



New Florida Statute Requires Schools To Provide Information About Sex Offenders

Insights

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Earlier this year, the Florida Legislature enacted a requirement for nonpublic colleges, universities and schools. Effective July 1, 2014, all such institutions are required to inform employees and students at orientation and on the school's website of the existence of the Florida Department of Law Enforcement sexual-predator-registry website and the toll-free telephone number that gives access to sexual predator and sexual offender public information.

A disturbing trend we have seen in school communities is the presence of more sexual offenders or sexual predators who are often under the radar for most institutions: parents, grandparents, or individuals on the authorized pickup lists. Many schools do not perform criminal-background checks on these individuals or even check the sexual-offender website to determine whether these individuals should be permitted on the school's campus.

When a sexual offender or predator is discovered in your community, it can be a difficult issue to deal with. Although it may be easy enough to restrict the individual's activities at school, what about the fact that these same individuals are present at play dates, sleepovers, and other activities away from school?

To help educate other parents in the community and to place the burden on parents to be aware of who is supervising their children, we have long suggested that schools put a statement in their student handbook advising parents that the school performs criminal-background checks on its employees and volunteers with unsupervised access to children, but cannot attest to the background of the various parents with whom their child may associate away from school. This policy provides a link to the appropriate governmental websites where sexual-offender information can be found.

To meet the requirements of this new Florida law, all nonpublic schools should now address this issue during yearly employee, student, and parent orientation. In addition, you should place this information on your website under your safety guidelines:

Parents, students, and employees should regularly visit the public registry to review it for individuals who may have prior criminal records and sex offenses. Information concerning registered sex offenders and predators in Florida may be obtained by visiting <http://www.fdle.state.fl.us>, the Florida Department of Law Enforcement Sexual Offenders

database. Information may also be obtained by contacting the FDLE's toll free telephone number: 1-888-FL-PREDATOR (1-888-357-7332).

For more information on this issue or to receive a copy of our model policy for your student handbook, contact an attorney in any Florida office of Fisher Phillips, or your regular Fisher Phillips lawyer.

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