

**NORTH CAROLINA AGRICULTURAL AND TECHNICAL STATE UNIVERSITY
AGGIE ACADEMY**

SEX OFFENDER POLICY

I. Introduction

North Carolina Agricultural and Technical State University’s Aggie Academy is committed to the safety of students, employees and other persons on school property, recognizes the potential dangers to Aggie Academy posed by convicted and registered sex offenders, and complies with the Jessica Lunsford Act.

II. Policy Scope and Application

This policy shall apply to all employees and students of Aggie Academy, and individuals seeking to enter onto Aggie Academy property. For purposes of this policy, every reference to “parent” shall include a parent, legal guardian, or other custodian having charge or control of a student attending Aggie Academy.

This policy shall supersede any conflicting provisions in all other Aggie Academy policies regarding school safety, parental involvement, school field trips, school visitors, school volunteers and student transportation.

III. Registered Sex Offenders Banned From All School Property

In accordance with N.C. Gen. Stat. § 14-208.18, all persons, who (1) are required to register under the Sex Offender and Public Protection Program and (2) have been convicted of (a) any offense in Article 7B of Chapter 14 of the North Carolina General Statutes, (b) any federal offense or offense committed in another state, which if committed in this State, is substantially similar to an offense in Article 7B, or (c) any offense in which the victim was under the age of 18 years at the time of the offense, are expressly forbidden to knowingly be present on any school property.

For purposes of this policy, “Aggie Academy” or “school property” means property owned, operated or used for or by Aggie Academy, including school buildings, athletic fields, playgrounds, parking lots, school buses, activity buses, or other property of any kind for any reason. This prohibition includes, but is not limited to, attendance at sporting events or other school-related functions, whether before, during, or after school hours. In addition, sex offenders subject to N.C. Gen. Stat. § 14-208.18 may not attend or be present at any student function or field trip on or off Aggie Academy property that is (1) school-sponsored or (2) otherwise under the official supervision or control of Aggie Academy or University personnel. This policy applies to all covered sex offenders regardless of their relationship to or affiliation with a student enrolled at Aggie Academy.

IV. Reporting and Enforcement

Any parent, guardian, or other person who intends to participate in any way on a school campus and who is a registrant as ordered by a court or required by law is required to notify the principal. Information about the time, date, and nature of the offense resulting in the registration shall be presented to the principal for consideration of the registrant's access to campus. The principal shall forward the registrant's information to the Dean of the College of Education ("Dean") and Chief of the University Police Department ("Chief"). The principal shall confer with the Dean and Chief to determine whether, and if so, under what conditions a registrant may be present on campus. The principal shall notify the registrant in writing.

All Aggie Academy personnel must immediately report to the principal the presence or suspected presence of a known or suspected registered sex offender on school property. The principal shall notify the Dean and Chief of the presence or suspected presence of any known or suspected registered sex offender on school property or at a school event.

V. Notification to and from the Principal

The principal must sign up with the Sex Offender and Public Protection Registry to receive email notifications when a registered sex offender moves within a five-mile radius of Aggie Academy.

The principal shall notify the Dean and Chief any time the principal receives notification of a registrant. The principal must also ensure that adult volunteers are appropriately screened before providing access to Aggie Academy property. Immediately after being notified of a registrant, the principal shall send a form letter via certified mail informing the individual that the individual is prohibited from accessing Aggie Academy property.

The principal shall also notify the Dean and Chief any time the principal becomes aware that a parent of a student or a student at Aggie Academy is a registered sex offender. The principal shall provide the registrant's name and the child's name, age, address, identification number and grade level to the Dean and Chief. After consulting with the Dean and Chief, the principal shall send a form letter to the parent via certified mail informing the parent that the parent is prohibited from accessing Aggie Academy's property or that the parent may have limited supervised access to the property.

The principal, in consultation with the Dean and Chief, must conduct an annual review to determine the appropriateness of any decision regarding a registrant for the upcoming school year.

