


PROCEDURE MANUAL

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	Last Revision Date:	08-18-05	
Effective Date:			
Section:	Administration	Subject:	Registered Sex Offender Campus Notification

PURPOSE

In Arizona, a sex offender is required to register with the sheriff in the county where he or she resides. A sex offender who is a student at a college, who is employed by a college, who volunteers at a college, or who carries on a vocation at a college is required to register this information with the sheriff in the county where the college is located.

Arizona Western College strives to provide a safe environment for its students, faculty, and staff. To insure the safety and welfare of the campus, Arizona Western College seeks to provide to the College community timely and appropriate notification of the presence of any registered sex offender who may be on or live near the campus. This notification will be in accordance with current applicable state and federal laws.

Notification of the Community


Federal law requires institutions of higher education to advise the College community as to where law enforcement agency information concerning registered sex offenders may be obtained. Accordingly, the College has developed the procedures set forth below.

The Campus Police Department will notify the College community according to the classification system used by the Yuma County Sheriff Department and the City of Yuma Police Department to identify all sex offenders who, after June 1, 1996, have been released from jail or prison or sentenced to probation. The classification system assesses the risk of the offender committing another offense as follows: a level-one offender — low risk; a level-two offender — intermediate risk; and, a level-three offender — high risk.

The Yuma County Sheriff Department is required to notify the College of any registered level-three sex offender who resides near the College, or who is a student, employee, volunteer, or who carries on a vocation at the College. The sheriff may, but is not obligated to, notify the College of any registered level-two sex offender who resides near the College, or who is a student, employee, volunteer, or who carries on a vocation at the College. Unless the offender resides on campus, the sheriff is under no obligation to notify the College of any registered level-one sex offender.

The Arizona Department of Public Safety (DPS) has also established a website that contains the address and nature of the conviction of each registered level-two and level-three sex offender who has been released from jail or prison or sentenced to probation on or after June 1, 1996. The web address is www.azsexoffender.com/main.jsp. At this web address, one may enter a zip code and conduct a search for the home address of all registered level-two and level-three sex offenders living within the particular zip code. The web address does not contain information as to whether a registered sex offender is a student, employee, volunteer, or one who carries on a vocation at the College. The web address also does not identify level-one registered sex offenders.

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For the purpose of this procedure, “student” is defined as someone who is matriculated or otherwise enrolled to attend class full-time or part-time at the College.

PROCEDURE


1. At least once a month, the Campus Police Department will compare a list of College students and employees with the Yuma County Sheriff Department’s sex offender registration lists (the Sheriff’s list) and the DPS’s sex offender website for registered sex offenders residing in zip codes in Yuma county (the DPS list) with a list of College students, College employees, and volunteers. In addition, the Campus Police Department will identify any names appearing on the Sheriffs’ list or the DPS list that are known or believed to be persons carrying on a vocation on College property. Based on the above, the Campus Police Department will determine the following:
 - 1.1 Whether any registered sex offender has listed his or her residence within one mile of the College’s main campus; or
 - 1.2 Whether any College student, employee, volunteer, or person carrying on a vocation on College property is a registered sex offender.
2. The Campus Police Department may also receive other information from time to time from local or state law enforcement officials that an individual living within one mile of the College’s main campus or who is a student, employee, volunteer or person carrying on a vocation at the College is a registered sex offender.
3. If it appears that a student, employee, volunteer or person carrying on a vocation at the College is a registered sex offender, Campus Police will verify the individual’s status with the Vice President of Student Services. After verification of the individual’s status, the Campus Chief of Police or designee will make reasonable and prompt efforts to meet with the registered sex offender and advise him or her of the procedure set forth in this policy.
4. Within ten (10) business days of the Campus Police Department’s receipt of a notice of a registered sex offender identified in the process set out in 1 or 2 above, the Campus Chief of Police or designee shall be responsible for notifying the College community as follows:
 - 4.1 A level-one registered sex offender (low risk):
 - 4.1.1 If the Campus Chief of Police or designee receives information concerning a level-one offender, the Campus Police Department shall maintain information about the offender.
 - 4.1.2 If the offender resides on campus, the Chief of Police or designee will give notification to the people with whom the offender resides.
 - 4.2 A level-two registered sex offender (intermediate risk) or level-three (high risk) registered sex offender:

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- 4.2.1 The Campus Chief of Police or designee will provide the Vice President of Student Services with pertinent information regarding the offender.
 - 4.2.2 If the offender is an employee, volunteer, or person carrying on a vocation at the College, the Chief of Police or designee will also provide the Director of Human Resources with pertinent information regarding the offender.
 - 4.2.3 A level-two or level-three flyer will be posted on the Campus Police Department’s website in the crime alert section at www.azwestern.edu/student_svc/police. The website level-two or level-three flyer will contain the following information: (i) a picture of the offender (ii) the exact address of the offender (iii) a summary of the offender’s status and criminal background and (iv) whether the offender lives within one mile of College property, is a student, employee, volunteer, or carries on a vocation at the College.
 - 4.2.4 The Campus Police Department will print level-two or level-three flyers that will contain the same information as the level-two or level-three flyer posted on the Campus Police Department’s website.
 - 4.2.5 Once each week for four weeks, printed level-two or level-three flyers will be posted as follows: (i) on a minimum of not less than fifty campus bulletin boards (ii) in the administrative offices of off-campus centers, and (iii) in each residence hall in a conspicuous location.
 - 4.2.6 The College Director of Public Relations and Marketing will develop a press release from information provided on the level-three flyer. The Director of Public Relations and Marketing and the College Vice President of Student Services will decide how further to disseminate the level-three flyer in local publications so as to alert the campus community to the offender’s presence near or on campus.
 - 4.2.7 The Campus Police Department may hold group meetings to discuss concerns of the College community.
5. Nothing in this procedure will restrict the Chief of Police or other College Administrators from making further notifications allowable under state and federal law, should he or she feel that a particular offender’s case warrants the giving of any additional notification not referenced above.
 6. The Arizona Western College Campus Police Department will maintain records on all registered sex offenders covered under this policy. For any offender covered under this policy, the Chief of Police or designee shall be responsible for verifying each offender’s status on an ongoing timely basis. If at any time, the offender (i) no longer lists his or her residence within one mile of the College’s main campus, or (ii) no longer is a student, employee,

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volunteer, or person carrying on a vocation on College property, this fact shall be so reflected in the offender's record, and any and all information concerning the offender shall be removed from the Campus Police Department's website.

The federal Campus Sex Crimes Prevention Act designates certain information concerning a registered sex offender as public information and therefore amends and supercedes the Family Education Rights and Privacy Act (FERPA) and other federal and state laws that might otherwise prohibit the disclosure of such information.

Relevant State Law:

Registration of Sex Offenders A.R. S. § 13-3821, 13-3826, *et seq.*

Relevant Federal Law:

The federal Campus Sex Crimes prevention Act impacted the following:

Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Program 42 USC § 14071

Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act 20 USC § 1092 (f)

The Family Educational Rights and Privacy Act (FERPA) 20 USC 1232g(b)(7)