Release of Information Concerning Student Sexual and Kidnapping Offenders

Responsibilities

Principals are required by law to respond to notification by local law enforcement and to disseminate information. Principals may rely on the Office of Superintendent of Public Instruction (OSPI) Principal's Notification Checklist for additional assistance.

Principals

Principals have responsibilities to develop a:

A. Relationship with local law enforcement (local sheriff's office) agencies dealing with students required to register as a sex or kidnapping offender.
B. Procedure for acceptance of notifications from law enforcement (local sheriff's office).
C. Procedure for notification of all teachers and appropriate staff regarding Level II or Level III students required to register as a sex or kidnapping offender attending the school/class.
D. Procedure for notifying teachers or staff of selected Level I students required to register as a sex or kidnapping offender.
E. Procedure to notify teachers and appropriate staff of their roles and responsibilities with respect to these students, including confidentiality, harassment, intimidation and bullying issues;
F. Protocol for responses to public inquiries about these students required to register as a sex or kidnapping offender, stressing confidentiality and FERPA rules; determine how district staff will be notified; and designate staff in charge of monitoring these students.
G. Procedure and protocol for safety planning to include student meetings, designing and monitoring student safety plans, implementing safeguards when students change schools or change sex offender levels or status with parole or probation.
H. Protocol of best practices for contacting district superintendent with a list of juvenile sex/kidnapping offenders when notification is received from law enforcement.

School Staff

Staff members are encouraged to be proactive and shall notify the principal or other appropriate personnel at the school if they observe any non-student sex offender on or near school grounds. Staff shall inform the principal or other appropriate personnel at the school of any suspected behavior or actions of students which may compromise the health, safety or well-being of students or staff. Staff shall be prepared to respond appropriately and effectively regarding reporting harassment, intimidation and bullying by either students or staff. It is the responsibility of staff to help all students be successful in school.

Students

It is the responsibility of students required to register as a sex or kidnapping offender to follow all rules and regulations of the school as outlined by the district in the student handbook, conduct themselves as defined in the student handbook and follow all stipulations as outlined in their individual Student Safety Plans.

Notifications

Notifications from local law enforcement (local sheriff's office) that a student required to register as a sex or kidnapping offender is enrolled or attending school can come to the principal in a variety of methods including: email, U.S. mail or hand-delivery. Although currently there is no standard notification form statewide, the following items may be found on most notifications:
Offender name, address, sex, height, weight, hair and eye color, age, ethnicity, crime, sex offender level, convicting jurisdiction, neighborhood, proximity to schools and level descriptors.

Notification Lists
Upon receipt of notification, the principal or a designee shall review the list of students. The list shall be reviewed to determine which students are currently enrolled, currently attending school or are new to the school district and not yet enrolled.

Staff Notification
The following are the risk level classifications for sex offenders.

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 the student 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 the 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.

Notifying Additional School Personnel for All Offender Levels
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, appropriate administrative and teaching staff, school resource officers, adjacent building principals, security personnel, staff working directly in the student's classrooms; and school counselors, school psychologists, coaches, advisors, school social workers, nurses, bus drivers, custodians, district daycare providers and playground supervisors that may have contact with the student.

Safety Planning
The principal shall complete safety planning with school staff, local law enforcement (local sheriff's office), probation and parole, treatment providers, parents/guardians, care providers and child advocates, as appropriate, in order to provide a safe and secure environment for all students and staff. For safety planning to be effective, the district registrar shall finalize formal enrollments for students required to register as a sex or kidnapping offender within 2-3 days of their enrollment request.

Student Meetings
Within 10 (ten) working days of the student's enrollment or earlier if possible, the principal or designee, working together with probation and parole professionals, shall meet with the student to create and implement a Student Safety Plan. The principal or designee shall determine other appropriate school personnel to be included in the meeting to assist in defining school expectations. The student's parent/guardian or care provider may also be invited. The purpose for the meeting is to help the student be successful in their transition back to school and to provide a safe school environment for all.

Student Safety Plan
The principal or designee (and other school staff as applicable) in consultation with the parole counselor or probation officer (if under court supervision) shall create a student safety plan for each registered sex or kidnapping offender. The plan will outline the responsibilities of the student and other stakeholders to promote those activities deemed essential in safely managing the student's behavior.
A. The Safety Plan shall outline conditions and/or limitations on each student required to register as a sex or kidnapping offender concerning their interactions on the school campus.
B. For students not under court supervision, the Student Safety Plan should be developed in conjunction with school staff in consultation with the student's family/guardian or care provider.
C. The plan shall be based on the student's needs and include guidelines for expected intervention actions for high-risk behaviors and reinforce positive behaviors.
D. Each plan shall be reviewed semi-annually by staff designated by the principal.
E. Plans shall be reviewed more often if high-risk behaviors have been identified.

Monitoring the Safety Plan
The Student Safety Plan shall be monitored and changes made on an "as-needed" basis by school staff.
A. School authorities should be prepared to take appropriate actions, especially if they notice an increase or escalation of a student's high-risk behaviors, both for the short and long-term safety of the student required to register as a sex or kidnapping offender and all other students.
B. School staff shall report to the principal or designee and to law enforcement (local sheriff's office) or other involved agencies (treatment providers, parole/probation) if they determine the student has not followed the plan.
C. Follow-through on the Student Safety Plan shall be consistent with existing disciplinary policies and procedures, student conduct policies and mandatory reporting policies.
Schools may develop school threat assessment teams and make referrals to those teams when students engage in inappropriate behaviors as defined in the Student Safety Plan.

When Students Move or Change Status
When a student changes schools within the district, the current principal shall notify the new principal and share the student records and safety plans with the new school. If the student's sex offender status or probation or parole status changes, the principal shall notify the school staff as part of the schools safety planning.

Confidentiality
The principal and school staff will maintain confidentiality regarding these students the same as all students in the school. Any information received by a principal or school personnel as a result of a notification is confidential and may not be further disseminated except as provided in RCW

28A.225.330 and other statutes or case law and the Family and Educational and Privacy Rights Act of 1994 (FERPA) regulations (20 U.S. Code Section 1232g et. seq.). The Student Safety Plans shall only be shared with appropriate school personnel. School personnel shall report violations of plan expectations to the principal when they occur.

Inquiries by the Public
Community notification remains the responsibility of local law enforcement. 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 (local sheriff's office). Law enforcement agencies receive relevant information about the release of sexual and kidnapping offenders into communities, and decide when such information needs to be released to the public.

Immunity from Liability
Any school district employee who releases 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.