

Tennessee School Boards Association

Monitoring: Review: Annually, in September	Descriptor Term: <h2 style="text-align: center;">Registered Sex Offenders</h2>	Descriptor Code: 1.808	Issued Date:
		Rescinds:	Issued:

1 Individuals registered as sex offenders in Tennessee or any other state are prohibited from the premises of
 2 any school in this district, except for the limited circumstances stated in this policy.¹

3
 4 **EMPLOYMENT**

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 6 An individual listed by the state of Tennessee or any other state as a registered sex offender is ineligible
 7 for employment within the school district. ~~Employees of third parties may enter onto school grounds tem-~~
 8 ~~porarily during school hours for the limited purpose of making mail, food or other deliveries.~~

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 10 **PRESENCE ON SCHOOL PROPERTY**

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 12 No registered sex offender, ~~whose victim was a minor; other than a student enrolled in the school in question,~~
 13 shall come on, about, or within 1,000 feet of a local school's property line, ~~nor may they loiter within 500'~~
 14 ~~of school buildings or grounds;~~ except as provided below.² If any employee of the school district becomes
 15 aware of any registered sex offender's presence on school property, he/she shall immediately inform the
 16 principal, who shall direct the individual to leave the premises immediately. The principal shall request
 17 assistance from local law enforcement authorities if offender resists the principal's directives. If the reg-
 18 istered sex offender repeats this restriction of coming on to school property, the principal may confer with
 19 legal counsel to take appropriate legal action.

20
 21 Neither this policy nor state law impose any duty upon a principal or any other employee of the local school
 22 district to review the sex offender registry for individuals who may come upon the property.

23
 24 **PARENTS WHO ARE REGISTERED SEX OFFENDERS**

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 26 ~~The principal shall allow a parent who is a registered sex offender to drop off and pick up his/her child~~
 27 ~~from school and to come onto campus for parent/ teacher conferences. The parent, however, may come~~
 28 ~~to the school for the stated business only. Further, when coming in the building, the parent must come to~~
 29 ~~the front office only.~~

30
 31 A parent or legal guardian of a child who is enrolled in the school may attend a conference with school
 32 officials with the written permission of the school's principal.

33
 34 An offender may come within the 1,000 feet limit provided that the individual is dropping off or picking
 35 up a child or children enrolled in the school.

36
 37 Principals shall speak with the parent upon learning of their status as a sex offender to communicate the
 38 restrictions of this policy and to establish open dialogue with the parent, as much as is possible or reason-
 39 able. The principal shall take all appropriate measures to protect the privacy of the sex offender's child.
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Upon request of the parent sex offender, the director of schools may waive the premises/presence restrictions of this policy to allow the parent to attend school events under exceptional situations, including, but not necessarily limited to graduation.

Legal References:

1. TCA 40-39-201, *et seq.*
2. TCA 40-39-211

PUBLIC CHAPTER NO. 750

SENATE BILL NO. 2988

By Barnes, Finney

Substituted for: House Bill No. 3263

By Phillip Johnson, Fincher, Maggart, Hardaway, Dean, Pitts, McManus

AN ACT to amend Tennessee Code Annotated, Section 40-39-211, relative to certain persons on school grounds.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 40-39-211, is amended by deleting subdivision (d)(2) in its entirety and substituting instead the following:

(2) Subdivision (d)(1) shall not apply when the offender:

(A) Is a student in attendance at the school;

(B) Is attending a conference with school, day care, child care, park, playground or recreation center officials as a parent or legal guardian of a child who is enrolled in the school, day care center, other child care center or of a child who is a participant at the park, playground or recreation center and has received written permission or a request from the school's principal or the facility's administrator;

(C) Resides at a state licensed or certified facility for incarceration, health or convalescent care; or

(D) Is dropping off or picking up a child or children and the person is the child or children's parent or legal guardian who has provided written notice of the parent's offender status to the school's principal or a school administrator upon enrollment.

SECTION 2. Tennessee Code Annotated, Section 40-39-211(g), is amended by adding the following as a new subdivision:

(4) A violation of this part due solely to a lack of the written permission required pursuant to subdivision (d)(2) shall be punishable by fine only.

SECTION 3. This act shall take effect July 1, 2010, the public welfare requiring it.

PASSED: March 29, 2010



RON RAMSEY
SPEAKER OF THE SENATE



KENT WILLIAMS, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 13th day of April 2010



PHIL BREDESEN, GOVERNOR