

PET Legal Memorandums: [Can registered sex offenders attend school events?](#)

Attorney General Opinion 09-142

A registered sex offender's attendance at school events open to the public.

May a registered sex offender, as the parent or legal guardian of a child who is enrolled in school and is participating in a school sponsored conference or event, attend such events that are open to the public under Tenn. Code Ann. § 40-39-211(d)(2)(B)?

Answer

Tenn. Code Ann. § 40-39-211(d)(2)(B) provides that certain registered sex offenders may be upon school grounds while attending academic conferences or other scheduled school events where school officials are present if the offender is the parent or legal guardian of a child who is enrolled in the school and is participating in the conference or event.

Note the word “may” in this statute. We don’t read this opinion as granting an absolute right to sex offender parents to be on the school grounds at any school event they choose unless they have the consent of school officials. We have modified our base policy to read as follows:

A parent or legal guardian of a child who is enrolled in the school may attend a conference or other scheduled event or activity with school officials provided that the parent or legal guardian is participating in the conference, event or activity. An offender may come within the 1,000 feet limit provided that the individual is dropping off or picking up a child or children enrolled in the school. Principals shall speak with the parent upon learning of their status as a sex offender to communicate the restrictions of this policy and to establish open dialogue with the parent, as much as is possible or reasonable. The principal shall take all appropriate measures to protect the privacy of the sex offender's child.

Whether or not a person may be prosecuted under TCA § 40-39-211, if they are directed to leave by school officials and refuse, they may still be charged with criminal trespassing.

<http://www.tn.gov/attorneygeneral/op/2009/OP/OP142.pdf>