

Appendix J: Registered Sex Offender Notification Policy

Persons required by law to register as sex offenders (registered sex offenders) will be required to notify Campus Security of his/her intent to enroll and will be required to meet with Campus Security to review the notification procedure and conditions of enrollment. If a registered sex offender registers for classes and becomes a student before the college receives such notification, the student will be immediately informed that he/she is being dropped from classes and will receive a refund of any fees that have been paid.

Gadsden State Community College reserves the right to deny, or revoke the admission of registered sex offenders in accordance with College policy. The College reserves the right to evaluate the circumstances of each case and to refuse admission if it is determined that the applicant is a threat to the safety or security of the College community.

When the College is notified by a corrections or law enforcement agency that a registered sex offender has enrolled or intends to enroll, or a registered sex offender self-reports to a College official, the Safety and Security Committee will determine whether such individual will be allowed to attend classes.

Notification to the College Community will be consistent with any recommendation of an informing law enforcement agency.

Level I - Risk to the Community

- Offender name and Risk Level will be on file with Campus Security.
- Notify appropriate College officials.

Level II - Risk to the Community

- If available, background information on the offender supplied by the reporting law enforcement agency will be on file with Campus Security. This information normally includes: offender name, picture, and descriptive information about the offender and the offense.
- Notify faculty teaching classes in which the offender has enrolled.
- Notify the Early Childhood Education Programs and child development programs, and any other program that involve the presence of minors.

Level III - Risk to the Community

- Same notification as for Level II.
- Notify all campus employees and students via college email systems.
- Post information, including picture and name, to campus bulletin boards.

Appeal Process for Denial of Admission or Withdrawal for Registered Sex Offender

When a registered sex offender is denied admission to, or is administratively withdrawn from classes, he/she will receive written notice from the Liaison/Chair of the Safety and Security Committee of his/her denial of admission or administrative withdrawal from classes. After receiving the notification, he/she may invoke the following appeal process:

1. Within seven (7) calendar days, write a letter of appeal to the Liaison/Chair of the Safety and Security Committee in which he/she provides the following information:
 - Disclosure of the nature of the offense to which he/she pled guilty or was convicted;
 - Justification for consideration of admission/reinstatement;

- Statement acknowledging his/her understanding that his/her identity and status as a registered sex offender will be publicized by the College.
2. The Safety and Security Committee will review the information submitted and make a decision within ten (10) calendar days of receiving the letter of appeal.
 3. Notification of the decision of the Committee will be sent by letter from the Liaison/Chair of the Safety and Security Committee.
 4. The decision of the committee shall be final.

Guidelines for Assessing Registered Sex Offender Enrollment Status and Request

What is a registered sex offender?

A person who has been convicted of a crime involving a sexual act where the federal, state or local laws require them to be placed on the Sexual Offender Registry after they have served their criminal sentences or when they have been released on parole.

The tier to which an offender is assigned only corresponds to the plea or conviction, which may not be representative of the crime committed. Also, depending upon the plea or conviction, the offender may only be required to register, without any restrictions of residency.

Tier I Offenses – typically of a non-violent nature with persons of the age of majority; minimum of 15 years on the registry

- Public indecency (lewdness)
- Voyeurism
- Possession of child pornography (could include teen sexting)
- Sexual contact without consent

Tier II Sex Offenses – are typically also of a non-violent nature, but involve minors; minimum 25 years on the registry

- Any new offense perpetrated by a Tier I sexual offender
- Trafficking of minors for the purposes of sexual activity
- Transportation of minors for the purposes of sexual activity
- Using intimidation to elicit sexual activity
- Using bribery to elicit sexual activity
- Any sexual acts with persons between the ages of 12-15
- Any sexual contact with persons between the ages of 12-15
- Any sexual offenses where the offender has position for authority over the victim, such as a parent or guardian, or those with temporary custody of the child, such as a babysitter or teacher
- Prostitution of minors
- Production or distribution of pornography that includes minors
- Any plan to commit or attempt to commit any of the above

Tier III Sex Offenses – most serious sex offender, includes those convicted of violent and non-violent acts, with minors or adults; lifetime on the registry

- Any new offense perpetrated by a Tier II sexual offender
- Most sexual assaults
- Sexual acts where force was used on the victim or the victim was under duress
- Sexual acts where the victim is rendered unconscious or impaired through the use of drugs or alcohol
- Sexual acts where the victim is under the age of 12
- Sexual acts where the victim is unable of consenting to the act due to mental impairment or disability
- Sexual acts where the victim is unable to physically decline the act
- Sexual acts where the victim communicates their unwillingness to participate in the sexual act

- Any plan to commit or attempt to commit any of the above