


# PROCEDURE

<b>Subject</b>	<b>Background Checks and Fingerprinting for Employment</b> Page 1 of 3	<b>Number:</b> 2.57.01
<b>Source</b>	Office of Human Resources	<b>Reference (Rule #)</b> 6HX14-2.57
<b>President's Approval/Date:</b> 02/25/2014		

## **PURPOSE:**

State College of Florida, Manatee-Sarasota shall require criminal background checks for designated employees, students, volunteers and contracted staff to support its goal to provide a professional and safe learning environment for its students, staff and community members using its facilities and services.

## **POLICY:**

### **I. Definitions:**

#### **Employee:**

New Personnel – “New Personnel” is defined as any person, whether an external applicant or current employee of State College of Florida, Manatee-Sarasota, who is offered employment to fill a vacancy for a regular full/part-time position or temporary instructional (excluding overload teaching for which the faculty member is certified) or non-instructional positions.

Regular Employee – Regular employees are those employees hired into budgeted positions included in the annual or amended Board approved staffing plan.

Temporary Instructional Staff – Teaching faculty, also called “adjunct faculty”, who are hired on an “as needed” basis by semester or part of term. These also include “extended adjunct” positions.

Temporary Non-instructional Staff - Temporary non-instructional employees in non-teaching positions who are hired on an “as needed” basis from time-to-time.

Positions of “special trust or responsibility” or in “sensitive locations”– Positions specifically designated in programs dedicated to working with minors, persons with disabilities, and/or the elderly; those who handle money as a significant responsibility of their position or have primary responsibility for the finances of the College; safety/security positions; human resources positions or, positions with extensive access to College property and/or hazardous materials, and/or others as designated by the President.

**Contracted Personnel:**

Contractors/sub-contractors – Persons providing services to the College on a continuous basis for more than six consecutive months.

Contracted Staffing Agency Personnel – Temporary staff hired by one of the College’s contracted staffing agencies.

**Volunteers:**

Persons providing regular volunteer services to the College (except for parents/and or guardians of students involved in their own child’s activity).

**Student Assistant:**

Students who work in areas where they are exposed to primarily minors such as; SCF Collegiate School (SCFCS), Summer Spectrum, sports camps or others as deemed necessary.

**II. Procedure**

Beginning January 3, 2005, New Personnel who will begin work on, or any time following January 3, 2005, will be fingerprinted for the purpose of conducting criminal background checks. This applies to the following positions: all regular full and part-time positions, temporary instructional and non-instructional, and positions of special trust or responsibility or those in sensitive locations as designated by the President. Current employees who have not previously undergone criminal background checks and fingerprinting within the last three (3) years, and who work within positions that are designated as having special trust or responsibility or in sensitive locations will also be fingerprinted.

Temporary Instructional Staff and Temporary Non-Instructional Staff are required to complete a criminal background check if two or more years have lapsed since their most recent employment at SCF.

Contractors/Subcontractors, as defined above, are required to provide background checks for personnel placed at SCF.

Contracted Staffing Agency Personnel must complete a background check through the contracted agency.

The College shall provide for the taking of fingerprints by trained personnel and request State of Florida and National background checks of all positions referenced above using College approved or law enforcement equipment.

1. The President of the College shall delegate responsibility to the Executive Director, Human Resources to develop policies and procedures, identify equipment, vendors or

other sources to provide for the taking of fingerprints and providing background checks that meet regulatory requirements.

2. Information obtained from criminal background checks is accessed through the FDLE website and reviewed by the Executive Director, Human Resources, and/or her/his designee. The Executive Director, Human Resources and/or designee receives negative background check information, and where appropriate will work in consultation with the area vice president in making any recommendations to the President for employment decisions. For Contracted Staffing Agency Personnel and Contractor/Subcontractors negative results from a criminal background check is sent by the vendor to the Human Resources department and reviewed by the Executive Director, Human Resources, and/or her/his designee. After review of the negative results the Executive Director, Human Resources, and/or her/his designee makes a determination regarding the placement of such personnel.
3. Determination of the status of a current employee whose background check discloses a criminal record not formerly disclosed on the employee's application shall be made by the President based upon information and research from the Human Resources Office. Employment may be denied to a person because of past misconduct if determined to be in the best interest of the College.
4. All records related to fingerprinting and criminal background checks shall be maintained in locked files separate from personnel records, in the Human Resources Office and/or stored in electronic format in the College's document management system. Only employees with a designated need to know may view criminal background checks.
5. Employees or job applicants whose criminal background check discloses negative information, which may affect the continued employment or new employment of said employee or applicant, shall be provided the opportunity to review and discuss the criminal background check with the Executive Director, Human Resources. If there is a disagreement as to accuracy of the record, a determination will be made by the Executive Director, Human Resources as to the process for resolving the issue.

This procedure does not preclude the College from conducting additional background or law enforcement checks when in the best interests of the College.