

## CCSB Policy 2.02 - Discussion Agenda - 11/20/07 - Public Hearing

### 2.02 APPLICATION/RECRUITMENT

#### B. Application Screening

1. Evaluations will be secured from references and other information shall be required as necessary to substantiate qualifications. Interviews with the applicant may be required before employment. All applicants for a position with the School Board shall have a completed application on-line prior to consideration for employment.
2. Fingerprinting and background checks will be as follows:
  - a. Fingerprint/background checks shall be conducted on all prospective employees of the School Board, including substitute and part-time, in accordance with the regulations of the State of Florida and Clay County School Board Rule. The cost of such initial fingerprint/background checks shall be borne by the applicant, except that, the School Board shall bear the cost of fingerprint/background processing for initial employment of support substitute personnel, part-time supplemented positions, non-paid student records volunteers, part-time Adult/Community Education teachers and temporary part-time teachers. If the applicant/employee does not meet the requirements of the Department of Education and the Clay County School Board, any contract issued and any pay processed shall be terminated immediately. Former employees, including substitutes who terminate employment, must be re-fingerprinted.
  - b. Effective July 1, 2004, all Clay County School District employees must be fingerprinted and background checked through the Florida Department of Law Enforcement (FDLE) and the Federal Bureau of Investigation every five years. The initial and renewal cost of the fingerprint processing of current employees will be paid by the Clay County School District.
  - c. ~~Fingerprint/Background checks will also be conducted for any contracted agency personnel or contracted individuals who are permitted access on school grounds when students are present, who have direct contact with students or have access to, or control of, school funds. The cost will be borne by the contracting agency or individual.~~  
Fingerprinting/Background checks for non-instructional contractual personnel will be conducted as follows:
    - 1) Non-instructional contractual personnel who are permitted access on school grounds when students are present, who have direct contact with students or who have access to or control of school funds, must undergo fingerprinting and must meet Level 2 background screening requirements. This requirement shall apply to any vendor, individual or entity under contract with a school or the School Board, except those to which paragraph 2) and 3) of this subsection apply. The cost shall be

borne by the contracting agency or individual. The screening shall be conducted as set forth in Florida Statute 1012.465.

- 2) Non-instructional contractors who are vendors, individuals, entities, employees of contractors, subcontractors, or employees of subcontractors who contract with a school, a sub unit of a school, or the School Board, either directly or through its designated purchasing agent, to perform services and receive remuneration for said performance (as distinguished from those who sell a product) and who are permitted access to school grounds when students are present and for whom the performance of their contract does not anticipate direct contact with students and unanticipated contact will be infrequent and incidental, shall undergo a fingerprint-based criminal history check by the School Board or its employees or agents as required by Florida Statute 1012.467. The cost shall be borne by the contractor and may not exceed the amounts set by law.

A non-instructional contractor for whom a criminal history check is required pursuant to this subsection may not have been convicted of any of the offenses listed in Florida Statute 1012.467(2) (g). Convicted means that there has been a determination of guilt by trial, plea of guilty, or plea of *nolo contendere*, regardless of whether adjudication is withheld. All contracts shall contain a provision addressing contractors' self reporting requirements for subsequent arrests that are provided by law.

- 3) Non-instructional contractors who are subject to subsection 2) herein are exempt from screening requirements of subsection 1) and 2) herein if they are under the direct supervision of a school district employee OR a contractor who has had a criminal history check and meets the screening requirements. Direct supervision means the district employee or contractor is physically present with the non-instructional contractor when the contractor has access to a student AND the access remains in the district employee's or contractor's line of sight. If a non-instructional contractor who is exempt is no longer under direct supervision, he shall not be permitted on school grounds when students are present until he meets screening requirements of subsection 1) or 2). Non-instructional contractors who meet the following criteria are also exempt from the screening requirements of subsections 1) and 2) herein:

- a.) A law enforcement officer as defined in 943.10, who is dispatched/ assigned to school grounds by his employer.
- b) An employee or medical director of an ambulance service licensed pursuant to Chapter 401 who is providing services within the scope of Chapter 401 on behalf of the provider.

- c) Non-instructional contractors who remain at a site where students are not permitted if the site is separated from the remainder of the school grounds by a single chain-like fence six feet in height.
- d) A non-instructional contractor who provides pick-up and delivery services and those services involve brief visits on school grounds when students are present.
- e) Non-instructional contractors who are required by law to undergo a Level 2 background screening per Florida Statute 435.04 for licensure, certification, employment, or other purposes and submit evidence that the contractor meets the screening standards of Florida Statute 435.04, the contractor's license or certification is in good standing, the contractor completed the criminal history check within the immediately preceding five years.

Even though exempt from requirements of subsection 1) and 2) herein, a non-instructional contractor is subject to a search of his/her name or other identifying information against the registration information regarding sexual predators and sexual offenders maintained by the Department of Law Enforcement and the national sex offender registry maintained by the United States Department of Justice. The school district SHALL conduct this search without charge to the contractor.

A non-instructional contractor identified as a sexual predator or sexual offender in the registry search may not be permitted on school grounds when students are present AND the school district shall notify the vendor, individual, or entity under contract within three business days.

- d. Fingerprint/Background checks will also be conducted for all student teachers, pre-intern teachers and college/university field experience students. The cost of fingerprinting will be borne by the individual.
- e. Volunteers/Mentors, who may be in close, unsupervised contact with students, must have a fingerprint/background check. The cost for such a check shall be borne by the individual or the agency, with which the volunteer/mentor works.
- f. Fingerprint/Background checks shall be secured from the Florida Department of Law Enforcement (FDLE) and/or other appropriate law enforcement agencies on any prospective employee. All prospective employees or volunteers shall have their name checked against the FDLE internet sexual predator/sexual offender list.
- g. Applicants or probationary employees who are not employed or are terminated because of their criminal records shall have the right to appeal such decision. The District will notify the applicant, in writing, of the problem and of his/her status. He/She will have the opportunity to send a written explanation of the problem along with official court documents and other requested information

and may request an appointment with the Director of Support or Instructional Personnel Services. The decision of the administration shall be final.

(Ref. F.S. 1012.22; 1012.27; 1012.32; 1012.56)(Adopted: 01/08/81)(Amended: 10/14/82, 12/13/84, 04/10/86, 01/08/87, 01/21/88, 01/19/89, 11/21/89, 04/19/90, 04/18/91, 07/18/91, 09/19/91, 06/15/93, 02/17/94, 01/18/96, 01/21/99, 12/16/2004, 06/20/06, 00/00/00)