

1 **Bainville K-12 Schools**

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3 **COMMUNITY RELATIONS**

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4
5 Registered Sex Offenders

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7 The State of Montana has determined that perpetrators of certain sex crimes pose a continuing
8 threat to society as a whole even after completion of their criminal sentences. Recognizing that
9 the safety and welfare of students is of paramount importance, the Bainville School District
10 declares that, except in limited circumstances, Bainville School District should be off limits to
11 registered sex offenders.

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13 Employment

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15 Notwithstanding any other Board policy, individuals listed by the State of Montana as registered
16 sex offenders are ineligible for employment in any position within the Bainville School District.
17 However, the Superintendent shall have discretion consistent with other Board policies to
18 recommend an individual whose name has been expunged from the Sex Offender Registry.

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20 School Off Limits

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22 The District hereby declares that no registered sex offender whose victim was a minor may come
23 on, about, or within one thousand (1,000) feet of any District-owned buildings or property except
24 as otherwise provided in this policy. If an administrator becomes aware that such a sex offender
25 is on, about, or within one thousand (1,000) feet of school property, the administrator shall direct
26 the sex offender to immediately leave the area. The Board authorizes the administrator to request
27 the assistance of the appropriate law enforcement authorities to secure the removal of any
28 registered sex offender from the area. If a registered sex offender disregards the terms of this
29 policy or the directives of the school administrator, then the Superintendent is authorized to
30 confer with counsel and to pursue such criminal or civil action as may be necessary to enforce
31 compliance with this policy.

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33 This policy shall not be construed to impose any duty upon any administrator or any other
34 employee of the District to review the Sex Offender Registry or to screen individuals coming on
35 or within one thousand (1,000) feet of school property to ascertain whether they are on the
36 Registry. This policy shall only apply when administrators are actually aware that the person in
37 question is on the Sex Offender Registry and that the offender's victim was a minor.

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39 The provisions of this policy prohibiting a registered sex offender from coming on, about, or
40 within one thousand (1,000) feet of school property shall not apply in the event that a sex
41 offender's name should be expunged from the Registry.

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43 Rights of Parents on the Sex Offender Registry

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45 In the event that a registered sex offender whose victim was a minor has a child attending the
46 District, the administrator of the school where the child attends shall be authorized to modify this

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4 policy's restrictions to permit the parent to drop off and pick up the child from school and to
5 come onto campus to attend parent-teacher conferences. However, the parent may not linger on
6 or about school property before or after dropping off his or her child, and the parent is prohibited
7 from being in any part of the school building except the main office.
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9 This policy does not impose a duty upon the administrator of any school or any other employee
10 of the District to review the Sex Offender Registry and the school system's directory information
11 to ascertain whether a registered sex offender may have a child attending school in the District.
12 The provisions of this policy shall apply only if an administrator actually becomes aware that a
13 parent of a student at the school is a registered sex offender.
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15 To facilitate voluntary compliance with this policy, administrators are encouraged to speak with
16 any affected parents upon learning of their status as registered sex offenders to communicate the
17 restrictions of this policy. At all times, the administrator shall endeavor to protect the privacy of
18 the offender's child.
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20 In the event of a truly exceptional situation such as graduation, a parent on the Sex Offender
21 Registry may ask the Superintendent for a waiver of this policy to permit the parent to attend
22 these special events. It is the intent of the Board, however, that these special circumstances be
23 truly unusual and infrequent occurrences.
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27 Legal Reference: § 46-23-501, MCA Sexual or Violent Offender Registration Act
28 www.doj.mt.gov/svor/ Sexual or Violent Offender Registry
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30 Policy History:

31 Adopted on: Fall 2004

32 Reviewed on: 2/25/08, 7/13/10

33 Revised on: