File: E16

USE OF INFORMATION FROM THE SEX OFFENDER REGISTRY

I. Introduction and Purpose

In October 1996, a law creating sex offender registries in every community and establishing procedures for community notification regarding the presence of sex offenders was put in place in Massachusetts. It is the intent of this policy to establish procedures for accessing and using this information in a manner that is consistent with the law, the need to establish and maintain a safe school environment, and the constitutional rights of Chicopee citizens.

II. Notification of Procedures

A. Level I Offenders

1. Because information on Level I offenders is not automatically provided to the School Department under the law, the office of the Superintendent of Schools will request such information semi-annually, in August and January.

2. If a Level I offender **is not** a parent of a student in the Chicopee Public Schools, the School Department will notify only the principals, who will not disseminate that information further, except on a "need to know" basis.

3. If a Level I offender **is also** a parent of (a) student(s) enrolled in the Chicopee Public Schools, the principal(s) will inform the student(s)' guidance counselor and teachers, who will not disseminate the information further, except on a "need to know" basis.

B. Level II and III Offenders

1. The Superintendent of Schools will be notified by the Police Department, under the department's community notification plan, concerning the residence in Chicopee of Level II (moderate risk) and Level III (high risk) offenders.

2. The Superintendent of Schools will issue a "no trespass" letter to all Level II and III offenders which will limit their access to all schools, except as modified below.

3. If the offenses of a Level II or III offender **did involve children**, then the Superintendent of Schools will provide all staff members with the Sex Offender Registry information for such offenders.

   If the offender **is also the parent** of a student in the Chicopee Public Schools, then the following additional safeguards will be instituted in the school(s) where the offender has children as follows:

The "no trespass" letter from the Superintendent referred to in B.2 above will allow access to schools in which the offender's children are students, but the parent will be permitted to come to the school by appointment only and will be met at the door and accompanied at all times while on school property by two staff members.

III. Immunity from Liability

The law specifically provides that police and other public employees acting in good faith shall not be held liable in any civil or criminal proceeding for providing or failing to provide sex offender registry information.

IV. Limits of the Policy

The effectiveness of this policy is limited by the accuracy of the information contained in the Sex Offender Registry. The School Department is not responsible for checking the accuracy and completeness of the information in the registry, nor is it responsible for information regarding offenders who have failed to register as required by law.

Legal Refs.: The entire sex offender registry law is contained in Mass. General Laws Chapter 6, Sections 178(c) through 178(0).
M.G.L. 6:178(c)-(0)

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