

REGULATION MONTGOMERY COUNTY PUBLIC SCHOOLS

Related Entries: COA, COA-RA
Related Source: §11-722 of the Criminal Procedure Article, *Annotated Code of Maryland*
Responsible Office: Chief Operating Officer
School Safety and Security

Registered Sexual Offenders Presence on School Property

I. PURPOSE

To provide guidelines for the limited circumstance in which a registered sexual offender may enter onto the property of Montgomery County Public Schools (MCPS).

II. DEFINITIONS

- A. *Registered Sexual Offender* is a person required to register with the state because that person is a child sexual offender, a sexually violent offender, a sexually violent predator, or an offender convicted of other crimes involving persons under the age of 18 years or child kidnapping.
- B. *Montgomery County Public School Property* is any school, facility, or grounds and buses, owned or occupied by MCPS.
- C. *School Year* for purposes of this regulation is from the first day of school until the day preceding the first day of the following school year.

III. PROCEDURES

- A. Maryland law prohibits registered sexual offenders (offenders) from knowingly entering the property of a public elementary or secondary school unless, within the current school year, the offender has received specific written permission from the principal of the school, the superintendent of schools or designee, or the Board of Education.

The principal of the school may deny an offender's request for permission to enter the school if he or she determines that the circumstances of the registration warrant denial of permission to enter school property. The principal of a school may grant

written permission for an offender to enter that specific school under the following three circumstances:

1. The offender is a student at, or seeks to enroll in, that MCPS school.
 - a) Prior to granting such permission, the principal must conduct a meeting of an appropriate school team to understand all available facts associated with the student's registration and develop an educational program for the student that addresses the conditions and unique circumstances of the registration. The team shall include, but is not limited to, the principal, other appropriate staff, the student's parent or guardian, and, if possible, the student's probation officer or other appropriate officer of the court.
 - b) If permission is granted, it must identify any conditions that must be met by the student and must include the following statements:
 - (1) Permission is granted for the current school year only, and subject to reevaluation as scheduled or as necessary.
 - (2) Permission is granted for the identified school only, and that additional permission must be sought from the principal of any other school that the student wants to visit (e.g., away football game, school dance, or school play).
2. The offender is a student at an MCPS school and seeks to enter the property of an MCPS school in which he or she is not enrolled, to attend a school activity or for other authorized purpose. Such permission must include the following:
 - a) The date and purpose for which permission has been granted.
 - b) The location within the school, or on school grounds, where the visit is to take place.
 - c) The name and contact information of the school staff member who the offender must notify upon entering school property.
 - d) The name of a person, acceptable to the principal, who will accompany the offender if he or she is entering the school property for the purpose of attending a performance, athletic event or other such gathering that may include multiple students.

3. The offender's child attends that MCPS school, or is participating in a school related activity, at that school. If the principal chooses to grant such permission, it must be in writing and must include the following:
 - a) The date and purpose for which permission has been granted.
 - b) The location within the school, or on school grounds, where the visit is to take place.
 - c) The name and contact information of the school staff member who the offender must notify upon entering school property.
 - d) The name of a person, acceptable to the principal, who will accompany the offender if he or she is entering the school property for the purpose of attending a performance, athletic event or other such gathering that may include multiple students.

- B. Businesses that have contracts with MCPS are prohibited from knowingly employing an offender to work at a school.
 1. Staff in the Department of Facilities Management and the Division of Procurement will notify all vendors under contract with MCPS regarding this requirement.
 2. Staff in the Office of School Performance will notify principals of the requirement and provide a contract addendum for schools to use with school-based contracts.
 3. Staff in the Division of Procurement will include appropriate notification language in the MCPS bidding and procurement documents for contract services.

- C. An offender may enter school grounds to vote on an election day if that offender is properly registered to vote and the school is the registrant's polling place.

Regulation History: New Regulation June 12, 2007.