

SEX OFFENDER AND CRIMES AGAINST MINORS REGISTRY INFORMATION

I. AFFILIATED REGULATION: KN-R: SEX OFFENDER AND CRIMES AGAINST MINORS REGISTRY INFORMATION REGULATIONS

II. GENERALLY

Each ACPS school registers with the Department of State Police to receive electronic notice of the registration, reregistration, or verification of registration information of any person required to register with the *Sex Offender and Crimes Against Minors Registry* (**the Registry**) within the school division.

ACPS notifies the parent/guardian of each student enrolled in the school division of the availability of information in the Registry and the location of the website.

III. VISITORS TO SCHOOLS

The ACPS visitor management system used by school visitors and volunteers checks each visitor and volunteer against the Sex Offender Registry. Regulation KN-R outlines the procedures that school staff members follow when a visitor or volunteer is found to be listed in the Registry.

When the school division learns that a parent/guardian (other than a parent/guardian who has been convicted of a Tier III offense as defined in Va. Code § 9.1-902) of an enrolled student is required to register with the Registry, the parent/guardian is notified in writing that they are barred from being present at school or at school functions without the express written approval of the student's principal. Such approval must be obtained in advance of the proposed visit and will state the conditions under which the parent/guardian may be present. When such a parent/guardian is permitted at school or at school functions the parent/guardian is monitored to ensure that they do not come into contact with any children other than the parent's/guardian's own children.

When ACPS learns that any person other than the parent/guardian of an enrolled student, who is required to register with the Registry, but who has not been convicted of a Tier III offense, as defined in Va. Code § 9.1-902, seeks to be present at school or at school functions, the person is notified in writing that they are barred from being present at school or school functions without the express written approval of the principal of the school the person seeks to visit or which sponsors the event the person seeks to attend. Such approval must be obtained in advance of the proposed visit and, if obtained, will state the conditions under which the person may be present. One of the conditions will be that the person will be monitored to ensure the safety of students, staff, and others.

Principals consider requests to be present at school or at school sponsored activities from

all persons who are required to register with the Registry but have not been convicted of a Tier III offense as defined in Va. Code § 9.1-902 in accordance with procedures established by the Superintendent.

No adult who has been convicted of a Tier III offense, as defined in Va. Code § 9.1-902, may enter or be present during school hours, and during school-related or school-sponsored activities on any property the person knows or has reason to know is a school or child day center property, school bus, or on any property, public or private, when such property is solely being used by an elementary or secondary school for a school-related or school-sponsored activity unless:

- the person is a lawfully registered and qualified voter and is coming upon such property solely to vote;
- the person is a student enrolled at the school; or
- the person has obtained a court order pursuant to Va. Code 18.2-370.5.C, allowing the person to enter and be present upon such property, has obtained the permission of the School Board or its designee for entry within all or part of the scope of the lifted ban, and is in compliance with the School Board’s terms and conditions and those of the court order.

IV. DISSEMINATION OF REGISTRY INFORMATION

The Office of Safety and Security Services, as designated by the Superintendent, establishes procedures regarding the use and distribution of information received from the Registry. Information received from the Registry may not be used to intimidate or harass.

Adopted: May 26, 2011
 Amended: June 21, 2012
 Amended: October 1, 2015
 Amended: December 16, 2021

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-79, 22.1-79.3, 9.1-902, 9.1-914, 9.1-918, 18.2-370.5.

Commonwealth v. Doe, 278 Va. 223 (2009).

CrossRefs.: BBA School Board Powers and Duties
 DJF Purchasing Procedures
 KK School Visitors
 KN-R Sex Offender and Crimes Against Minors
 Registry Information Regulations
 KNAJ Relations with Law Enforcement Authorities