MIDDLETOWN UNIFIED SCHOOL DISTRICT

Regulation 3515.5: Sex Offender Notification

Original Adopted Date: 3/13/2024

The Superintendent or designee shall develop a plan for receiving and communicating information about registered sex offenders residing within district boundaries. He/she 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 liaison with law enforcement regarding these matters.
- 2. The Superintendent or district liaison shall, at the beginning of each school year, contact local law enforcement to coordinate the receipt of information. 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.
- 3. 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.
- 4. The Superintendent or 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 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 Megan's Law Internet website
- 5. 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
- 2. Any staff member who receives information directly from law enforcement regarding registered sex offenders shall immediately contact the Superintendent or liaison in order to help ensure that the district is able to respond appropriately.
- 3. If an identified sex offender is seen on or near school grounds or around any student, staff shall immediately contact the district liaison. A staff member may also inform local law enforcement.

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:

- 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.

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 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)

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 Description

Ed. Code 32211 <u>Threatened disruption or interference with classes</u>

Ed. Code 35160 <u>Authority of governing boards</u>

Ed. Code 35160.1 Broad authority of school districts

Ed. Code 48981 <u>Parental notifications</u>

Pen. Code 290 Registration of sex offenders

Pen. Code 290.4 Information re: 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 <u>Disclosure by person required to register as sex offender</u>

Pen. Code 3003 Parole; geographic placement

Pen. Code 626.8 <u>Disruptions</u>

Pen. Code 626.81 <u>Sex offender; permission to volunteer at school</u>

Pen. Code 830.32 <u>School district and community college police</u>

Federal Description

42 USC 14071 Jacob Wetterling Crimes Against Children and Sexually

Violent Offender Registration Program Act

Management Resources Description

Attorney General Opinion 82 Ops.Cal.Atty.Gen. 20 (1999)

Website CSBA District and County Office of Education Legal Services

Website California Department of Justice, Megan's Law

Cross References

Code Description

0450 <u>Comprehensive Safety Plan</u>

0450 <u>Comprehensive Safety Plan</u>

1240 Volunteer Assistance

1240 <u>Volunteer Assistance</u>

1250 Visitors/Outsiders

1250 Visitors/Outsiders

1400 Relations Between Other Governmental Agencies And The

Schools

3515 <u>Campus Security</u>

3515	<u>Campus Security</u>
3515.2	<u>Disruptions</u>
3515.2	<u>Disruptions</u>
3515.3	<u>District Police/Security Department</u>
3515.3	<u>District Police/Security Department</u>
3515.31	School Resource Officers
4112	Appointment And Conditions Of Employment
4212	Appointment And Conditions Of Employment
4231	Staff Development
5142	Safety
5142	Safety
5145.6	Parent/Guardian Notifications
5145.6-E(1)	Parent/Guardian Notifications