

### **Library Access for Sex Offenders Convicted of Sex Offenses Against Minors**

See also related policy 3.04, Behavior Policy.

It is the purpose of this policy to ensure that the Library is in compliance with Iowa State law (692A.113).

Before granting access to the real property of the library in accordance with the law, the library director will consult with the Board President or member of the Board's leadership team if the president is unavailable.

If not granted access, registered sex offenders convicted of sex offenses against minors may be eligible for library service, depending on their residence address. They may register for a card directly with the Branch Manager, Public Service Manager or designee via telephone or email. At the time of registration, the applicant may make arrangements for a person of their choosing to select, check out, and return materials using that card. They may also receive information via telephone reference services or by use of the library's web site and online databases from home.

Violations of this policy will be immediately reported to law enforcement and violators will lose all library privileges.

A copy of that law is attached to this Policy for reference.

Adopted: 08/06/2009

Revised: 10/04/11, 11/2015, 09/2019, 10/6/2022

Reviewed: 2013

Iowa Code 692A.113

**EXCLUSION ZONES AND PROHIBITION OF CERTAIN EMPLOYMENT-RELATED ACTIVITIES.**

1. A sex offender who has been convicted of a sex offense against a minor shall not do any of the following:
  - a. Be present upon the real property of a public or nonpublic elementary or secondary school with out the written permission of the school administrator or school administrator's designee, unless enrolled as a student at the school.
  - b. Loiter within three hundred feet of the real property boundary of a public or nonpublic elementary or secondary school, unless enrolled as a student at the school.
  - c. Be present on or in any vehicle or other conveyance owned, leased, or contracted by a public or nonpublic elementary or secondary school without the written permission of the school administrator or school administrator's designee when the vehicle is in use to transport students to or from a school or school-related activities, unless enrolled as a student at the school or unless the vehicle is simultaneously made available to the public as a form of public transportation.
  - d. Be present upon the real property of a child care facility without the written permission of the child care facility administrator.
  - e. Loiter within three hundred feet of the real property boundary of a child care facility.
  - f. **Be present upon the real property of a public library without the written permission of the library administrator.**
  - g. **Loiter within three hundred feet of the real property boundary of a public library.**
  - h. Loiter on or within three hundred feet of the premises of any place intended primarily for the use of minors including but not limited to a playground available to the public, a children's play area available to the public, recreational or sport-related activity area when in use by a minor, a swimming or wading pool available to the public when in use by a minor, or a beach available to the public when in use by a minor.
2. A sex offender who has been convicted of a sex offense against a minor:
  - a. Who resides in a dwelling located within three hundred feet of the real property boundary of public or nonpublic elementary or secondary school, child care facility, public library, or place intended primarily for the use of minors as specified in subsection 1, paragraph "h", shall not be in violation of subsection 1 for having an established residence within the exclusion zone.
  - b. Who is the parent or legal guardian of a minor shall not be in violation of subsection 1 solely during the period of time reasonably necessary to transport the offender's own minor child or ward to or from a place specified in subsection 1.
  - c. Who is legally entitled to vote shall not be in violation of subsection 1 solely for the period of time reasonably necessary to exercise the right to vote in a public election if the polling location of the offender is located in a place specified in subsection 1.
3. A sex offender who has been convicted of a sex offense against a minor shall not do any of the following:
  - a. Operate, manage, be employed by, or act as a contractor or volunteer at any municipal, county, or state fair or carnival when a minor is present on the premises.
  - b. Operate, manage, be employed by, or act as a contractor or volunteer on the premises of any children's arcade, an amusement center having coin or token operated devices for entertainment, or facilities providing programs or services intended primarily for minors, when a minor is present.
  - c. **Operate, manage, be employed by, or act as a contractor or volunteer at a public or nonpublic elementary or secondary school, child care facility, or public library.**
  - d. Operate, manage, be employed by, or act as a contractor or volunteer at any place intended primarily for use by minors including but not limited to a playground, a children's play area, recreational or sport-related activity area, a swimming or wading pool, or a beach.