

Lakeland Joint School District No 272

COMMUNITY RELATIONS

4420

Sex Offenders

Posted Notice

School districts shall post a notice, as required by Idaho Code, and shall be at least 100 square inches, be placed at commonly used entrances to the property, and contain the following statement:

“This property is used by or as a school. Pursuant to IC § 18-8329, registered sex offenders only have limited rights to enter upon or be near school property. Please contact the school district at (208) 687-0431 or your probation/parole officer for more information.”

For the purposes of this policy, “school property” means school buildings, District buildings not being used as a school, vehicles used for school purposes, any location being utilized during a school athletic event or other school-sponsored event, properties posted with a notice that they are used by a school, parking lots, sidewalks located on school property, associated school grounds and any other property owned by the District and used by, as or in conjunction with a school.

Prohibitions

State law prohibits a person who is currently registered or is required to register under the Sex Offender Registration Act to:

1. Be on or remain on the premises of a school building or school grounds, or upon other properties posted with a notice that they are used by a school, when the person believes children under the age of 18 years are present and are involved in a school activity or when children are present within 30 minutes before or after a school activity;
2. Loiter on a public way (such as a street or sidewalk) located within 500 feet of the property line of school grounds or a school building when children under the age of 18 years are present;
3. Be in any vehicle owned, leased, or contracted by a school to transport students to or from school or school-related activities when children under the age of 18 years are present in the vehicle; or
4. Reside within 500 feet of a school, measured from the nearest point of the exterior wall of the offenders’ dwelling unit to the school’s property line, unless the person’s residence was established prior to July 1, 2006.

Exceptions:

Items 1 and 2 from the list above shall not apply when the person:

- Is a student in attendance at the school; or
- Is exercising their right to vote in public elections; or
- Is taking delivery of their mail through an official post office located on school grounds.
- Is a parent or legal guardian who has contacted the District Office annually to obtain written permission from the District to be on the school grounds or upon other property posted with a notice that the property is used by a school for the purpose of:
 1. picking up or dropping off the person's child or children;
 2. is attending an academic conference or any form of extracurricular activity (whether it occurs during or after school hours and with respect to type of activity including without limitation academic, artistic, athletic or recreational) where school officials are present; or
 3. is temporarily present for the purpose of making mail, food or other authorized delivery to the person's minor child.

A person may live within 500' of a school (as outlined in item 4 above) when that person:

- A. Resides at a state-licensed or certified facility for incarceration, health care, or convalescent care; or
- B. Stays at a homeless shelter or resides at a recovery facility, if such shelter or facility has been approved for sex offenders by the county sheriff or municipal police chief.

Steps to Request Written Permission

An individual seeking written permission as outlined above must contact via email or facsimile communication to the Superintendent at least ten (10) work days prior to requesting the first visit. In determining whether to grant written permission as provided above, the Superintendent may consider the nature of the offense committed, the time since an offense has been committed, the safety of the students, the likely disruption caused by the individual's access to the property, or any other factor. The Superintendent will provide a response to the requesting individual within seven (7) work days of receipt of the request.

Under no circumstances is the District required to grant permission to access school property, and may grant some access and prohibit others (such as allowing access for drop off/pick up but not allowing in-person attendance at extracurricular activities) it

being the District's sole and exclusive decision to make such a determination, in its discretion, in the best interests of the District.

Sex Offender Registry Notification

The Superintendent or designee shall request notification of registered sex offenders in the same or contiguous zip codes as any school within the District on a quarterly basis. The request can be made to either the Idaho State Police, the local Sheriff's Department, or the Idaho State Superintendent of Public Instruction. The request and notification shall be made in accordance with Idaho Code. The information in the sex offender registries is for purposes of protecting the public. It is not to be used for the purpose of harassing or intimidating anyone.

Staff Notification

The Superintendent shall disseminate sex offender registry information to the building principals who shall inform all staff of their responsibilities in dealing with instances of convicted sex offenders on school property, including, but not limited to, sex offenders on school property without approval. In the event a registered sex offender requires an escort, a School Resource Officer or Armed District Safety Specialist shall be contacted to provide assistance.

District staff shall not violate student confidentiality when a sex offender is related to a student. Any district staff who violates student confidentiality or uses sex offender information to harass or intimidate a student or a student's family member may be subject to discipline.

Enforcement

District staff may request identification from any person on school property. Any person who refuses to provide requested identification shall be removed from school property. All building administration shall take appropriate action to enforce this policy including contacting law enforcement for assistance.

Legal References:	IC § 18-916	Abuse of School Teachers
	IC § 18-8323	Public Access to Sexual Offender Registry Information
	IC § 18-8324	Dissemination of Registry Information
	IC § 18-8326	Penalties for Vigilantism or Other Misuse of Information
	IC § 18-8329	Adult Criminal Sex Offenders – Prohibited Access to School Children
	IC § 33-512	Governance of Schools – District Permitted to Prohibit Entry to School Grounds

Policy History:

Adopted on: August 13, 2007
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