

Student Sex Offenders

Definition

“Student sex offender” shall mean a student who has been adjudicated delinquent or convicted of and placed on probation for a dangerous offense, such as sexual conduct with a minor, sexual assault, molestation of a child, or continual sexual abuse of a child.

Notification to Charter School

The Superintendent of Public Instruction is required by State law to notify a school regarding the enrollment of a registered juvenile sex offender. The Superintendent of Public Instruction is also required to notify a school of the offender's probationary status or treatment status, if known.

Educational Placement

The School Administrator or his or her designee shall determine the appropriate educational placement for student sex offenders except those identified as having a disability. When determining educational placement, the School Administrator or designee shall consider such factors as the safety and health of the student population. The School Administrator or designee shall develop guidelines for managing each student sexual offender in the School. Nothing in this section shall affect the Board’s rights and duties under Idaho Code § 33-205.

An IEP team shall determine the educational placement of a student sexual offender with a disability. The student with a disability is entitled to all the due process procedures available to a student with a disability under the Individuals with Disabilities Education Act. The IEP team shall develop procedures for managing each student sexual offender with a disability that attends the School. If the IEP team determines that the student sexual offender should be placed in an alternative educational setting, the Charter School shall pay for the costs associated with this placement.

Staff

Staff members are to be alert to and inform School officials of any behavior by a juvenile offender that creates an abnormal risk to members of the School community. However, each circumstance involving a student probationary juvenile offender attending the School shall be evaluated on a case-by-case basis. Whenever possible without placing other students or adult members of the School community at risk, reasonable efforts should be made to continue the student's education, to provide supportive services, and to avoid any acts of harassment or vigilantism against the student. Although federal and State laws and rules permit the release of

certain information concerning a student registered sex offender, discretion should be exercised when discussing or disseminating information about the student. Whenever possible, the School community should encourage and support timely and appropriate intervention toward the expected outcome that a juvenile offender's conduct will be rectified so the student will commit no further offense and will develop into a responsible, self-controlled adult.

Legal References: I.C. § 18-8301, *et seq.* Sexual Offender Registration Notification and Community Right-To-Know Act  
I.C. § 18-8402 Juvenile Sex Offender Registration Notification and Community Right-To-Know Act –

Findings  
I.C. § 18-8403 Juvenile Sex Offender Registration Notification and Community Right-To-Know Act -

Definitions  
I.C. § 18-8408 Juvenile Sex Offender Registration Notification and Community Right-To-Know Act -

Providing List To Superintendent Of Public Instruction  
I.C. § 18-8412 Juvenile Sex Offender Registration Notification and Community Right-To-Know Act -

Exemption from Civil Liability  
I.C. § 18-8413 Juvenile Sex Offender Registration Notification and Community Right-To-Know Act - Penalties for

Vigilantism or Other Misuse of Information  
I.C. § 33-205 Attendance at Schools - Denial of School Attendance

Policy History:

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