



Department: Human Resources  
Policy Number: HUM-A055  
Effective Date: 9/14/09

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## ADMINISTRATIVE POLICY

The online version of this policy is official.  
Therefore, all printed versions of this  
document are unofficial copies.

### SEX OFFENDERS

It is the policy of the Clarksville Montgomery County School System to prohibit any individual who is a sex offender or violent sex offender as defined by Tennessee law in Tennessee or any other state from being on the premises of any school in the district, except for the limited circumstances stated in this policy. The term “sex offender” as used in this policy refers to and incorporates the meaning as set forth in Tennessee law.

#### EMPLOYMENT AND VOLUNTEERS

An individual listed by the state of Tennessee or any other state as a registered sex offender is ineligible for employment within the school district.

An individual listed by the state of Tennessee or any other state as a registered sex offender is ineligible to be a volunteer within the school district.

#### PRESENCE ON SCHOOL PROPERTY

No sex offender, other than a student enrolled in and attending only his/her assigned CMCSS school, shall come on, about, or within 1,000 feet of a local school’s property line except as provided below. If any employee of the school district becomes aware of any sex offender’s presence on school property, he/she shall immediately inform the principal, who shall direct the individual to leave the premises immediately and shall report the offender’s presence to the school’s SRO and/or local law enforcement. The principal shall request assistance from local law enforcement authorities if offender resists the principal’s directives. If the sex offender repeats violating this restriction of coming on to school property, the principal may confer with his/her Level Director or General Counsel to consider taking appropriate legal action.

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

#### PARENTS/LEGAL GUARDIANS WHO ARE SEX OFFENDERS

##### Picking Up/Dropping Off Students

A parent/legal guardian who is a sex offender may come onto a school’s premises provided that the sex offender is dropping off and/or picking up his/her child enrolled at the school and has provided written notice of his/her sex offender status to the school’s principal/administrator upon enrollment. When picking up his/her child, the parent will remain in the vehicle parked in an area designated by the principal.

##### Conferences

A parent/legal guardian who is a sex offender and has a child enrolled in a school may enter a school’s premises to attend his/her child’s parent/teacher conferences provided that the sex offender has received written permission or a request from the school’s principal/administrator. Said parent/legal guardian may come to the school for the stated business only. Further, when coming in the building, the parent/legal guardian must come to the front office only. As per state law this exception shall not apply if the victim of the sex offender’s sexual offense or violent sexual



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offense was a minor at the time of the offense and the victim is enrolled at the school where the conference is scheduled. (This information would have to be brought to the school principal's attention as the principal would not have independent knowledge of the same.)

Principals shall speak with the parent/legal guardian upon learning of his/her status as a sex offender to communicate the restrictions of this policy and to establish open dialogue with the parent/legal guardian, as much as possible and reasonable. The principal shall take appropriate measures to protect the privacy of the sex offender's child.

Any violation of this policy may void these parental exceptions.

This policy will be reviewed and approved by legal counsel every two (2) years or upon any changes to the policy content. Approval signatures kept on file.

**Associated Documents:**

Legal References: T.C.A. §40-39-201, *et seq.*; T.C.A. §40-39-211 (d)

**Implementing Procedures:**

None identified

**Revision History:**

<u>Date:</u>	<u>Rev.</u>	<u>Description of Revision:</u>
9/14/09		Initial Release
2/21/11	A	Delete footnote references 1 and 2. Change "shall" to "may" in first sentence under Parents Who Are a Registered Sex Offender. Changed legal reference from TCA 40-39-201 to TCA 40-39-202 and TCA 40-39-211(a) to TCA 40-39-211(d).
8/27/12	B	Added statement "This policy will be reviewed and approved by legal counsel every two (2) years or upon any changes to the policy content. Approval signatures kept on file."
2/2/15	C	Added Volunteering to Employment section; added sentence in Employment or Volunteers section pertaining to volunteers; updated logo
3/14/16	D	Removed "registered" from policy in accordance with Tennessee law. Clarified the term "sex offender". Added "legal guardians" to reflect statutory language. Removed last paragraph regarding waivers. This is not required by law.
1/15/18	E	First paragraph: added "any individual who is a sex offender or violent sex offender as defined by Tennessee law".
6/17/19	F	Changed "Human Resources" to "his/her level director or General Counsel" under presence on school property.

**\*\*\* End of Policy \*\*\***