

South Puget Sound Community College

Frequently Asked Questions

Kidnappers/Sex Offenders on Campus September 2015

The following is an attempt to answer questions posed by faculty regarding the presence of registered kidnappers/sex offenders enrolled at South Puget Sound Community College. If you have a question that is not answered within the document, please email Robert Shailor (rshailor@spscc.edu), Campus Security/Safety Supervisor, or Dr. David Pelkey (dpelkey@spscc.edu), Vice President for Student Services, and we will try to address the question and update this document.

Q1. How do we as faculty inform the class that one member is a Level III—without violating anyone’s rights and in a way that is sensitive to all members of the class? If we have a sex offender in our class, can we warn the other students in that class?

A. *All students who are registered for a class in which a Level II or Level III offender is also enrolled are mailed a letter to their home notifying them of the presence of the offender in their class. Letters are sent the week prior to the first day of class of each quarter. Class rosters are checked again on or about the 6th day of the quarter for any changes and letters are sent to any students enrolled after the initial letters are mailed out. Therefore, faculty members do not need to inform the class as they have already been informed by the college.*

Q2. Should I point him out on the first day of class? If I don’t point him out, what do I say if someone says “where is he?”

A. *There is no need to point out an offender in class. You should refer students to the notification letters they received from the Vice President for Student Services Office. All students who are registered for a class in which a Level II or Level III offender is also enrolled are mailed a letter to their home notifying them of the presence of the offender in their class. For Level II offenders the letter contains a website address the student can visit to view the offender’s picture. For Level III offenders, a flyer with the Level III offender’s picture is included with the notification letter. Letters are sent the week prior to the first day of class of each quarter.*

Q3. What are the bounds of liability, responsibility and obligation with respect to communication, or lack thereof, with the offender and the class and the offender and those he or she is seen with in and out of the classroom in terms of both privacy and security?

A. *According to RCW 4.24.550 (7) (8) public employees are immune from civil liability for damages for any discretionary risk level classification decisions or*

release of relevant and necessary information, unless it is shown that the employee acted with gross negligence or in bad faith. The immunity applies to the release of information as well as the failure to release information to other public officials, public employees, or public agencies and to the general public.

RCW 4.24.550 authorizes the college to release information that is relevant and necessary to protect the public and counteract the danger created by the particular offender. Therefore, if you receive information about the presence of a sex offender in your class, the Sex Offender Review Committee has determined that the disclosure of information is relevant and necessary for you and the students in your class. If you receive information about the presence of a sex offender in your class and/or via the campus email system and/or via a flyer posted on campus, the Sex Offender Review Committee has determined that the disclosure of information is relevant and necessary for the general public and therefore not private information.

*While you are not responsible or obligated to “police” the offender, if you notice any suspicious behavior **and** you want to report such behavior, please contact Campus Security. Do not feel as if you have to confront the offender in any way.*

Q4. What systems are in place for identification, notification and follow-up?

- A. *The college receives a list each quarter from The Thurston County Sheriff’s Office of all registered sex/kidnapping offenders residing in the county. One week prior to the start of the quarter, the Sheriff’s list is then cross-referenced with all registered students for that quarter. All Level II and Level III matches are brought before the Sex Offender Review Committee (Security, Vice President for Student Services, and Coordinator for Student Clubs and Organizations) to determine the extent of notification. The cross-reference match process is repeated about the sixth day of each quarter to determine if additional notifications are needed to the college community.*

Q5. What systems are in place for quick-response support and control of related issues/problems?

- A. *As with any incident on campus, Campus Security is available and responsive to calls for assistance. As appropriate, Campus Security notifies law enforcement of issues and problems, and files a report with the Vice President for Student Services for disciplinary actions regarding a student’s continuous enrollment at the college. College counselors are available to support and talk with students, faculty, and staff as the need arises.*

Q6. To whom would one go for answers or guidance on specific situations and issues?

- A. *Rob Shailor – questions related to the offender information from the Sheriff’s Office; suspicious/disruptive behavior on campus; the RCW governing sex offenders; levels classification and Level I offenders on campus.*

Dave Pelkey – questions related to the Sex Offender Review Committee, notification procedures for offenders who are students, the RCW governing offenders.

