



# Northern Marianas College Procedure

Procedure No.: 8001.01    Procedure Title: Sex Offender Notification Procedure  
 Issuing Date: 1.15.12    Adoption Date: 1.30.12    Effective Date: 1.30.12  
 Office of Origin: Dean of Student Services  
 Procedure Approval Authority: Dean of Student Services  
 Board Policy No. Associated with Procedure: 8001 – Admissions and Enrollment  
 This Procedure Supercedes/Replaces: None – Augments current 8001 procedure

*The written steps necessary to appropriately and uniformly perform a task in carrying out policies and activities of the College.*

**Overview/procedure description**    The purpose of the Sex Offender Notification Procedure is to respond to the enrollment or presence of a convicted sex offender at Northern Marianas College.

**Areas of Responsibility**

NMC Coordinating Offices	Contacts
Dean of Student Services	Leo Pangelinan
Security Office	John Guerrero
Marketing/External Relations	Frankie Eliptico
Counseling	Tim Baker

**Dean of Student Services:** This individual serves as key contact for offender and law enforcement agencies. Responsible for coordinating efforts to notify appropriate college personnel and campus community. Responsible for meeting with sex offenders to discuss conditions of enrollment and/or to notify sex offenders of access levels to NMC buildings, spaces, educational programs, and services. Responsible for implementing disciplinary actions as a result of non-compliance with conditions of enrollment or student conduct code. Responsible for maintaining file on sex offenders registered at NMC.

**Security Office:** The Facilities Manager (Head of Security) is responsible for reviewing threat level of offender and advising Dean of Student Services with regard to access to NMC facilities, programs, students, and personnel. Assists in efforts to notify the campus community and implementing safety measures to protect the safety and welfare of students, faculty, and staff. Maintains a file on sex offenders registered at NMC. Logs incident reports or complaints related to sex offender.

**Marketing/External Relations Office:** The Director of External Relations is

responsible for developing and disseminating print material, online postings, and email notifications to the campus community pertaining to the presence or enrollment of sex offenders. Assists in addressing media inquiries regarding the presence and enrollment of sex offenders.

**Counseling Programs & Services:** The Director of Counseling Programs & Services assists in reviewing threat level of offender and advising Dean of Student Services with regard to access to NMC facilities, programs, and students, and personnel. Responsible for reviewing offender's course schedules or intended courses for enrollment with Early Admissions Counselor to identify courses with minors enrolled. Provides counseling services to offender, as needed or required.

## Procedure details

### **Definition of a Sex Offender**

An individual convicted of a criminal offense of a sexual nature against a victim who is a minor, or who is convicted of a sexually violent offense.

### **Identification of a Sex Offender**

1. The College will be notified by the Department of Public Safety SORA-Office, Department of Corrections, Office of Parole and Probation, and/or the Division of Youth Services Juvenile Probation that a registered sex offender has enrolled or intends to enroll at the College. The registered sex offender self-reports to the Dean of Student Services or the Director of Counseling Programs & Services. Every effort to notify the appropriate college community members will be made within 5 working days after notification.
2. The Dean of Student Services will verify records to determine if the offender is a registered student. If the offender is a student, notification will be made to the College's Director of External Relations and Facilities Manager (Head of Security).
3. In the case where an offender self-identifies to a college member, the college member will notify the Dean of Student Services.

### **Notification to the Campus Community**

1. Notification to the campus community will be made after direct consultation with the local law enforcement. The appropriate administrator will contact the informing agency or review the online CNMI Sex Offender Registry: <http://cnmi.nsopw.gov/ConditionsOfUse.aspx> to obtain information regarding the offender's risk level classification. Risk level will determine the scope of notification.
2. Risk classifications are associated with specific criminal convictions and

classes of offenses as provided by law (P.L. 17-49 § 1362). Classifications are made on a case-by-case basis after reviewing relevant records and information related to the offender. In general, the tiered system of offenses as outlined by law correlate with the risk level of the offender as follows:

1. **Tier I** indicates low risk of re-offense
2. **Tier II** indicates a medium risk of re-offense
3. **Tier III** indicates a high risk of re-offense
3. Notification to the college community will be made based on the following risk classifications and will be consistent with the recommendations of the informing law enforcement agency.
4. Any individual within the Northern Marianas College community may have access to notification information. Files containing notification information will be held in the Campus Security Office on the campus where the offender is registered.
5. Each offender, regardless of risk classification, will be required to notify the Dean of Student Services or Director of Counseling of their intent to enroll prior to their attending classes. Level 2 and level 3 offenders are required to meet with the Dean of Student Services prior to attending classes to review this notification procedure and any conditions of enrollment.
6. Other than the notification procedure, the student will be provided other student rights and privacy protections, as for all other students.

### **Denial of Access to NMC Educational Programs and Services**

1. Denial of admission, suspension, or expulsion from NMC, as per BOR Policy No. 8001 (Admissions & Enrollment) shall be communicated to the offender in writing by the Dean of Student Services. The offender must contact the Dean of Student Services to appeal this decision.

### **References**

- BOR Policy No. 8001
- Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. §1232g
- Campus Sex Crimes Prevention Act (CSPA), which is §1601 of the Victims of Trafficking and Violence Prevention Act of 2000 (PL-106-386)
- CSPA amendments to Higher Education Act of 1965;
- CSPA amendments to FERPA;
- CSPA amendments to Wetterling Act (see 42 U.S.C. § 14071)
- § 118 and § 121 of the Sex Offender Registration & Notification Act (SORNA) (42 U.S.C. 16901)

- CNMI P.L. 17-49

**Help Page**

CNMI Law Enforcement Supervision Agencies	Contacts
Department of Corrections	
Office of Parole & Office of Adult Probation	Shirley Camacho
Division of Youth Services Juvenile Probation	
DPS SORA Office	Jason Tarkong