

CRIMINAL BACKGROUND CHECKS

Definitions: For the purposes of this policy:

- a. "Prospective Employee" means an applicant who has received an offer of employment.
 - b. "Conviction" means a determination of guilt that is the result of a plea or a trial regardless of whether adjudication is withheld.
1. Any provision of the law notwithstanding, all personnel hired by the South Tech Charter Academy, Inc. Governing Board shall submit to fingerprinting and a criminal background check. A prospective employee who is recommended for hiring shall, as a condition of employment, file a complete set of fingerprints. A designated employee of the School Police Department, School District of Palm Beach County, shall take fingerprints. The prints will be processed pursuant to the requirements of § 231.02(2)(a), Florida Statutes, including a criminal background check to determine if the individual has recorded arrests. The expense for the fingerprinting and background check shall be due and payable to the School District prior to provision of services and shall be borne by the applicant.
 2. A prospective or current employee may be disqualified for, or terminated from, employment for failure to provide accurate information on the application regarding a prior arrest for which a penalty or conviction was received, regardless of adjudication, or if probation was required, or if records were sealed or expunged.
 3. A prospective or current employee may be disqualified or may be terminated from continued employment if the individual has been convicted of a crime classified as a felony or first degree misdemeanor directly related to the position of employment sought, has been convicted of a crime involving moral turpitude, or has been convicted of the offenses enumerated in Chapter 435, Florida Statutes.
 4. Employees newly hired or rehired shall be on a probationary status pending fingerprint processing and determination of compliance with standards for good moral character
 5. The School District shall establish procedures and set fees for the processing and review of prospective and current employees' prior criminal history compliant with Florida Statutes.
 6. The South Tech Charter Academy, Inc. Governing Board shall publish policy governing the appeal process for employees terminated for a criminal conviction discovered in a criminal background check required by §231.02, Florida Statutes.
 7. All prospective employees shall as a component of the application process submit an affidavit disclosing any prior arrests to the School Personnel Officer. All employees shall annually submit an affidavit of arrest disclosure prior to renewal of their contract. Failure to comply with this section may result in suspension or termination.

Authority: §§ 112.011, 230.22(1), 231.001, 231.02, F.S.

Implemented: §§ 231.02, 230.23(5), F.S.

History: New: 7/01/2004; Revised: 7/07/2005

Reference: Palm Beach School District Policy 3.12