

Release of Information Concerning Student Sexual and Kidnapping Offenders

The district recognizes its responsibility for the health and safety of all students, including students required to register as a sex or kidnapping offender enrolled within the district. Therefore, the district will take appropriate precautionary measures in situations where the building principal has been advised by law enforcement or a court that a student required to register as a sex or kidnapping offender is enrolling or is attending a school within the district.

Principal Responsibilities

When a principal receives notice from law enforcement or a court that a sex or kidnapping offender will be attending the principal's school, the principal will provide the information received to every teacher of the student and to any other personnel who, in the judgment of the principal, supervises the student or for security purposes should be aware of the student's record.

Collaboration

The principal will work with law enforcement and courts to coordinate the receipt of notifications regarding students registered as sex or kidnapping offenders. The principal or designee will also consult and collaborate with department of corrections, juvenile justice staff, treatment providers, victim support groups, and families, as applicable, when working with students required to register as a sex or kidnapping offender.

Confidentiality

Any information received by a principal or school personnel as a result of a notification is confidential and may not be further disseminated except as provided by the statute for transfer of records (RCW 28A.225.330), other statutes or case law, and the Family and Educational Privacy Rights Act (FERPA), 20 U.S.C. § 1232g et. seq.

Any school district or district employee who releases information under RCW 28A.225.330 is immune from civil liability for damages unless it is shown that the school district or district employee acted with gross negligence or in bad faith.

Inquiries by the Public

Inquiries by the public at large (including parents and students) regarding students required to register as a sex or kidnapping offender are to be referred directly to law enforcement. Law enforcement agencies receive relevant information about the release of sex and kidnapping offenders into communities and decide when such information needs to be released to the public.

Student Rights and Responsibilities

All students, including those students required to register as a sex or kidnapping offender, have a constitutional right to a public education. Students required to register as sex or kidnapping offenders are also required to notify law enforcement of their intent to enroll in school.

Written Procedures

The superintendent or his/her designee will adopt written procedures for school principals describing how they will disseminate information received about students who are sex or kidnapping offenders with appropriate school personnel.

Cross References:

3143 - District Notification of Juvenile Offenders
3120 – Enrollment
3231 – Student Records

Legal References:

RCW 4.24.550 Sex offenders and kidnapping offenders — Release of information to public — Web site
RCW 9A.44.130 Registration of sex offenders and kidnapping offenders — Procedures — Definition — Penalties
RCW 13.04.155 Notification to school principal of conviction, adjudication, or diversion agreement — Provision of information to teachers and other personnel — Confidentiality
RCW 13.40.215 Juveniles found to have committed violent or sex offense or stalking — Notification of discharge, parole, leave, release, transfer, or escape — To whom given — School attendance — Definitions
RCW 28A.225.330 Enrolling students from other districts — Requests for information and permanent records — Withheld transcripts — Immunity from liability — Notification to teachers and security personnel — Rules
RCW 72.09.345 Sex offenders — Release of information to protect public — End-of-sentence review committee — Assessment — Records access — Review, classification, referral of offenders — Issuance of narrative notices
20 U.S. C. 1232g et.seq Family and Educational and Privacy Rights Act of 1994
Art. IX, Section 1, Washington State Constitution

Management Resources:

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