

## **ARC 604**

# **Sex Offender Attendance Policy**

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### **PURPOSE**

Provide regulation and process regarding attendance of sex offenders at Clackamas Community College (CCC).

### **SUMMARY**

CCC follows all applicable registered sex offender legal requirements including the Campus Sex Crimes Prevention Act (CSCPA), Family Education Rights and Privacy Act (FERPA), and the Clery Act. Additionally, access to public sources of information regarding the identity of sex offenders is available to all members of the College community.

The Oregon State Police is the agency responsible for maintaining the sex offender registry and its dissemination. The College will not disseminate this information and will refer inquiries to the Oregon State Police. Persons under active supervision for sex offenses are responsible for complying with the terms of their supervision. With the makeup of the student body at Clackamas Community College, the college is unable to ensure that persons prohibited from being near minors will be able to comply with this restriction while attending classes.

Students who are not in compliance with sex offender registration requirements may be in violation of the Clackamas Community College student code of conduct and may be sanctioned accordingly.

### **RELATED**

The Campus Sex Crimes Prevention Act (CSCPA) of 2000 amends the Wetterling Act to require sex offenders to notify the appropriate law enforcement agency when enrolled or employed at institutions of higher education. The Act requires that the State make the information available to campus law enforcement agencies or local law enforcement agencies. College Safety does not qualify as a campus law enforcement agency but this information can be provided to college safety through the College Resource Officer.

See 42 U.S.C. § 14071(j) (Wetterling Act provisions added by the CSCPA amendment); 67 Fed. Reg. 65598 (October 25, 2002) (Attorney General's guidelines for the amendment). The CSCPA also amends the Higher Education Act of 1965 which requires higher education institutions to indicate where community members can obtain information about enrolled or employed sex offenders. The CSCPA also amends the Family Education Rights and Privacy Act (FERPA) of 1974 to clarify that nothing in FERPA may be construed to prohibit an educational institution from disclosing information provided to the institution concerning registered sex offenders.

Questions about ORS Chapter 163A can be directed to the Director of College Safety.

Refer to the Access, Retention, and Completion procedure (ARC) 604P for additional information about this policy.

**EFFECTIVE DATE:** As of December 19, 2019

**END OF POLICY**

## APPROVALS

Maintained By	Access, Retention, and Completion Committee (ARC)
ARC Initial Review	Date: 9.26.2018
ISP Committee – if appropriate	Date: N/A
College Council – first reading	Date: 10.5.2018
College Council – second reading	Date: 10.19.2018
Legal Counsel – if appropriate	Date: 10.31.2018
President’s Council – if appropriate	Date:12.4.2018
ARC Final Review & Approval	Date:12.19.2018