

## TSU Registered Sex Offender Notification Procedure

The Campus Sex Crime Prevention Act (CSCPA), (Section 1601 of Public Law 106-386), is a Federal Law enacted on October 28, 2000. In compliance with this law, Texas Southern University's (TSU) Department of Public Safety will work in collaboration with the Texas Department of Public Safety to identify convicted registered sex offenders enrolled as students at TSU or working at any TSU office (in paid or unpaid positions).

### GENERAL INFORMATION

1. In accordance with the CSCPA, TSU will provide on its Campus Sex Crimes Prevention Act website, a link to the [Texas Sex Offender Registry](#) website and instructions on how to access it.
2. Texas State Code requires persons convicted of certain crimes to register as a sex offender. Certain offenses require registration for life and others require registration for ten (10) years. For a list of offenses and registration requirements, see Texas Code of Criminal Procedure 62.005(b), 62.101(a), 62.101(a), 62.101(c), 62.051, 62.051, 62.058, 62.102.
3. The Texas Department of Public Safety classifies sex offenders according to levels. The levels consist of: 1) **low** risk offenders are unlikely to commit a sexual crime, 2) **moderate** risk offenders may continue to commit sex crimes, and 3) **high** risk offenders pose a threat to commit a sexual offense.
4. By law, Registered Sex Offenders (RSO) are required to contact the local police agency and the TSU Department of Public Safety when they enroll in or are employed at the university - in either a paid or unpaid status. (§62.153).

### I. STUDENTS

- A. **Potential Students** who are registered sex offenders must notify the TSU Department of Public Safety to arrange a meeting when they intend to enroll at the University. This meeting must take place at least ten (10) calendar days prior to the start of classes. The meeting shall include the RSO, the Dean of Students (or designee), and the Chief of TSU's Department of Public Safety.

**Current Students** who are Registered Sex Offenders or who receive their final designation that requires registration as a Sex Offender during their period of enrollment must notify the Chief of TSU's Department of Public Safety within seven (7) business days for designations received during the semester or five (5) business days before the start of next semester, whichever comes first. The Chief of TSU's Department of Public Safety will schedule a meeting with the Dean of Students (or designee) and the Registered Sex Offender student to take place within ten (10) days of the notification to TSU's Department of Public Safety.

1. Prior to the meeting, the Chief of TSU's Department of Public Safety will collect information from the RSO student, probation/parole officer, Texas Department of Public Safety, and/or arresting agency regarding the type of crime, conditions for probation, court-imposed sanctions, and level of risk.
2. At the meeting referred to above, the RSO student will be advised of the following information:
  - a) TSU's knowledge of his/her final classification.
  - b) TSU's obligation to provide public access to sex offender information through its Department of Public Safety.
  - c) Any restrictions that will be imposed on the RSO student—based on any Court restrictions, restraining orders, or orders of protection that may be in place—and the duration of such restrictions.
  - d) If the offender is classified at Level 3, he/she is further informed of:
    - (1) TSU's policy of posting notice on campus within two (2) days of receipt of the RSO's information, regardless of when the meeting occurs.
    - (2) The Level 3 RSO will receive a copy of the community notification TSU intends to post.
    - (3) The functional areas where the public notification will be posted.
  - e) At any time, the Department of Public Safety can communicate with the offender's parole/probation officer.
- B. Failure to comply with this procedure may lead to discipline under the Student Code of Conduct as well as possible criminal penalty as outlined in Texas state law.
- C. A student's RSO identification must be placed in the Banner system. The identification should include a summary of the court-ordered conditions, information from the parole/probation officer, and possible interventions needed at the university level.

## II. **EMPLOYEES**

- A. **Potential Employees** who are registered sex offenders must notify the TSU Department of Public Safety to arrange a meeting when they are offered employment at TSU. This meeting must take place at least ten (10) calendar days prior to the start of employment and shall include the RSO, the Human Resources Director, and TSU's Chief of the Department of Public Safety.