Ken Harden – questions related to notification procedures for offenders who are employees of the college.

Sally Sharbaugh – questions related to class management or for suggestions from other instructors about how they handled particular classroom situations.

Q7. Is it appropriate to generate a discussion as a class?

- A. *As with any class discussion, the faculty needs to be prepared for the consequences of generating such. We are not sure of our students' backgrounds and experiences and therefore how a discussion might end. In fact, one reason the college mails letters to students at the homes is to allow them to read the information about the presence of an offender in their class in the privacy of their homes. This allows them the opportunity to process their next steps (whether they want to remain in the class or not) or to express emotions and feelings about the information in the letter. This is particularly true for students who may have encountered a previous or similar experience with an offender.*

Q8. What is a Level I, Level II and Level III sex offender?

- A. *Level I offenders pose a low risk to the community. This is the initial level which offenders are required to register. Their offense generally:*

- *is non-violent and*
- *occurred in the family setting*

Level II offenders pose an intermediate risk to the community and have a slightly higher risk of re-offending. Generally for Level II offenders:

- *the sexual offense occurred outside the family,*
- *they have committed multiple offenses at different times, and/or*
- *a violent offense occurred inside or outside the family*

Level III offenders pose a high risk to the community and have a high risk of re-offending. Generally, for Level III offenders they:

- *have a history of predatory sex crimes, and/or*
- *have a history of committing multiple offenses, and/or*
- *express desire to re-offend again, and/or*
- *are diagnosed as a sexual predator*

*For more information visit: <http://www.thurstonsheriff.org>
<http://so.co.mason.wa.us/pubinfo.htm>*

Q9. How much can/should I know about the offense? Do I need to know if he likes children or young girls so that I can “protect” my Running Start “kids”?

A. *Students enrolled in a class where an offender is also enrolled are notified of the offender’s presence. However, details about the offense or the nature of the offense are not included in the notification. Learning more about an offender’s offense is a personal decision and not one that the college expects employees to know. It is unreasonable to expect that faculty can “protect” students. However, if you want to report any suspicious behavior of the offender, please contact Campus Security for further investigation.*

Q10. How do we proceed as a cohesive class? Is that possible?

A. *This is a tough question to answer because class cohesion is based on so many variables. As an experienced instructor you have had classes that have bonded and worked well as a group and others that haven’t. For some disciplines and certain classes, this bonding is more important than with others.*

There are many variables involved in moving a class from a gathering of individual students to a cohesive group and now, as an instructor, you are presented with one more variable; the presence of a sex offender. It is possible to proceed as a cohesive class, but how that happens depends not only on you but on the reactions of all the students in your class, including the offender.

Here are some points to consider:

- *as you would with any class, take time to check-in with yourself about your own expectations and what you can do to contribute to the kind of cohesiveness you want. For example, modeling the behavior you want to see (see next question for an example) in your class.*
- *pay attention to the class dynamics and adapt your teaching strategies accordingly. Each class seems to have its own "personality" based on the interaction of the individuals in the class. Minor adjustments in class format or projects based on class needs can make a difference. This evaluation/modification on-the-fly is what you would naturally do in any class (with or without an offender) and is often critical to class cohesion.*
- *use fellow faculty as a resource to learn about their experiences with class cohesion.*
- *make sure students know you are available to them after class to discuss any concerns they have regarding the class. In this way you are inviting them to connect with you and that may be their first step to feeling more connected to the class as a whole.*

Remember too that, with or without the variable of an offender, some classes will bond well and others won’t – that’s the nature of group dynamics and the challenge of each new quarter.

Q11. How do we not ostracize the individual (the offender)?

- A. *One way to do this is by speaking to the offender yourself outside of class. You can let him/her know that you received notification of his/her status as a sex offender and that your commitment is for everyone in the class to proceed in a positive way to learn the material at hand. You could also say that, while you can't control individual student reactions, as an instructor you are trying to set a tone in the classroom that focuses on a positive learning environment in your class for every student.*

Additionally, students will look to you for cues as to the tone and expectations you are setting in your classroom. Holding the offender to the same standards as all students and treating the offender as you would any student will convey a message that you are not going to ostracize anyone from the classroom experience. This is appropriate modeling.

