](#)
[Visitors/Outsiders](#)
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[Relations Between Other Governmental Agencies And The Schools](#)
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