

The City of Bentonville (City), Bentonville City Council and Bentonville Public Library (BPL) take the safety of staff, volunteers and patrons very seriously. We wish to protect everyone who comes to BPL to the best of our ability. The procedure set forth shall apply to *all* individual volunteers age 18 and older who will have direct contact with BPL staff, volunteers or patrons.

Volunteers must pass a Level 2 Background Check in order to be considered a volunteer for the City and to perform volunteer duties at BPL.

The procedures set forth within shall apply to all volunteers, promoters, program presenters/participants, board members, and paid employees who may be in direct contact with any youth patrons sponsored or funded by the City or any youth patrons using a city facility, such as the library. Such volunteers must pass a Level 2 Background Check. The cost of the background check will not be passed on to the applicant; it shall be covered by the City.

The City shall utilize a qualified background screening entity to undertake the background check. The criteria set forth above shall be applied to the background screening entity and is approved by the Library Director and Library Advisory Board. The background screening entity shall undertake the background screening and provide the results to the City and appropriate administrators of BPL. The results of the background check will explicitly state whether or not the applicant satisfies the criteria, or if the applicant fails to meet the standards set forth below for volunteer service with BPL. The results of the background check will remain confidential and handled with caution by BPL and the City.

The City and BPL hereby adopt the following criteria for the exclusion of adult volunteers including, but not limited to: adult volunteers, adult program directors, teen volunteers who are age 18 and older, or anyone interacting with staff, volunteers or patrons. Any adult is understood to mean any person age 18 and older. Any adult volunteer shall be disqualified from participating as a volunteer at BPL if the person has been found guilty following a trial, entered a guilty plea, and entered a no-contest plea accompanied by finding of guilt regardless of whether there was an adjudication of guilt or a withholding of guilt.

- a. All sex offenses regardless of the amount of time since the offense (examples include, but are not limited to child molestation, rape, sexual assault, sexual battery, sodomy, prostitution, solicitation, indecent exposure or similar offenses).
- b. All felony offenses involving violence regardless of the amount of time since the offense (examples include, but are not limited to murder, manslaughter, aggravated assault, kidnapping, robbery, aggravated burglary). All felony offenses other than violence or sex offenses within the past ten years (examples include, but are not limited to drug offenses, theft, embezzlement, fraud, child endangerment).
- c. All misdemeanor violence offenses within the past seven years (examples include, but are not limited to simple assault, battery, domestic violence, hit and run).
- d. All misdemeanor drug and alcohol offenses within the past five years or multiple offenses in the past ten years

(examples include, but are not limited to driving under the influence, simple drug possession, drunk and disorderly conduct, public intoxication, possession of drug paraphernalia).

- e. Any other misdemeanor within the past five years that would be considered a potential danger to children or is directly related to the function of that volunteer (examples include, but are not limited to contributing to the delinquency of a minor, providing alcohol for a minor, theft - if the volunteer is to be in proximity to monies handled by City employees).

Any adult volunteer who has been charged with any of the disqualifying offenses above with cases pending in court shall not be permitted to volunteer with BPL and the City until the official adjudication of the case.

BPL and the City shall require all adult volunteers to be screened for the above exclusionary criteria ***annually***.

If the determination by a background screening entity utilized by BPL and the City is such as the volunteer does not meet the predetermined criteria set forth herein, then the volunteer shall not be permitted to participate as a volunteer in any aspect within BPL and/or the City.

All library organizations shall comply with these requirements and shall not permit any adult volunteer age 18 and older who has not satisfied the exclusionary criteria to participate. Upon receiving results of background screenings, BPL shall notify its administrators of all volunteers who have been approved through the screening process.

BPL Volunteer Program shall comply with these requirements and shall not permit any adult age 18 and older to volunteer within BPL in any manner.

BPL shall be required to submit documentation certifying the organization will not use any volunteer who has direct contact with youth patrons who has failed the background checks based upon the criteria set forth in the section above. Such documentation shall be submitted to the Library Director prior to any involvement with the Volunteer Program or BPL, if applicable.

Upon written request made within a reasonable time period, BPL and the City will provide the appropriate documentation to the applicant in the case of a failed background check. The following documents would be provided: A Summary of Your Rights under the Fair Credit Reporting Act, Authorization and Consent Form, and Adverse Action Notice.