

## Administration

### SEX OFFENDER INFORMATION

SP 2510.00

To protect students while under the jurisdiction of the Mendocino County Office of Education (MCOE), the County Superintendent believes that it is important that MCOE respond appropriately when a law enforcement official contacts this agency about registered sex offenders who may reside or work within the vicinity of its facilities.

The County Superintendent or designee shall establish an ongoing relationship with law enforcement officials to coordinate the receipt of such information. The County Superintendent or designee shall also establish procedures for notifying appropriate staff as necessary.

\*\*\*AB 1562 (Ch. 908, Statutes of 1996) and SB 1378 (Ch. 909, Statutes of 1996) amended Penal Code 290 and Penal Code 290.4 to revise law enforcement agency notification obligations regarding registered sex offenders. Pursuant to Penal Code 290, when a peace officer reasonably suspects that a child may be at risk from a registered sex offender, a law enforcement agency may notify educational institutions.

While California's version of Megan's Law clearly gives notification obligations to law enforcement, schools are not an extension of law enforcement and are not equipped to assess the relative danger of offenders. In addition, schools are not a tool of information dissemination like television and newspapers. As this is an emerging area of law, the liability issues for educational agencies are unclear. Such agencies must act reasonably and responsibly if and when the information received from law enforcement, and should not assume a broader notification role without careful legal analysis.\*\*\*

#### *Legal Reference:*

##### EDUCATION CODE

*32211 Threatened disruption or interference with classes; offense*

*35160 Authority of boards*

*35160.1 Board authority of school districts*

##### PENAL CODE

*290 Registration of sex offenders*

*290.4 Sex offender registration; compilation of information; 900 number*

*626.8 Disruptive entry or entry of sex offender upon school grounds*

##### UNITED STATES CODE, TITLE 42

*14071 Jacob Watterling Crimes Against Children and Sexually Violent Offender*

*Registration Program Act*

**MENDOCINO COUNTY OFFICE OF EDUCATION**

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**Date Adopted:** 02/03/1999  
**Date Revised:** 06/10/2003