

Policy No: 1005.11

Adopted:

Revised:

REGISTERED SEX OFFENDER

The State of Nebraska has determined that perpetrators of certain sex offenses pose a continuing threat to society even after completion of their criminal sentences. Nebraska Sex Offender Registration Act, Neb. Rev. Stat. §§ 29-4001 to 29-4014. Recognizing that the safety and welfare of students is of paramount importance, Brady Public Schools (hereinafter the "School District") declares that, except in limited circumstances, the School District should be off limits to registered sex offenders.

Employment

Notwithstanding any other School District policy, individuals required by the State of Nebraska to register as sex offenders pursuant to the Nebraska Sex Offender Registration Act are ineligible for employment in any position, paid or volunteer, within the School District.

School Premises

In the event that a registered sex offender has a child attending the School District, the sex offender parent is permitted to drop off and pick up the child from school and to come onto the premises to attend parent-teacher conferences. The sex offender parent may not linger on or about the school premises before or after dropping off his or her child, and the parent is prohibited from being in any part of the school building except the main office. For parent-teacher conferences, the sex offender parent must arrive on the school premises at a specific time as set by the principal and/or teacher, and will be met by an administrator and escorted to the conference room. The School District will not tolerate any deviation from the school's instruction.

In the event of a truly exceptional situation, such as graduation or other special event, a parent who is a registered sex offender may ask the Superintendent of the School District for a waiver of this Policy to permit the parent's attendance at the special event. However, it is the intent of the School District that these special circumstances be truly unusual and infrequent occurrences.

To facilitate voluntary compliance with this Policy, principals are encouraged to speak with any affected parents upon learning of their status as registered sex offenders to communicate the restrictions of this Policy. At all times, the principal shall endeavor to protect the privacy of the sex offender's child.

If a principal becomes aware that a registered sex offender is loitering on the premises of an elementary or secondary school in the School District, or not complying with this Policy, the principal shall direct the sex offender to leave the premises immediately. The principal is authorized to request the assistance of the appropriate law enforcement authorities to secure the removal of the sex offender from the premises. If a registered sex offender disregards the terms of this Policy or the directives of the school principal, then the Superintendent of the School District is authorized to confer with legal counsel and to pursue such criminal or civil action as may be necessary to enforce compliance with this Policy.

This Policy shall not be construed to impose any duty upon any principal or other employee

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of the School District to review the Nebraska Sex Offender Registry or to screen individuals coming onto the premises to ascertain whether they are on the Registry or whether they may have a child in the School District. This Policy shall apply only when the principal is actually aware that the person in question is a registered sex offender.

No sexual predator, as defined in the Nebraska Sexual Predator Residency Restriction Act, Neb. Rev. Stat. 55 29-4015 to 29-4017, shall reside within five hundred feet from the premises of any elementary or secondary school in the School District, if the Village of Brady has enacted an ordinance, resolution, or other legal restriction prescribing where such sexual predators may reside.

For purposes of this Policy, the "premises" of a school includes, but is not limited to, the school building, common areas, grassy areas, sidewalks, parking lots, gymnasiums, stadiums and tracks, practice fields, and playgrounds.

Sex Offender Students

The health and safety of students, teachers, and staff should be of paramount importance when a sex offender is a student in the School District, especially when the sex offender's victim is also a student. Administrators may follow the provisions of the Nebraska Student Discipline Act, Neb. Rev. Stat. §§ 79-254 to 79-294, including all due process provisions, to impose requirements or restrictions on sex offender students, while (when required by applicable law) still providing a program of educational instruction that is appropriate for the student's grade level and in conformity with standards set by the Nebraska Department of Education. This Policy shall not prescribe any such requirements or restrictions as each situation involving a sex offender student is unique, and such requirements or restrictions shall include only those that are appropriate in the circumstances.

Legal Reference: Neb. Rev. Stat. 29-4001 to 29-4014

Neb. Rev. Stat. 29-4015 to 29-4017

Neb. Rev. Stat. 79-254 to 79-294