SUBJECT: SEX OFFENDER

BACKGROUND: During the 2009 Legislative session, the Iowa Legislature revised the State’s existing sexual offender laws, making the following changes which went into effect July 1, 2009:

- Iowa Code Chapter 692A of Subtitle 1 of Title 16 prohibits a sex offender who has been convicted of a sex offense against a minor from being present upon public library real property or from loitering within 300 feet of the boundary of the real property of a public library. “Loiter” means remaining in a place or circulating around a place under circumstances where a reasonable person would believe that the purpose or effect of the behavior is to enable a sex offender against a minor to become familiar with a location where a potential victim may be found, or to satisfy an unlawful sexual desire, or to locate, lure, or harass a potential victim. A “sex offender” is someone who is required to be on the Sex Offender Registry.

- In addition, the law prohibits a sex offender who has been convicted of a sex offense against a minor from being employed by or from acting as a contractor or volunteer at any public library.

The law identifies two exceptions to this requirement including: 1) the period of time reasonably necessary to transport the offender’s own minor child or ward to or from the library; and 2) the period of time reasonably necessary to vote in a public election if the polling place is located in a public library.

Other exceptions to this policy can occur only with the written permission of the library director following approval from the Library Board of Trustees at a meeting at which a quorum is present.

An individual who is a child sex offender must request, in writing, permission to be present on library grounds. Requests are to be addressed to the attention of the library director. A form will then be sent to the individual to be completed and returned for review.
**POLICY:**

The Kirkendall Library Board of Trustees is committed to providing a safe environment for all members of the community conducive to the use of library materials and services. Patrons have the right to be served in an environment free of concern for their personal safety and that of their family members. All patrons of the library are responsible for being respectful of the rights of others (including staff members) and universally committed to using the library for its intended purposes. The Kirkendall Public Library Board of Trustees is committed to upholding the laws of the State of Iowa thus insuring that patrons have a safe and event free library experience.

**PROCEDURE:**

The responsibility for compliance with this law is on the offender. If library staff has knowledge that a person who has been convicted of a sex offence against a minor is on library premises the following procedure will be initiated:

1) The librarian-in-charge will be notified immediately of the situation and every effort will be made to confirm that in fact a person meeting the criteria of a “sex offender” is on the premises.

2) The librarian-in-charge will check the Sex Offender Registry for the status of such person or call Ankeny Police Department for a determination on the person’s status under the Iowa Code in order to confirm the allegation.

3) Upon confirmation that a “sex offender” is on the premises the librarian-in-charge will notify the Ankeny Police Department to have that person removed from the facility.

The library director will determine eligibility to be on library property after consultation with law enforcement, bona fide social service agencies and/or other appropriate governmental officials.

**Appeals.** Exceptions to this policy can only occur with the written permission of the Library Director. Should a patron desire an additional exception to the two legally mandated exceptions, a detailed written request describing the particulars of the exception shall be submit to the Library Director. The Library Director shall determine eligibility to be on library property after consultation with law enforcement, bona fide social service agencies and/or other appropriate governmental officials, and consultation/review of the Board of Trustees. Access to the Library premises is not permitted during the review process.

If an appeal for permission to be on library property is denied, it is the responsibility of the person to arrange for a third party to select, check-out and return materials to the library. The library
will issue a borrower's card to the person denied access to the library building to be used by a third party.

Appeals to administrative decisions regarding this policy will not be entertained.