



Book Policy Manual

Section Vol. 24 No. 1 - July 2023 - Revisions

Title Copy of BACKGROUND AND EMPLOYMENT HISTORY CHECKS

Code po1121.01 caj 1/8/25

Status

Legal [F.S. 435.09](#)  
[F.S. 943.0435](#)  
[F.S. 943.0585\(4\)\(a\)](#)  
[F.S. 943.059\(4\)\(a\)](#)  
[F.S. 1001.41](#)  
[F.S. 1001.42](#)  
[F.S. 1012.23](#)  
[F.S. 1012.27](#)  
[F.S. 1012.315](#)  
[F.S. 1012.32](#)  
[F.S. 1012.56](#)  
[F.A.C. 6A-10.083](#)

Adopted June 21, 2022

Last Revised June 20, 2023

#### 1121.01 - BACKGROUND AND EMPLOYMENT HISTORY CHECKS

The safety of its students is of paramount importance to the District. Consistent with this concern for student safety, and in compliance with Florida law, the District requires that, prior to initial employment, or re-employment if there has been a break in service, all candidates for all administrative positions shall be subject to a criminal background screening to determine eligibility for employment. Additionally, the Superintendent shall verify all new full-time and part-time employees' right to work in the United States according to Federal and State law.

The application for employment shall inform the applicants that they are subject to criminal background and employment history checks.

The cost of the background screening related to initial employment or re-employment after a break in service will be borne by the candidate for employment.

Beginning January 1, 2025, or a later date as determined by the Agency for Health Care Administration, the Board will be a registered employer with the Care Provider Background Screening Clearinghouse. Background screenings, including all fingerprint requirements, shall be conducted in accordance with F.S. 435.12 and F.S. 1012.32. Criminal history checks through the Care Provider Background Screening will be conducted before referring an employee or potential employee or a person with a current or potential affiliation with the District for electronic fingerprint submission to the Florida Department of Law Enforcement. For purposes of this policy, "affiliation" means the status of a person employed or serving as a

volunteer or contractor, or seeking to be employed or to serve as a volunteer or contractor, with the District in a position for which screening is not required by law but is authorized under the National Child Protection Act.

Until Clearinghouse is operational, fingerprints of candidates for employment or re-employment, if there has been a break in service, shall be submitted to the Florida Department of Law Enforcement (FDLE) for statewide criminal and juvenile records checks and to the Federal Bureau of Investigation (FBI) for Federal criminal records checks.

If it is found that a person who is employed as an administrator does not meet the screening requirements, the person shall be immediately suspended from working in that capacity and shall remain suspended until final resolution of any appeals.

A person who is found ineligible for employment under F.S. 1012.315, or otherwise found through background screening to have been convicted of any crime involving moral turpitude as defined by rule of the State Board of Education, shall not be employed, engaged to provide services, or serve in any position. For purposes of this policy, 'convicted' means that there has been a determination of guilt as a result of a trial or the entry of a plea of guilty or nolo contendere, regardless of whether adjudication is withheld, and includes an adjudication of delinquency of a juvenile as specified in F.S. 943.0435.

Individuals whose fingerprints have not been retained by the FDLE must be re-fingerprinted and re-screened upon re-employment or re-engagement to provide services as an administrative staff member in order to comply with the law.

Furthermore, before employing an administrator in any position, the Superintendent shall conduct employment history checks of each of the candidate's previous employer(s), screen the candidate through use of the educator screening tools described in F.S. 1001.10(5), and document the findings. If unable to contact a previous employer, the Superintendent shall document efforts to contact the employer (F.S. 1012.27(6)).

Pursuant to State law, all administrators employed by the District must self-report arrests for serious offenses (see AP 1121.01).

Additionally, the fingerprints of all administrators who are employed by the District and have no break in service must be re-submitted to the FDLE and to the FBI every five (5) years so that subsequent statewide criminal and juvenile records checks and Federal criminal records checks can be completed as required by law.

The cost of this subsequent background screening will be borne by the Board. Once registered through the Clearinghouse, the District will rescreen current employees according to a predetermined schedule.

The information contained in reports received from the FDLE and the FBI is confidential.

District will not share information received as the result of the criminal background check with other school districts.

Furthermore, if information received as a result of the criminal history records check indicates that a certificated administrator has been convicted of certain crimes enumerated by law, the Superintendent must report this information to the Florida Department of Education per Policy 8141 - *Mandatory Reporting of Misconduct*.

Revised 11/22/22

Revised 6/20/23

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