

NOTIFICATION OF RELEASE OF SEX OFFENDERS
BY THE DIVISION OF PAROLE

The Board of Education has a duty to protect the health and safety of students enrolled within the school district, as well as those children receiving services or participating in programs or events on District property. The Board believes it is necessary to enact procedures for the proper management and dissemination of information provided by the New York State Division of Criminal Justice Services concerning convicted sexual offenders who are paroled into the community, in accordance with the Sex Offender Registration Act (commonly referred to as “Megan’s Law). This policy is enacted in order to minimize the possibility that school-age children will have contact with convicted sex offenders and to assist in preventing criminal activity. Therefore, the District shall cooperate with local law enforcement agencies and the local community to promote and to protect the safety and well-being of students.

The New York State Division of Criminal Justice Services shall notify local law enforcement agencies when individuals with a history of sexual offenses against children discharged, placed on parole, or released into the community. The local law enforcement agencies may notify and disseminate relevant information to any entity with vulnerable populations, including school districts, relating to the nature of the offense committed by such sex offender. The District, in turn, may disseminate any information received from the local law enforcement agencies to the school district community.

The notification by local law enforcement agencies to the District may include the following information:

1. Level One Offense – Low Risk

If an individual is given a Level One designation, local law enforcement agencies are forbidden from releasing to the public any information regarding that individual.

2. Level Two Offense – Moderate Risk

- a. Name of the sex offender.
- b. Approximate address based on the offender’s zip code.
- c. Photograph of the offender.
- d. Background information including the offender’s crime of conviction.
- e. Modus of operation.
- f. Type of victim targeted.
- g. Name and address of any institution of higher education at which the sex offender is enrolled, attends, is employed or resides.
- h. Description of special conditions imposed on the offender.

3. Level Three Offense – High Risk

- a. Name of the sex offender.
- b. Exact address of the offender.

- c. Photograph of the offender.
- d. Address of the offender's place of employment.
- e. Offender's crime of conviction.
- f. Modus of operation.
- g. Type of victim targeted.
- h. Name and address of any institution of higher education at which the sex offender is enrolled, attends, is employed or resides.
- i. Description of special conditions imposed on the offender.

The NYS Division of Criminal Justice Services must also maintain a subdirectory of Level Three sex offenders. In the instance of a Level Three sex offender, notification to the District may also include the following information:

Sub-Directory for Level Three Sex Offenders

- a. Exact address of the sex offender.
- b. Address of the offender's place of employment.
- c. Photograph of the offender.
- d. Name of the sex offender.
- e. Physical description of sex offender.
- f. Age of sex offender.
- g. Any distinctive markings of sex offender.
- h. Sex offender's crime of conviction.
- i. Type of victim targeted.
- j. Name and address of any institution of higher education at which the sex offender is enrolled, attends, is employed or resides.
- k. Description of special conditions imposed on the offender.

The Superintendent of Schools shall develop regulations for the lawful and appropriate dissemination of information regarding convicted sex offenders who are placed on discharged, placed on parole, or released into the community. It is the policy of the District to provide its residents with the maximum information permitted by law.

Instruction in personal safety and stranger awareness skills will be incorporated as part of the instruction required to be taught to all students in Kindergarten through Grade Eight to prevent the abduction of children.

Reference: Correction Law Section 168 et seq.
Doe v. Pataki, 940 F. Supp. 603 (S.D.N.Y. 1996)
Guidelines for the Supervision of Sex Offenders, Revised (August, 1994)
Information Related to Notification by Parole of Release of Sex Offenders
Memorandum to Superintendents of Schools from Executive Director, NYS
Council of School Superintendents (November 9, 1994)

SOUTH COLONIE

5450.1

Cross-Reference: 5450, Student Safety
 8100, Safety Program
 8414, School Bus Safety

Revised: November 15, 2005; June 4, 2002; November 20, 2001

SCHOOL DISTRICT GUIDELINES FOR NOTIFICATION OF SEX OFFENDER

When the District receives notification from local law enforcement officials regarding the discharge, parole, and/or release of convicted sex offenders within the geographic boundaries of the District, the information shall be disseminated by the Superintendent of Schools, and in accordance with the Sex Offender Registration Act.

1. Upon receipt of the information by the Superintendent, he/she shall immediately disseminate such information to all School Board members, Assistant Superintendents, and Building Principals.
2. The Superintendent may also notify any instructional and non-instructional staff, including teachers and support staff, custodians, bus drivers, coaches, security personnel, and any other staff member whose duties require knowledge of such information.
3. The Superintendent shall identify all groups that regularly utilize school facilities and have a legitimate need to be notified of such information in order to protect the health, safety, or welfare of its participants. The Superintendent may notify the leaders of such groups or coordinate notification with local law enforcement agencies.
4. Staff members shall be advised that they are receiving the information in their official capacity as employees of the District and that such information shall not be released to other individuals, except as authorized by these regulations.
5. The Superintendent shall maintain a file in the District Office that includes all information received from the local law enforcement agencies regarding the discharge, parole, or release of convicted sex offenders within the geographic boundaries of the District. Information contained within the notification from the local law enforcement agencies shall be available for parents to review upon request.
6. The Superintendent shall publish and mail a notification to all students' parents if the convicted sex offender resides within the geographic boundaries of the District. This letter shall inform parents that they may review the information contained within the notification file received from local law enforcement officials in the District Office. The content of the letter shall be consistent with the level of offense as described within Policy 5450.1.
7. If any District employee believes that he or she has seen any individual whose description matches that of a released sex offender provided to the District by the local law enforcement agencies on school property, at school activities, on or near District bus routes, or believes the offender has come in contact with children, such employee shall report such sightings to the appropriate Building Principal. The Building Principal shall immediately notify the Superintendent who shall contact local law enforcement agencies.
8. Disclosure of sex offender information received by the District from a source other than local law enforcement agencies shall be handled by the Superintendent. The Superintendent shall immediately contact the local law enforcement agencies and/or the

NYS Division of Criminal Justice to determine the validity of the disclosure and to obtain the proper notification. After receiving the proper notification, the Superintendent shall follow the procedures outlined above.

9. The District shall refer any inquiries for further information, other than information provided in the Notification to School District, regarding individuals with a history of sexual offenses against children, who are discharged, placed on parole, or released into the community to the local law enforcement agencies and/or the NYS Division of Criminal Justice Services for appropriate response.

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