
11. BACKGROUND CHECKS (FINAL DRAFT BY COUNTY ATTORNEY'S OFFICE & PERSONNEL OFFICE)

11.1 Qualifying Positions

Due to the frequency with which any library personnel or volunteers have significant contact with minors, in accordance with UCA 9-7-218, the Wasatch County Library will require a criminal background check for any final candidate who is being considered for employment in the library, or for any volunteer who is 18 years of age or older ("Candidates"). Final Candidates for employment, or a volunteer position, will be required to fill out the 'Right of Access Provider Waiver' form, and submit it to the library director, in order to be hired into a position, or approved to volunteer.

11.2 Costs of Background Checks

The cost of the background check will be covered by the library.

11.3 Using Background Information

Employment offers may be made contingent on the results of the background check. Information in the background check may result in an employment offer or appointment to a volunteer position being rescinded.

The results of the background check will be sent directly to the library director. The library director, or an assigned administrator, will review the results of the background check and will take into consideration the nature of any offense listed in the Candidate's criminal history as well as the amount of time that has elapsed since the offense occurred.

11.3.1 Disqualifying a Candidate

If the library director decides to disqualify a Candidate because of information in the background check:

- The library director will provide written notice to the Candidate and provide the Candidate with an opportunity to respond.
- The library director has discretion on whether to disqualify or hire a Candidate based on the information received.
- The library director shall disqualify the Candidate if the background check shows:
 - a) a Felony,
 - b) a Misdemeanor involving any physical injury or crime of dishonesty, fraud, deceit or misrepresentation,
 - c) a registered sex offender,
 - d) any Misdemeanor from within the past 3 years, or
 - e) any conviction that bears a reasonable relationship to the Applicant's ability to safely or competently perform the duties of the position.
- If a Candidate is disqualified as a result of the background check:
 - The library director shall provide the Candidate a written notice of the reasons for disqualification, and the Candidate may respond to the reasons within three (3) business days by providing the library director a detailed written explanation.
 - The library director shall respond the Candidate's written explanation in writing, and shall either uphold their previous determination with a brief explanation, or shall reverse their disqualification decision.

11.4 Other Background Checks

The library reserves the right to conduct other background checks at any time during someone's employment or volunteer service if evidence dictates its wisdom.

11.5 Policy Posting & Periodic Review

This policy shall be posted in a prominent location in the library, and shall be distributed to prospective Candidates. This policy shall be reviewed every 3 years by the Library Board.

APPROVED and ADOPTED by WASATCH COUNTY LIBRARY BOARD during an open and public meeting on May 17, 2024

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