

# SEX OFFENDER

**POLICY NUMBER:** ADM-SEXOFFENDER

**POLICY TYPE:** ADMINISTRATIVE

**RESPONSIBLE OFFICIAL TITLE:** VICE PRESIDENT FOR STUDENT AFFAIRS

**RESPONSIBLE OFFICE:** UNIVERSITY POLICE

**EFFECTIVE DATE:** UPON PRESIDENTIAL APPROVAL – 2/19/2020

**NEXT REVIEW DATE:** PREVIOUS REVIEW PLUS TWO (2) YEARS – 3/03/2024

**SUPERSEDES POLICY DATED:** N/A – NEW POLICY

**BOARD OF REGENTS REPORTING (CHECK ONE):**

PRESIDENTIAL RECOMMENDATION (CONSENT AGENDA/VOTING ITEM)

PRESIDENTIAL REPORT (INFORMATION ONLY)

## I. POLICY STATEMENT

Under the provisions of the [Family Educational Rights and Privacy Act \(FERPA\)](#), as amended by the [Campus Sex Crimes Prevention Act \(CSCPA\)](#), Northern Kentucky University (NKU) shall disclose information concerning registered sex offenders. The purpose of this reporting is to ensure that members of the campus community have information available concerning the presence of registered sex offenders.

The state of Kentucky is required to report such information concerning registered sex offender's enrollment or employment and to make this information available promptly to University Police. Additionally, the University requires all registered sex offenders to self-report their status to University Police upon employment or enrollment. This can be done in person at the University Police offices or via the [sex offender self registry form](#) on the University Police website.

Upon receipt of notification, the University Police will notify the Chief Human Resources Officer if the registered offender is an employee, or Student Conduct, Rights, and Advocacy (SCRA) if the registered offender is a student. Human Resources/SCRA will contact the employee/student to clarify their status and to advise of applicable University policies and procedures.

Registered sex offenders are not barred from employment or enrollment with NKU. Limitations and restrictions must be both reasonable, job related, and directly related to areas of potential risk.

- If designated as a registered sex offender, after employment or enrollment, the self-reporting must occur within one business day of the designation. Failure to self-report may result in disciplinary action up to and including expulsion or termination of employment.
- In an effort to afford each registered sex offender proper access, each circumstance will be evaluated on a case-by case bases to determine appropriate limitations and restrictions based on the registrant's information.
- Registered sex offender information will be posted on the University Police website upon confirmation at <https://inside.nku.edu/studentaffairs/departments/police/clery-act/sex-offenders.html>. It is the responsibility of the registrant to notify University Police once the registrant is no longer a student or employee.
- Registered sex offenders must re-register with University Police if there is a break in enrollment of 12 months or more or if the registrant changes programs.
- Supervisors of registered sex offenders will not assign the employee to an area from which they are prohibited. If the assignment of the sex offender is essential, their immediate supervisor must escort them for the entire time that they are working in the prohibited location.

The state registry database is made available to alert possible victims of potential danger, not to punish or embarrass offenders. Pursuant to [KRS 525.070](#) and [KRS 525.080](#), use of such information to harass a sex offender is a criminal offense and is punishable by up to 90 days in the county jail, and more severe criminal penalties may apply for more severe crimes committed against a sex offender. The Kentucky State Police Sex Offender Registry can be accessed via the Kentucky State Police website at <http://kspsor.state.ky.us>.

## II. ENTITIES AFFECTED

All NKU employees including executive, administrative, faculty, and staff; all NKU students; University Police; Student Conduct, Rights, and Advocacy (SCRA); Human Resources; and the Office of Title IX.

