

BACKGROUND SCREENING FOR CERTAIN NONINSTRUCTIONAL EMPLOYEES AND CONTRACTORS

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Requirements

Effective September 1, 2005, a new law involving District and Academy vendors, and contracted volunteers went into effect. The new law, known as the Jessica Lunsford Act is contained in F.S. 1012.465 and requires all contracted individuals who are permitted access on school grounds when students are present, who will have direct contact with children or any student of the District or Academy, or who will have control of school funds to be fingerprinted and background checked.

All consultants and vendors who meet any of the above criteria shall be fingerprinted by the Palm Beach School District's Police Department providing level 2 FDLE and FBI screening-fingerprinting. The School District's Police Department shall be the sole determiner of clearance. Once cleared, an individual will receive a School District picture badge, identifying they have been cleared through the screening process with an expiration date by which they have to get this screening renewed.

All visitors are directed to sign in at the front office computer. All vendors who meet the above criteria must have a valid School District badge to enter school. Volunteers must be cleared in one of the ways described below:

1. The first category is school-based volunteers who will be required to complete an application on-line at their school and will be screened through the software system. All volunteers who are cleared will be listed on the District-wide database so this process will only be required once per year.
2. The second category is contracted volunteers, which includes such organizations as Junior Achievement, Foster Grandparents, Take Stock in Children, etc. These contracted volunteers will be required to be fingerprinted and background checked as described above for consultants and vendors who meet the criteria.

In addition, all new hires must be fingerprinted and background checked to include, but not limited to the following:

- Administrators
- Substitute teachers
- Temporary employees
- Charter school employees

Florida Statute 1012.465

1. *Non-instructional school district employees or 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 meet level 2 screening requirements as described in F.S. 1012.32. Contractual personnel shall include any vendor, individual, or entity under contract with the school district.*
2. *Every 5 years following employment or entry into a contract in a capacity described in subsection (1), each person who is so employed or under contract with the school district must meet level 2 screening requirements as described in F.S. 1012.32, at which time the school district shall request the Department of Law Enforcement to forward the fingerprints to the Federal Bureau of Investigation for the level 2 screening. If, for any reason following employment or entry into a contract in a capacity described in subsection (1), the fingerprints of a person who is so employed or under contract with the school district are not retained by the Department of Law Enforcement under F.S. 1012.32(3)(a) and (b), the person must file a complete set of fingerprints with the district school superintendent of the employing or contracting school district.*

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Upon submission of fingerprints for this purpose, the school district shall request the Department of Law Enforcement to forward the fingerprints to the Federal Bureau of Investigation for the level 2 screening, and the fingerprints shall be retained by the Department of Law Enforcement under F.S. 1012.32(3)(a) and (b). The cost of the state and federal criminal history check required by level 2 screening may be borne by the district school board, the contractor, or the person fingerprinted. Under penalty of perjury, each person who is employed or under contract in a capacity described in subsection (1) must agree to inform his or her employer or the party with whom he or she is under contract within 48 hours if convicted of any disqualifying offense while he or she is employed or under contract in that capacity.

3. *If it is found that a person who is employed or under contract in a capacity described in subsection (1) does not meet the level 2 requirements, the person shall be immediately suspended from working in that capacity and shall remain suspended until final resolution of any appeals.*

Process:

South Tech Charter Academy, Inc. will follow the process and procedures established by the Sponsor, unless an alternate process is negotiated.

Authority: F.S. 1012.465, 1012.32

Implemented: F.S. 1012.465, 1012.32

History: New: 09/22/2005