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 is desirous of taking appropriate precautionary measures in situations where the building 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 a 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 shall 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 shall 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 shall 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: district superintendent or designee, adjacent building principals, appropriate administrative and teaching staff, security personnel, volunteers or paraprofessionals working in the student's classrooms; and counselors, coaches, advisors, nurses, bus drivers, custodians, district daycare providers and playground supervisors that may have contact with the student.

Collaboration

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

Cross Reference:	Board Policy 3143	District Notification of Juvenile Offenders
	Board Policy 3120	Enrollment
Legal Reference:	RCW 4.24.550	Sex offenders — and kidnapping offenders — Release of information to public — When authorized — Immunity
	RCW 28A.225.330 [4]	Enrolling students from other districts — Requests for information and permanent records — Withheld transcripts — Immunity from liability — Notification to teachers and security personnel — Rules
	RCW 13.40.215	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
	RCW 72.09.345	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
	RCW 9A.44.130(1)(e)(i)	Registration of sex offenders and kidnapping offenders — Procedures— Definition — Penalties
	RCW 13.04.155	Notification to school principal of conviction, adjudication, or diversion agreement — Provision of information to teachers and other personnel — Confidentiality
	Family and Educational and Privacy Rights Act of 1994 (20 U.S. Code Section 1232g et.seq)	
	Art. IX, Section 1, Washington State Constitution	

Management Resources:
Policy News, December 2006 Student Sex and Kidnapping Offender Notice Requirements