## III. AUTHORITY

- [Campus Sex Crimes Prevention Act \(2000\)](#)
- Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) ([20 USC 1092\(f\)](#), [34 CFR Part 668.46](#))
- [KRS 17.580](#) – Duty of Department of Kentucky State Police to maintain and update Web site containing information about adults who have committed sex crimes or crimes against minors

## IV. DEFINITIONS

- **Employee** - Any person employed by NKU, including contract workers
- **Enrolled** – Undergraduate, graduate, doctorate, Chase Law School, on-campus, or online
- **Registrant** – Registered sex offender
- **Student** – Anyone enrolled in classes at NKU’s main campus (Highland Heights), Grant County Campus, or online
- **Supervisor** – Includes contract supervisors

## V. RESPONSIBILITIES

### A. Registered Sex Offender(s)

Registered sex offenders are required to self-report their status to the Northern Kentucky University Police Department upon employment or enrollment.

### B. University Police

When notified of a registrant’s employment or enrollment at NKU, University Police will collect information from the registered sex offender. If the registrant is a student, University Police will generate an information report and provide the registrant information to Student Conduct, Rights, and Advocacy (SCRA). If the registrant is an employee, University Police will provide the registrant information to Human Resources. University Police will maintain a [Sex Offender log](#) on the University Police website.

### C. Student Conduct, Rights and Advocacy (SCRA)

Student Conduct, Rights and Advocacy (SCRA) is responsible for documenting information from University Police. SCRA will evaluate information for limits and restrictions, document information in

Maxient software, and relay information to the Title IX office. SCRA will communicate any restrictions to University Police.

#### D. Human Resources (HR)

Human Resources (HR) is responsible for documenting information from University Police. HR will evaluate information for limits and restrictions and document information appropriately. HR will communicate any restrictions to University Police.

### VI. EXCEPTIONS

No exceptions are allowed.

### VII. COMMUNICATIONS

The Sex Offender Policy Group includes the Clery Compliance Coordinator; Director of Student Conduct, Rights, and Advocacy (SCRA); Vice Provost for Undergraduate Academic Affairs; Director of Employee Relations and Equal Employment Opportunity (EEO); Deputy General Counsel; and a faculty member.

### VIII. REFERENCES AND RELATED MATERIALS

#### REFERENCES & FORMS

- Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act ([20 USC 1092 \(f\)](#), [34 CFR Part 668.46](#))
- Michael Minger Life Safety Act ([KRS 164.948 to 164.9489](#); [KRS 164.993](#))
- [Legislative History of Major FERPA Provisions](#)
- [KRS 17.510](#) – Registration system for adults who have committed sex crimes against minors
- [Kentucky State Police Sex Offender Registry](#)
- [United States Department of Justice Dru Sjojin National Sex Offender Public Website](#)
- NKU list of currently known registered sex offenders employed by or attending NKU: <https://inside.nku.edu/studentaffairs/departments/police/clery-act/sex-offenders.html>

#### RELATED NKU POLICIES

[Disclosure of Campus Security & Crime Statistics](#)

#### REVISION HISTORY

REVISION TYPE	MONTH/YEAR APPROVED
Minor Edits & URL Updates	March 3, 2022
New Policy	February 19, 2020

# SEX OFFENDER

## PRESIDENTIAL APPROVAL

<b>PRESIDENT</b>	
Signature <i>Ashish Vaidya</i>	Date <i>2/17/2020</i>
Ashish K. Vaidya	

## BOARD OF REGENTS APPROVAL

<b>BOARD OF REGENTS (IF FORWARDED BY PRESIDENT)</b>	
<input checked="" type="checkbox"/> This policy was forwarded to the Board of Regents on the <b>Presidential Report (information only)</b> . Date of Board of Regents meeting at which this policy was reported: <u>03 / 18 / 2020</u> .	
<input type="checkbox"/> This policy was forwarded to the Board of Regents as a <b>Presidential Recommendation (consent agenda/voting item)</b> .	
<input type="checkbox"/> The Board of Regents approved this policy on ____ / ____ / ____. (Attach a copy of Board of Regents meeting minutes showing approval of policy.)	
<input type="checkbox"/> The Board of Regents rejected this policy on ____ / ____ / ____. (Attach a copy of Board of Regents meeting minutes showing rejection of policy.)	
<b>VICE PRESIDENT &amp; CHIEF STRATEGY OFFICER</b>	
Signature <i>Bonita Brown</i>	Date <i>04/14/2020</i>
Bonita J. Brown	