

Policy Code: 4262 STUDENT SEX OFFENDERS

The board is committed to the safety of students, employees and other persons on school property. In order to create and maintain a safe school environment and comply with [G.S. 14-208.18](#), the board establishes the following policy provisions.

A. Student Sex Offender on School Property

A student who is enrolled in the school system and is a registered sex offender subject to policy 5022, Registered Sex Offenders, is expressly forbidden (1) to knowingly be present on ~~any property owned or operated by the school system, including school buildings, athletic fields, playgrounds, parking lots, buses or other property,~~ **school grounds or any property owned or operated by the school system where minors frequently congregate** and (2) to attend school-sponsored or school-related activities, except to the extent the student is permitted to be on school property to receive educational services.

~~A student subject to policy 5022, Registered Sex Offenders, who is receiving educational services on school grounds must comply with the requirement that he or she be supervised by school personnel at all times.~~

B. Educational Services for Student Sex Offenders

1. If permitted by the board, a student who is subject to Section A of this policy and is eligible to attend public school under [G.S. 115C-378](#)(compulsory attendance) may be present on school property subject to any conditions and restrictions imposed by the board.
2. The board will hold a hearing to determine whether to expel the student or provide the student with educational services. The decision to expel the student will be based on the standard established by [G.S. 115C-390.11](#)
3. Prior to expelling a student pursuant to [G.S. 115C-390.11](#), the board will consider whether there is an alternative program offered by the school system that may provide educational services to the student.
4. If the board of education determines that a student will be provided educational services on school property, the student must be under the supervision of school personnel at all times.
5. If a student subject to this policy violates the conditions and restrictions placed upon the student by the board, school administrators and the board will follow established student discipline procedures and impose an appropriate disciplinary measure, up to and including expulsion.
6. If a student subject to this policy is a child with disabilities, he or she will be provided educational services in compliance with federal and state law.

LEGAL REF: Americans with Disabilities Act, [42 U.S.C. 12132](#), [28 C.F.R. Part 35](#); Individuals with Disabilities Education Act, [20 U.S.C. 1400](#)*et seq.*, [34 C.F.R. Part 300](#); Rehabilitation Act of 1973, [29 U.S.C. 705](#)(20), [794](#), [34 C.F.R. pt. 104](#); [G.S. 14-208.18, -25A](#); [115C. art. 9](#); [115C-378](#), [-390.11](#)

ADOPTED: December 1, 2008

AMENDED: November 5, 2012; **June 7, 2022**