

Hamilton County Board of Education

Monitoring: Review: Annually	Descriptor Term: Registered Sex Offenders	Descriptor Code: 6.210	Issued Date: 10/14/10
		Rescinded:	Revised: 09/16/21

The State of Tennessee has determined that perpetrators of certain sex crimes pose a continuing threat to society as a whole even after completion of their criminal sentences.¹ Recognizing that the safety and welfare of students is of paramount importance, the Hamilton County Board of Education hereby declares that, except in limited circumstances, Hamilton County schools should be off limits to registered sex offenders.

EMPLOYMENT

Notwithstanding any other Board policy, individuals listed by the State of Tennessee as registered sex offenders are ineligible for employment in any position within the Hamilton County Department of Education; provided, however, that the Superintendent shall have discretion consistent with other Board policies to hire an individual whose names has been expunged from the Sex Offender Registry only after conferring with local law enforcement or the Tennessee Bureau of Investigation.

SCHOOLS OFF LIMITS

Consistent with the State of Tennessee's restrictions governing residency and employment, the Board of Education hereby declares that no registered sex offender may come on, about, or within 500 feet of any Hamilton County school except as otherwise provided in this policy. If a principal becomes aware that such a sex offender is on, about, or within 500 feet of school property, the principal shall direct the sex offender to leave the area immediately. The Board of Education authorizes the principal to request the assistance of the appropriate law enforcement authorities to secure the removal of any registered sex offender from the area. If a registered sex offender disregards the terms of this policy or the directives of the school principal, then the Superintendent is authorized to confer with counsel and to pursue such criminal or civil action as may be necessary to enforce compliance with this policy.

This policy shall not be construed to impose any duty upon any principal or any other employee of the Hamilton County Department of Education to review the Sex Offender Registry or to screen individuals coming on, about, or within 500 feet of school property to ascertain whether they are on the Registry. This policy shall apply only when principals are actually aware that the person in question is on the Sex Offender Registry.

The provisions of this policy prohibiting a registered sex offender from coming on, about or within 500 feet of school property shall not apply in the event that a sex offender's name should be expunged from the Registry.

RIGHTS OF PARENTS ON THE SEX OFFENDER REGISTRY

In the event that a registered sex offender has a child attending the Hamilton County schools, the principal of the school where the child attends shall be authorized to modify this policy's restrictions to permit the parent to drop off and pick up the child from school and to come onto campus to attend parent-teacher conferences where the parent has first received written permission from the principal; provided, however, that the parent may not linger on or about school property before or after dropping off his or her child; and further provided that the parent is prohibited from being in any part of the school building except the front office.²

This policy does not impose a duty upon the principal of any school or any other employee of the Hamilton County Department of Education to review the Sex Offender Registry and the school system's directory information to ascertain whether a registered sex offender may have a child in the Hamilton County school system. The provisions of this policy shall apply only if a principal actually becomes aware that a parent of a student at the principal's school is a registered sex offender.

To facilitate voluntary compliance with this policy, principals are encouraged to speak with any affected parents upon learning of their status as sex offenders to communicate the restrictions of this policy. At all times, the principal shall endeavor to protect the privacy of the offender's child.

In the event of a truly exceptional situation such as graduation, a parent on the Sex Offender Registry may ask the Superintendent for a waiver of this policy to permit the parent on the Sex Offender Registry to attend these special events. It is the intent of the Board, however, that these special circumstances be truly unusual and infrequent occurrences.

Legal References:¹ T.C.A. § 40-39-201 *et seq.*² T.C.A. § 40-39-211(d)(2)(B)

Cross References: