

## **Notification of Convicted Sex Offenders or Kidnapping Offenders Policy & Procedures**

**Purpose:** To increase the safety and welfare of students and staff of Highline College by providing timely and appropriate notification upon learning of the enrollment of a convicted sexual and/or kidnapping offender. This notification shall be in accordance with applicable state law and shall be in such a manner that

- Maintains safety without creating excessive anxiety among students, faculty and staff;
- Does not contribute to possible punitive reaction by some member of the campus community; and
- Causes no undue disruption to the college environment.

**Authority:** When local law enforcement officials provide the college with relevant and necessary information regarding the presence of convicted sex and/or kidnapping offenders, as defined in the statute (RCW 9A.44.130), the College is authorized, but not required, to release information to its employees and students regarding a sex offender or kidnapping offender.

In the case where the offender self-identifies to a College member, the College member is advised to notify Public Safety and the Office of the Vice President for Student Services.

**Immunity:** Public employees and/or public agencies are immune from civil liability for damages for any discretionary risk level classification decisions or release of relevant and necessary information, unless it is shown that the official, employee, or agency acted with gross negligence or in bad faith. (RCW 4.24.550(7)).

**Student Sex Offender Responsibility:** Within ten days of enrolling or by the first business day after arriving on campus, whichever is earlier, the student must notify the sheriff for the county where the student resides of intent to attend the College. (RCW 9A.44.130)

**Employee Sex Offender Responsibility:** A prospective college employee must notify the sheriff for the county where the employee resides of the intent to accept a position at the college by the first day of employment. A college employee must register within five working days of becoming a registered sex offender.

**Disclosure:** An informed public is a safer public. Notification is not intended to increase fear. Law enforcement agencies issue narrative notices for the purpose of community notification regarding the pending release of sex offenders after reviewing all available information and assigning each offender a risk-level classification.

The extent of public disclosure of relevant and necessary information shall be directly related to:

1. The level of risk posed by the offender to the community.
2. The locations where the offender resides, expects to reside or is regularly found.
3. The needs of the affected community members for information to enhance their individual and collective safety.

**Record Keeping:** Any record received from local law enforcement agencies shall be maintained in the Public Safety Office and the office of the Vice President for Student Services.

## **Procedure:**

### **Level I**

The vast majority of registered sex offenders are classified as Level I offenders. They are considered a low risk to re-offend. These individuals may be first time offenders and they are usually known by their victims. They normally have not exhibited predatory type characteristics and most have successfully participated or are participating in approved treatment programs.

Level I offenders are generally not the subject of general public notification to the campus community. The extent and types of notifications for Level I sex offenders may be adjusted on a case-by-case basis, but the College community and Level I sex offenders can generally expect the following types of notifications to be made:

- Offender name and Risk Level will be on file in the offices of Public Safety and the Office of the Vice President for Student Services;
- Verbal or written notification to faculty in whose classes the offender has enrolled; and
- Written notification to the Childcare Center and Achieve Program.

### **Level II**

Level II offenders have a moderate risk of re-offending. They generally have more than one victim and the abuse may be long term. These offenders usually groom their victims and may use threats to commit their crimes, and they have a higher likelihood of re-offending than the Level I offenders.

Level II offenders are generally not the subject of general public notification to the campus community. The extent and types of notifications for Level II sex offenders may be adjusted on a case-by-case basis, but the College community and Level II sex offenders can generally expect the following types of notifications to be made:

- Offender name and Risk Level will be on file in the offices of Public Safety and the Office of the Vice President for Student Services;
- A Community Notification Bulletin, supplied by local law enforcement officials will be on file in Public Safety. This information will include offender name, picture, and descriptive information about the offender and the offense. The bulletin will be posted in high traffic areas, locations with potentially vulnerable populations and in buildings where the offender would frequent, such as buildings where his/her classes are located. Examples of locations where postings may occur include: Childcare Center, Student Union, Building 6 (Student Services), Library, and Instructional Resource Center(s).
- Written notification to faculty in whose classes the offender has enrolled;
- Written notification to the Administrative Cabinet, Behavioral Assessment Team, Childcare Center, Achieve Program, Central Washington University, Des Moines Administrator, Student Employment and the Center for Leadership and Service;
- Students may be notified in all classes in which the offender has enrolled; and

- Any individual college community member upon request.

### **Level III**

Level III offenders are the greatest risk to the community.

Washington State law permits notifications about Level III offenders that include relevant, accurate and necessary information. This information is permitted to be disclosed to the public at large. The extent and types of notifications for Level III sex offenders may be adjusted on a case-by-case basis, but the College community may receive the following notifications:

- All notifications included under Level I and II; and
- The Office of the Vice President will provide written notification via email to the students enrolled in classes in which the offender is enrolled.

### **Procedure:**

1. All communication from law enforcement officials regarding convicted sexual offenders shall be directed to the Office of Public Safety. All official notifications to students, faculty and programs shall come from the Office of the Vice President for Student Services or designee. Requests for additional information will be referred to the appropriate law enforcement agency.
2. Working with appropriate law enforcement officials and Public Safety, the Vice President for Student Services and Public Safety will assess the campus safety issues related to registered sex and/or kidnapping offenders who have been identified as students or potential students.
3. Known sex offenders/or kidnapping offenders who are attending Highline College may be required to meet with or contact the College Vice President of Student Services or designee to review the notification procedure and conditions of enrollment, according to the above guidelines. The offender will be provided with information regarding the rights, responsibilities, and privacy protections of students. The extent of the College public disclosure of relevant and necessary information shall be directly related to the:
  1. level of risk posed by the offender to the campus community;
  2. need of the affected community members for information to enhance their individual and collective safety.
4. The Vice President for Student Services or a designee may also develop a safety plan that includes specific limitations, restrictions, behavioral conditions, or any other factors determined important for campus safety.
  1. **Conditional or Restricted Admission:** Convicted sex or kidnapping offenders may be admitted on a conditional basis. Conditional or restricted admission may require a behavior contract, safety plan, campus restrictions, college public notifications, or other restrictions determined important to safety.
  2. **Denial of Admissions:** The Vice President or designee may deny a prospective student admission under RCW 28B.50.090(3)(b) if “the student would not be competent to profit from the curriculum offerings of the college, or would, by his or her presence or conduct, create a disruptive atmosphere within the college not consistent with the purposes of the institution.”

5. The office of the Vice President for Student Services shall work with Public Safety to monitor the quarterly enrollment status of sex offenders to determine further action.
6. Refusal to comply with the conditional or restricted admission requirements may result in suspension or expulsion of the student based upon the Highline College Student Rights and Responsibilities (WAC 132I-120).
7. These are general procedures. Each situation is reviewed, and the courses of action may vary depending upon the information provided. Other than the notification process, the offender will be provided with all other rights afforded to all students, according to WAC 132I-120– Highline College Student Rights & Responsibilities Code.

APPROVED BY JACK BERMINGHAM  
HIGHLINE COLLEGE PRESIDENT  
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