

Iowa Code

Effective 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.

Exceptions

There are two exceptions to this law. A sex offender who has been convicted of a sex offense against a minor may be present: 1) during the period of time reasonably necessary to transport the offender's own minor child or ward to or from the library; and 2) during the period of time reasonably necessary to vote in a public election if the polling place is located in the library.

Other exceptions to this policy can occur only with written permission of the library director. 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. No entry to the library will be permitted during the review process.

If an appeal for permission to be on library property is denied, it is the responsibility of the appellant 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 who has been denied access to the library building to be used by a third party.

Enforcement

The responsibility for compliance with this law is on the offender. However, if library staff has knowledge, or receives credible, reasonably reliable information, that a person who has been convicted of a sex offense against a minor is on library premises, the librarian-in-charge will be notified immediately. The librarian-in-charge will take immediate action to contact the Ames Police Department to check the Sex Offender Registry status of such person.

All volunteers and applicants for employment will be appropriately screened for compliance with the law.

Appeals

Appeals for administrative discretion regarding this policy will not be entertained.