

The board of education is committed to the safety of students, employees, and other persons on school property. In order to create and maintain a safe school environment and comply with G.S.14- 208.18, the board establishes the following policy provisions.

A. STUDENT SEX OFFENDER ON SCHOOL PROPERTY

A student who is enrolled in the school system and is a registered sex offender subject to policy 5022, Registered Sex Offenders, is expressly forbidden:

- (1) to knowingly be present on any school grounds or any property owned or operated by the school system where minors frequently congregate and
- (2) to attend school-sponsored or school-related activities, except to the extent the student is permitted to be on school property to receive educational services.

B. EDUCATIONAL SERVICES FOR STUDENT SEX OFFENDERS

1. If permitted by the board, a student who is subject to Section A of this policy and is eligible to attend public school under G.S. 115C-378 may be present on school property subject to any conditions and restrictions imposed by the board.¹

2. The board will hold a hearing to determine whether to expel the student or provide the student with educational services in accordance with subsection B.4.b of policy 4353, Long-Term Suspension, 365-Day Suspension, Expulsion.

3. Prior to expelling a student pursuant G.S. 115C-390.11(a)(2) the board will consider whether there is an alternative program offered by the school system that may provide educational services to the student.

4. If the board of education determines that a student will be provided educational services on school property, the student must be under the supervision of school personnel at all times.

5. If a student subject to this policy violates the conditions and restrictions placed upon the student by the board, school administrators and the board will follow established student discipline procedures and impose an appropriate disciplinary measure, up to and including expulsion.

6. If a student subject to this policy is a child with disabilities, he or she will be provided educational services in compliance with federal and state law.

¹ G.S. 115C-391(d)(2). The board could limit the student's presence to the time when classes are in session and could prohibit the student from attending or participating in extracurricular activities.

2 Decisions regarding educational services for students with disabilities must be made in compliance with the Individuals with Disabilities Education Act and Section 504 of the Rehabilitation Act of 1973.

Legal References: Americans With Disabilities Act, 42 U.S.C. 12132, 28 C.F.R. Part 35; Individuals with Disabilities Education Act, 20 U.S.C. 1400 *et seq.*, 34 C.F.R. Part 300; Rehabilitation Act of 1973, 29 U.S.C. 705(20), 794, 34 C.F.R. pt. 104; G.S. 14-208.18, -208.19; 115C, art. 9; 115C-378, -390.2, -390.11(a)(2)

Cross References: School Safety (policy 1510/4200/7270), Alternative Learning Programs/Schools (policy 3470/4305), Weapons, Bomb Threats, Terrorist Threats, and Clear Threats to Safety (policy 4333), Long-Term Suspension, 365 Day Suspension, Expulsion (policy 4353), and Registered Sex Offenders (policy 5022).

Adopted: August 23, 2010

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