**Current Employees** who are Registered Sex Offenders or who receive their final designation that requires registration as a Sex Offender during their period of employment with TSU must immediately notify the TSU's Department of Public Safety. TSU's Department of Public Safety will arrange a meeting with the Director of Human Resources (or designee) and the RSO employee. The meeting with TSU's Director of Human Resources (or designee) and TSU's Chief

of the Department of Public Safety must take place within ten (10) days of the original notification to Public Safety.

1. Prior to the meeting, the Chief of TSU's Department of Public Safety will collect information from the RSO employee's probation/parole officer, Texas Department of Public Safety, and/or arresting agency regarding the type of crime, conditions for probation, court-imposed sanctions, and level of risk.
  2. At the meeting referred to above, the RSO employee will be advised of the following information:
    - a) TSU's knowledge of his/her final classification.
    - b) TSU's obligation to provide public access to sex offender information through its Department of Public Safety.
    - c) Any restrictions that will be imposed on the sex offender—based on any Court restrictions, restraining orders, or orders of protection that may be in place—and the duration of such restrictions.
    - d) If the offender is classified at Level 3, he/she is further informed of:
      - (1) TSU's policy of posting notice on campus within two (2) days of receipt of the RSO's information, regardless of when the meeting occurs.
      - (2) The Level 3 RSO will receive a copy of the community notification TSU intends to post.
      - (3) The functional areas where the public notification will be posted.
    - e) At any time, TSU's Department of Public Safety can communicate with the offender's parole/probation officer.
  - B. Failure to comply with this procedure may lead to discipline under TSU's policies as well as possible criminal penalty as outlined in Texas state law.
  - C. An employee's RSO identification must be placed in the employee's personnel file. The identification should include a summary of the court-ordered conditions in place upon release, information from the parole/probation officer, and possible interventions needed at the university level.
- III. FERPA: The CSCPA amends the Family Educational Rights and Privacy Act of 1974 (FERPA) to clarify that nothing in the Act can prohibit an educational institution from disclosing information provided to the institution concerning the presence of registered sex offenders.
- IV. ANNUAL AND OFF-CYCLE REVIEWS: TSU Department of Public Safety and the Student Affairs Dean (or designee) or Director of Human Resources, depending on the status of the RSO, shall meet on an annual basis to review the conditions of enrollment, employment, and campus engagement. Additional, off cycle, reviews should be conducted when new information about criminal conduct has been received. TSU-imposed conditions may be removed, added, or altered based on changes in enrollment location(s), legal case status, new criminal activity, and/or disciplinary

standing. Both TSU's Department of Public Safety and the Dean of Students (or designee) or the Director of Human Resources (or designee), for students and employees, respectively, shall maintain documentation regarding all initial, annual, and off-cycle meetings and reviews.

- V. FAILURE TO NOTIFY CAMPUS ADMINISTRATION: Failure to notify campus administration, as outlined in this procedure, of one's status as a RSO may lead to discipline up to and including removal from classes and/or suspension from participation in academic or extracurricular programs, termination from employment as well as possible criminal penalty as outlined in Texas state law.
  - A. Any criminal activity involving a registered sex offender should be reported to police.
- VI. ADMINISTRATIVE OVERSIGHT:
  - A. Students: A campus administrator has the right to, at her or his discretion, require currently enrolled RSOs to attend regular meetings. The meetings will serve as a way to monitor compliance with conditions for enrollment and assist with student success. The frequency, duration, attendees to the meeting, and location of the meetings will vary based upon the needs of the RSO.
  - B. Employees: A supervisor, in conjunction with a Human Resources representative, at her or his discretion, may require currently employed RSOs to attend regular meetings. The meetings will serve as a way to monitor compliance with conditions for employment and assist with student success. The frequency, duration, attendees to the meeting, and location of the meetings will vary based upon the needs of the RSO.