

# 7.19 MEGAN'S LAW (SORNA) NOTIFICATION

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## I. Policy

It is the policy of Delaware County Community College ("DCCC") to comply with the community notification requirements regarding certain individuals convicted of sexually violent offenses pursuant to Pennsylvania's Sexual Offender Registration and Notification Act ("SORNA"), 42 Pa.C.S. § 97 (H) and (I), commonly known as Pennsylvania's Megan's Law.

## II. Purpose

The purpose of the Megan's Law (SORNA) Notification Policy is to provide guidance to DCCC employees and administrators to ensure compliance with the notification requirements set forth under Pennsylvania law pursuant to Title 37 Pa.Code § 56.4, Guidelines for Schools and Children and Youth Services. The policy ensures that the College disseminates the required information about an individual deemed a sexually violent predator by law to the necessary DCCC administrators, employees, and individuals whose duties include the supervision of or the responsibility for programs involving minor children. The policy and procedures are intended to balance the public safety with the rights of the individual offender.

## III. Definitions

A. **SEXUAL OFFENDER:** A sexual offender is an individual convicted of a crime which is specified under Pennsylvania law as a "sexually violent offense" as enumerated in 42 Pa.C.S. § 9799.14. Depending upon the specific crime which the offender is convicted, a sexual offender is required to register with the Pennsylvania State Police for a definite period of time (fifteen (15) years, twenty-five (25) years, or lifetime) and is required to have the registration information published on the Pennsylvania State Police's public sexual offenders registry website.

B. **SEXUALLY VIOLENT PREDATOR:** A sexually violent predator is an individual convicted of a crime, which is specified under Pennsylvania law as a "sexually violent offense" AND has been determined by the Court to have a mental abnormality or personality disorder that makes the person likely to engage in future predatory sexually violent offenses. The sexually violent predator designation 2 mandates lifetime registration with the Pennsylvania State Police and lifetime publication of the registration information on the Pennsylvania State Police's public sexual offender registry website.

## IV. Community Notification by Local Law Enforcement

A. The Chief law enforcement officer with police jurisdiction over any DCCC campus is required by law to make community notification to the College President within seven (7) days of receiving information that a sexually violent predator resides within 1,000 feet of any DCCC campus. See 42 Pa.C.S. § 9799.27(B)(6).

1. The community notice shall contain 1) the name of the individual 2) the address of the residence of the individual 3) the offense for which the individual was convicted 4) a

statement that the individual has been determined to be a sexually violent predator and 5) a photograph of the sexually violent predator. See 42 Pa.C.S. § 9799.27(A).

B. Local law enforcement is not required to notify DCCC of sexual offenders who are on campus or sexual offenders who may reside within 1,000 feet of any DCCC campus. This information is available to the general public and the College community at the Pennsylvania State Police's sexual offenders registry website at [www.pameganslaw.state.pa.us](http://www.pameganslaw.state.pa.us) (<http://www.pameganslaw.state.pa.us/>).

## V. Duty of the College

A. Once DCCC has received a community notification from local law enforcement the President of the College or their designee shall disseminate the community notification information regarding the sexually violent predator to individuals whose duty include the supervision of or responsibility for minor children or programs involving minor children. Those individuals notified shall include any individual who has direct contact with or supervision over minor children. DCCC shall put into place a notification process and procedure regarding community notification of a sexually violent predator by local law enforcement.

## VI. Procedures After DCCC Is Notified

A. The following procedure will be followed when the College receives a community notification with respect to a sexually violent predator from local law enforcement:

1. The President or designee will receive a copy of the community notification information and distribute hard copies (not electronic) to the following organizational leaders: a. Vice President of Student Affairs b. Vice President of Human Resources c. Vice President of Academic Affairs d. Director of Safety and Security
2. Upon receiving a sexually violent predator community notification, the organizational leaders shall promptly provide a hard copy of the community notification to any employee or other individual who has direct contact with minor children or whose duties include the supervision of or the responsibility for minor children.
3. All recipients of a sexually violent predator community notification shall be instructed to, and are required, to notify the Director of Safety and Security or their designee if the sexually violent predator is observed in the vicinity of minor children.
4. The Director of Safety and Security or their designee shall promptly notify the local law enforcement agency with police jurisdiction if the presence of the sexually violent predator appears to be without a legitimate purpose or otherwise creates concern for the safety of the minor children.
5. All recipients of a sexually violent predator community notification shall be required to sign off verifying receipt of the community notification.
6. No other dissemination will be allowed, and none of the above notification processes can take place electronically. Disseminating this information electronically is subject to disciplinary action.

B. In addition to the procedures set forth in Section A, the following additional procedures shall be taken if the sexually violent predator is an ENROLLED STUDENT:

1. If the sexually violent predator for which the College receives a community notification is a student, the Vice President of Student Affairs or their designee will meet with the student to:
  - a. Inform the student that the DCCC has received the community notification.
  - b. Inform the student that it is the responsibility of DCCC pursuant to state law to provide notice regarding his or her presence to a significant number of individuals affiliated with the College.
  - c. Inform the student that the DCCC is not limited to College age postsecondary students and the DCCC campus have programs which involve minor children as well as allow organizations that involve minor children to utilize certain facilities on DCCC campuses.
  - d. Advise the student of the legal obligations which require employees and staff of DCCC to report when a sexually violent predator is observed in the vicinity of minor children. See 37 Pa.C.S. § 56.4(2).
  - e. Set the general expectation that the student shall remain in the general area in which his or her classes are located and avoid areas where minor children may be located on the campus.

C. In addition to the procedures set forth in Section A, the following additional procedures shall be taken if the sexually violent predator is an EMPLOYEE:

1. If the sexually violent predator for which the College receives a community notification is an employee, the Vice President of Human Resources or their designee will meet with the employee to:
  - a. Inform the employee that the DCCC has received the community notification.
  - b. Inform the employee that it is the responsibility of DCCC pursuant to state law to provide notice regarding his or her presence to a significant number of individuals affiliated with the College.
  - c. Inform the employee that the DCCC is not limited to College age postsecondary students and the DCCC campuses have programs which involve minor children as well as allow organizations that involve minor children to utilize certain facilities on DCCC campuses.
  - d. Advise the employee that DCCC is required by law to comply with the requirements of Pennsylvania's Child Protective Services, 23 Pa.C.S. § 6344 and Title 37 Pa.Code § 56.4, Guidelines for Schools and Children and Youth Services.
  - e. A review of the employee's compliance with 23 Pa.C.S. § 6344 and 37 Pa.Code § 56.4 for continued employment.