

RESOLUTION 05-07-2015

**A RESOLUTION OF THE SANTAQUIN CITY COUNCIL
REGARDING REQUIREMENTS FOR BACKGROUND
VERIFICATION FOR VOLUNTEER EMPLOYMENT FOR
SANTAQUIN CITY.**

WHEREAS, Santaquin City operates several departments that benefit from the use of volunteers, including, but not limited to the Recreation Department, Public Works Department, Public Safety Department, Library, Senior Citizens, Museum, Special Events, etc; and

WHEREAS, the City desires to take reasonable measures to protect the safety, health and security of the citizens of Santaquin by assuring that those working as volunteers for the city have demonstrated a degree of moral character and judgement; and

WHEREAS, Santaquin Police Department has received Right of Access Provider Approval, which allows the Police Department to perform employment criminal background checks of the entities own employees and persons who have applied for employment with the qualifying entity;

**THEREFORE, BE IT RESOLVED BY THE SANTAQUIN CITY COUNCIL
THAT:**

A. The Santaquin City Council adopts the following Volunteer Background Screening Policy that shall apply to every volunteer over the age of 18 who provides services on an on-going (more than one day) basis who will be associating with minors and the elderly. Groups or individuals who provide volunteer services on a one-time basis are excluded from this policy.

1. The City agrees to use the Right of Access program according to the terms and conditions set forth by Utah Code Ann §53-10-108, Utah Administrative Rile R722-900-7 and Utah Bureau of Criminal Identification (BCI) policy.

2. All volunteer activities and volunteers providing on-going service must be pre-approved by the Mayor or designee prior to rendering any volunteer services as described in the Santaquin Employee Policies and Procedures Handbook.

3. Rights of Access. Following approval, prior to being employed with the City or participating in any volunteer activities or programs, all volunteers shall sign the appropriate documentation authorizing the City to obtain Utah Computerized Criminal History (UCCH) information from the Utah Bureau of Criminal Identification (BCI).

4. The City will bear the cost of obtaining criminal histories for volunteers, if applicable. However, the applicant may obtain a copy of the criminal history upon request and payment of a fee as outlined in the Santaquin City Fee Schedule.

5. All such histories will be deemed confidential and are classified private under the Government Records Access and Management Act (GRAMA).

6. The City will follow these procedures in obtaining criminal history background information as required by the Utah Bureau of Criminal Identification:

a. Rights of Access, as allowed by this policy, shall be made through the Santaquin City Police Department. This policy is implemented to assist the Police Department in administering rights of access.

b. Applicants shall request their UCCH from BCI through the Santaquin City Police Department. The person requesting a copy of his/her own criminal history record must appear in person and complete and sign an application and waiver of liability in the presence of designated City employee(s).

c. Applicants must present valid photo identification. Acceptable forms of identification include driver's license, state identification card, military identification card, passport, alien registration card, or any state or federally issued photo identification card. A designated City employee will check the signature on the photo identification card with the signature on the application and waiver of liability and will compare the photo on the identification card with the person who is present.

d. The City employee authorized to obtain UCCH information will obtain the information from the BCI online connection. The auditing purpose code will be Right of Access (ROA). The purposed code on the formatted screen will be "P". The requestor will be the applicant.

e. Once the history is received, each printed page will be stamped and dated. The stamp will indicate that the record is only valid as of the date of retrieval. The history may then be released to the applicant, if requested, for a fee as outlined in the Santaquin City Fee Schedule.

f. The application and waiver of liability will be retained in an employee file during the applicants association with the City and thereafter as required by GRAMA. The City will destroy the application and waiver of liability form if the applicant is not hired or retained as an employee. The City may require existing employees providing on-going volunteer service to re-obtain criminal histories every two years, or more often if the City has reasonable suspicion to suspect an employee has committed a criminal act.

g. The City may decline to hire or retain as an employee a person based on the information revealed in the criminal history. A person who has committed any offense described below shall be ineligible to participate in any activity or program of the City as a volunteer. The criteria for rejecting a person from providing volunteer services includes convictions or pending charges, when warranted, as follows:

1. Any felony conviction or pending felony charge; including, but not limited, to the following:

Any crime involving sexual offense or child molestation; or lewdness involving a minor;

Any crime involving the use, manufacture, transportation, sale, possession or distribution of drugs or alcohol;

Any crime involving the use of force or the threat of force to or upon a person or property, including by not limited to robbery, aggravated assault, stalking, kidnapping, arson, manslaughter and murder;

Any crime of theft or other theft related offense;

Any offense of recklessly endangering another person, terroristic threat, unlawful detention, felony domestic violence, luring or enticing a child into a motor vehicle or isolated structure;

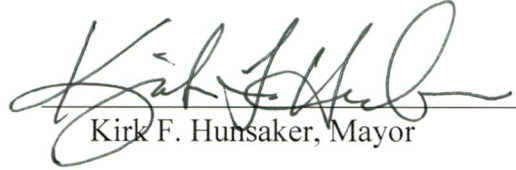
Any crime of criminal mischief, burglary, threats or other improper influences, perjury and false swearing, resisting arrest, abuse or escape;

Any conspiracy to commit or attempt to commit any of the crimes described above.

2. Any misdemeanor crime involving children as either an accomplice or victim.
 3. Any of the following misdemeanor offenses for which a conviction was entered within past seven (7) years: Driving Under the Influence/Driving While Intoxicated; Impaired Driving; Reckless Driving; Possession, Distribution, or Use of a Controlled Substance; Domestic Violence; Assault; Arson; and any Theft.
 4. Three or more driving citations during the immediately preceding two (2) year period.
 5. Providing false information on the background application.
 - h. The City shall notify the applicant in writing of any disqualification.
 - i. The applicant may challenge the completeness and accuracy of the criminal history record information by following the procedures established by BCI.
 - j. City employees authorized to access UCCH information shall follow all rules and requirements of BCI, in addition to those imposed herein. Misuse or abuse of rules and requirements shall cause such employees and the City to lose their rights of access the BCI online connects.
7. This Resolution shall take effect immediately upon its passage.

PASSAGE AND APPROVED this 10th day of May, 2015.




Kirk F. Hunsaker, Mayor

ATTEST:


Susan B. Farnsworth
Santaquin City Recorder