Q12. How do we help other students feel safe?

- A. *For a sense of physical safety, see the questions regarding conducting group work and encouraging students to work outside class together.*

For a sense of mental and emotional safety, it is important to refer students to the counseling center. If a student has been a victim of sexual abuse or a sexual crime in the past, the mere presence of the offender in class can affect their own mental sense of how safe the classroom now feels. It is important for students to know there are counselors on campus who can talk with them about this specifically and help them come to some resolution.

Q13. How do we conduct group work?

- A. *For group work in class you can proceed as you normally would. For a group that is only forming for one class period, you may want to pay particular attention to how the group with the sex offender in it is functioning. Is the group functioning or are members withdrawing (verbally or non-verbally)? This is probably what you would do with any group work in your classroom.*

If the group will be working together in class the whole quarter, you may want to talk with the members individually after class. Are they comfortable in their group and can they proceed with the learning tasks? This includes talking with the offender to make sure he/she feels safe and is not being threatened or intimidated by a fellow student.

For group work outside of class, it is a good idea to establish ground rules for students to follow. For example:

- *always meet in a public place*
- *determine the meeting date and time before or after class*
- *don't share your home address*
- *meet in groups of three or more*

These ground rules are important for student safety regardless of the presence of a sex offender in your class. These ground rules can help students think about how they keep themselves safe in general when getting to know new people.

Q14. How do we keep the focus on the class topic and not the person (the offender)?

- A. *You can do this by keeping the in-class discussions on the class topic and telling students you are available to discuss their concerns regarding the offender after class. In this way you can maintain the focus of the class discussions but also alleviate immediate anxiety by letting students know you will address their concerns by talking with individual students outside the classroom setting.*

Encourage students to contact the counseling center if they have concerns that need more time and attention. Calling the counseling center while the student is in your office, or walking them down to the counseling center, increases the likelihood that the student will follow-up with your referral.

Q15. How do I respond to students who want to drop my class because of an offender's presence?

- A. *It is okay for a student to withdraw from a class because of a sex offender's presence. Because we don't always know students' prior experiences, it is best to allow students to make the decision. However, you can suggest creating a "buddy" system so students can walk to and from class with someone else and in some cases, especially after an evening class, security can be called to escort students to their vehicle. You can suggest that students talk with a counselor or the Vice President for Student Services about their concerns and decision to drop the class. A counselor can help the student explore all their options before making the decision to drop the class. For example some students could benefit from developing strategies to help themselves feel psychologically safe in the classroom. This could be an important opportunity for them to learn to manage anxiety (or another strong emotional reaction) in a positive way that allows them to feel more in control.*

Q16. What is the school's notification policy?

- A. *With the advice of the Assistant Attorney General the college has developed notification procedures based on the level of the offender. Notification procedures are outlined in the Sex Offender Notification policy at <https://spscc.edu/policy/stsv102>.*

Q17. How can I find out who the Level I, II and III offenders are?

- A. *The names of Level I offenders can be released upon request from Rob Shailor in Campus Security. The Sex Offender Review Committee meets each quarter to determine the extent of campus notification based on the risk posed by Level II*

and Level III offenders. Campus Security receives and maintains the list of sex offenders from the Sheriff's Office.

Q18. I encourage my students to exchange phone numbers and work outside of class together. Now what should I do?

A. Because students are notified of the sex offender's presence in class, they have to make a decision about with whom they share their personal information. However, it is a good idea to establish ground rules for working outside of class. For example:

- always meet in a public place*
- determine the meeting date and time before or after class*
- don't share your home address*
- meet in groups of three or more*

Q19. What do I do once I get notice that there is an offender in my class? How much do I have to watch his/her behavior since I'm theoretically the college's representative in the classroom?

A. As stated in the notification letter to faculty, you are not expected to do anything once you receive notice from the vice president's office that an offender is in class. If you receive a letter, you can be assured that the enrolled students have received notices as well. However, please feel free to call the Vice President for Student Services or Campus Security if you notice any suspicious behavior. Campus Security is very good about following-up on incident reports. In addition, counselors are available to talk with you if you'd like to discuss any feelings or thoughts you may be experiencing as a result of the offender's presence in your class.

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