VI. Parents of Aggie Academy Students

A registered sex offender who is the parent an Aggie Academy student may only be present in or on Aggie Academy property, or in attendance at a school-sponsored event, with the prior written permission of the principal. The principal shall provide a copy of such written permission to the Dean and Chief.

If permission is granted by the principal, the parent may be on Aggie Academy property or at a school-sponsored event only for one of the following purposes:

- To attend a conference at Aggie Academy to discuss the academic or social progress of the parent's child; or
- When the parent's presence has been requested by the principal for any other reason relating to the welfare or transportation of the parent's child.

If the principal grants permission for the registered sex offender parent to be present on Aggie Academy property, the following conditions must be met:

- The parent must notify the principal of the nature of the visit and the hours when the visit will occur before the parent enters school property;
- The parent must notify the principal's office upon arrival to and departure from the school property;
- The parent must arrange to meet a staff member at the edge of the school property;
- The parent must remain under the direct supervision of school personnel at all times while on school property;
- If no school personnel is reasonably available to supervise the parent on a particular occasion, the parent will not be permitted on school property at that time, even if for one of the permitted purposes; and
- The parent must comply with all reasonable rules and restrictions placed upon the parent by the principal, including restrictions on the date, time, location, and length of the meeting.

VII. Students

A student who is enrolled in Aggie Academy and is a registered sex offender is expressly prohibited from (1) knowingly being present on any school property as defined above; and (2) attending school-sponsored or school-related activities, except to the extent the student receives the principal's prior written permission to be on school property to receive educational services. A student who is a registered sex offender and receiving educational services on school property must be supervised by Aggie Academy personnel at all times.

Any student subject to this policy who is receiving educational services at Aggie Academy shall be subject to all other Aggie Academy policies and procedures, including, but not limited to, the Student Behavior Policy/Code of Student Conduct.

Except as may be limited by state and federal laws governing the education of children with disabilities, Aggie Academy, upon the recommendation of the principal, may expel any student who is a registered sex offender based on clear and convincing evidence that the student's continued presence at Aggie Academy constitutes a clear threat to the safety of other students or employees.

Prior to expelling a student, Aggie Academy will consider whether there are alternative educational services that may be offered to the student. Any expulsion proceedings shall take place in accordance with Aggie Academy's Student Discipline Process.

VIII. Voters

Voters who are required to register under North Carolina's Sex Offender and Public Protection Registration Programs (N.C. Gen. Stat. Article 27A) and are eligible to vote may be present on Aggie Academy property only if all of the following conditions are met:

- The voter may be present on Aggie Academy property for the sole purpose of voting, if Aggie Academy property has been designated and is being used as a voting place as defined by N.C. Gen. Stat. §§ 163A-1045 and 163A-1095;
- The voter must notify the principal of the school that the voter is registered on the Sex Offender and Public Protection Registry before coming onto school property to vote; and
- The voter must remain at all times in the portion of the school designated as the polling place and leave school grounds immediately after voting.

IX. Contractual Personnel – Required Contract Language

Each time Aggie Academy enters into any contract or agreement for contracted services with a single individual or business entity, it shall include a term in the contract requiring the individual or entity with whom it is contacting to conduct an annual check of the State Sex Offender and Public Protection Registration Program, the State Sexually Violent Predator Registration Program, and the National Sex Offender Registry for all of its employees who will enter Aggie Academy property or have direct interaction with Aggie Academy students as part of their job or service. Aggie Academy shall also include a term in the contract that any such employee found to be on any such registry must not enter Aggie Academy property or have any direct interaction with students.

All contractors who provide services to Aggie Academy must certify to that they have reviewed all of their employees who will be on campus property for any reason and none of the providers appear on any sex offender registry. This certification must be renewed annually and provided to Aggie Academy.

Original Effective Date: August 29, 2022

Authority: Chancellor

Legal References

N.C. Gen. Stat. § 14.208.18

N.C. Gen. Stat. § 115C-390.11;

N.C. Gen. Stat. § 116-239.8(b);

UNC Policy Manual, The Code, Section 502