



Uintah County Library

Background Check Policy & Procedure

PURPOSE

Uintah County Library is committed to providing a safe environment for patrons, staff, and volunteers. To protect our community members, particularly minors and vulnerable populations, this policy establishes procedures for conducting criminal background checks as part of our hiring and volunteer selection process, including certain program presenters for recurring library-sponsored events (e.g. book clubs, story times, etc.).

LEGAL AUTHORITY

This policy implements the criminal background check requirements established by Utah Code Ann. § 9-7-218 and is aligned with H.B. 284, 2023 General Session.

See also Uintah County Policy 270.

1. DEFINITIONS

- 1.1** “Qualifying position” means any paid or unpaid position within the Uintah County Library system that:
- Involves direct contact with minors or vulnerable populations
 - Has access to sensitive patron or employee information
 - Includes supervisory responsibilities
 - Involves handling financial transactions
- 1.2** “Qualifying prospective employee” refers to any individual who:
- Is 18 years of age or older
 - Applies for a qualifying position with Uintah County Library
- 1.3** “Volunteer” means an individual who performs service for the library without expectation of compensation.
- 1.4** “Program Presenter” means a volunteer who runs a library-sponsored program(s) when both of the following conditions are met:
- The program’s primary audience consists of unaccompanied minors or vulnerable adults
 - No library staff member will be present throughout the program

- 1.5 “Minor” means an individual under the age of 18.
- 1.6 “Unaccompanied Minor” refers to any person under 18 years of age who is not accompanied by a parent or legal guardian.
- 1.7 “Vulnerable Adult” as defined by Utah State Code 76-5-111 means an elder adult or an adult 18 years or older with mental or physical impairments that substantially affect their ability to:
- Provide self-protection
 - Understand the consequences of abuse, neglect, or exploitation situations
- 1.8 “Direct contact with minors” means engaging in activities that involve care, supervision, guidance, or control of individuals under the age of 18.

2. SCOPE OF BACKGROUND CHECKS

- 2.1 Qualifying positions include but are not limited to:
- Hired Library Staff
 - Library Board of Directors
 - Regular Volunteers
 - Program Presenters for library-sponsored events
- 2.2 Background Check Requirements:
- All qualifying positions require a criminal background check prior to beginning work at the library, volunteer service, or for Program Presenters when both conditions under section 1.4 are met.
 - Background checks must be completed through the Utah Bureau of Criminal Identification.
 - Refusal to submit to a background check disqualifies candidates from employment, volunteer service, board membership, or the ability to become a Program Presenter when both conditions under section 1.4 are met.
 - Background checks must be renewed every three years during employment, volunteer service, board term, and for Program Presenters who are required to have a background check.

3. BACKGROUND CHECK PROCEDURES

- 3.1 Application Process:
- Candidates must complete a Background Check Authorization Form
 - Fingerprinting will be conducted at the Uintah County Sheriff’s Office
 - All associated fees will be paid by Uintah County Library

3.2 Timing of Background Checks:

- Initial checks must be completed before the employment offer
- Current employees and volunteers in qualifying positions must undergo checks every three years
- Temporary employees must complete background checks regardless of employment duration
- All background checks for potential program presenters must be completed and reviewed before program confirmation

4. REVIEW OF RESULTS

4.1 The Library Director, in consultation with the Human Resources Department and County Attorney's Office, will review background check results that reveal prior offenses to determine eligibility.

4.2 Assessment Criteria:

- Number, nature, and severity of offenses
- Time elapsed since the offense(s)
- Relationship between offense(s) and job or volunteer duties
- Evidence of rehabilitation
- Consistency of employment history (for employment candidates)
- Impact on the ability to perform job duties

4.3 Disqualification Process:

- Human Resources will review the results with Library Director
- Candidates with prior criminal offenses and negative criteria will receive written notification from Human Resources within ten (10) business days that they have been disqualified from employment or volunteer status with the library.
- Appeals must be submitted in writing within ten (10) business days
- Final decisions require review by the Library Board of Directors

5. CONFIDENTIALITY

5.1 All background check information will be kept in the Human Resources Office:

- Maintained separately from personnel files (if the individual is an employee)
- Kept confidential and secure
- Accessed only by authorized personnel
- Retained according to state record retention schedules

6. POLICY REVIEW

6.1 This policy will be reviewed annually by the Library Board to ensure:

- Compliance with current laws
- Effectiveness of procedures
- Alignment with library safety goals

This policy supersedes all previous versions and will be reviewed annually or as needed.

Approved by the Uintah County Library Board of Directors.

DATE ADOPTED: March 19, 2025