



Employee Background Screening Policy

Scope

The Early Learning Coalition of Manatee County meets the definition of a “qualified entity” as defined in s. 943.0542, F.S.; therefore, shall register with the Florida Department of Law Enforcement (FDLE). All employees meet the definition of “covered individuals” as defined in 34 U.S.C. § 40104, meaning they may have access to children served by a qualified entity. All employees will be screened in a manner consistent with s. 943.0452 and 1002.84(20), F.S. All background screenings shall be in compliance with the background screening standards set forth in s. 435.03 and 435.04, F.S. All candidates considered for employment with the Coalition must successfully complete a Level II background screening per s.435.04, F.S., that requires fingerprinting for statewide criminal history record checks through FDLE and national criminal history records checks through the Federal Bureau of Investigation and may include local criminal records checks through local law enforcement agencies, prior to an offer of employment. If an ELC employee does not provide child care or child care placement or have consistent access to children in the course of their job duties while having access to confidential information, the ELC employee should receive the equivalent of a Level I background screening that requires screening for employment history, statewide criminal correspondence checks through the Department of Law Enforcement, a check of the Dru Sjodin National Sex Offender Public Website and local criminal records check through law enforcement agencies. In addition, all employees will complete a background rescreening every five years before the anniversary date of the prior screening, ensuring that no staff background screening is five years or older. If there should be a 90 day or more lapse in employment, the employee will complete a background screening prior to resuming work with the Coalition. The Coalition shall bear the costs of all background screenings.

The ELC shall require any subrecipient, contractor, or subcontractor it retains that also meets the definition of “qualified entity”, as defined in s. 943.0542. F.S., to likewise register and have all the employees it assigns to work with the Coalition screened in accordance with s. 943.0542. F.S., prior to engagement. All subrecipients, contractors, or subcontractors meet the definition of “covered Individuals” as defined in 34 U.S.C. § 40104, meaning they may have access to children served by a qualified entity. All background screenings shall be in compliance with the background screening standards set forth in s. 435.04, F.S. Any sub-recipient, contractor or subcontractor who does not meet the definition of “qualified entity” yet is granted access to childcare locations while children are present or has access to information about children in care or their family shall comply with these requirements. Both the “qualified entity” and the entity not defined as a “qualified entity” but with access to children or their information will complete a Level II background rescreening every five years before the anniversary date of the prior Level II screening, ensuring that no staff background screening is five years or older. If there should be a 90 day or more lapse in employment, the individual will complete the Level II Background Screening prior to performing duties for the Coalition. The cost of the required screenings for these entities will be borne by the ELC.



Any subrecipient, contractor, or subcontractor who does not meet the definition of “qualified entity” and who has staff that will perform duties under this agreement, but will have absolutely no interaction with nor be present around a child in care nor will they have access to any confidential information about either a child in care or that child’s family is not required to submit its employees to a background screening.

Any subrecipient, contractor, or subcontractor who does not meet the definition of “Qualified Entity” or who FDLE has determined does not meet the definition of “Qualified Entity” or whose employee(s) does not meet the definition but that employee(s) will perform duties under contract with the ELC and are permitted unsupervised access to ELC or DEL confidential information (about the children in care or their family and child care providers) shall comply with all of the above. However, the screening shall only include the equivalent of a level 1 background screening that requires screening for employment history, statewide criminal correspondence checks through the FDLE, a check of the Dru Sjodin National Sex Offender Public Website and local criminal records check through local law enforcement agencies. For subrecipients, contractors, or subcontractors that have staff residing out of the State of Florida, the ELC’s agreement with the subrecipient, contractor, or subcontractor shall include a requirement for the subrecipient, contractor, or subcontractor employees assigned to the agreement to receive the equivalent of a level 1 screening in the state in which the employee resides.

ELC Board members and volunteers who interact with children on an intermittent basis for less than 10 hours per month are not required to be background screened if an individual who has been cleared through background screening has the board member or volunteer in line of sight during any interaction with children. Florida Statute 402.302 allows the Early Coalition to pay for background screening costs for board members and volunteers.

Purpose

The purpose of the background screening is to ensure that individuals are well-qualified, have a strong potential to successfully fulfill the requirements of the job, and have honestly presented their background and qualifications as outlined on their application and resume.

To assure confidentiality of employee, sub-recipient, contractor, or subcontractor information obtained during a background check, Human Resources coordinates the background screening process.

Any covered individual who provides misleading, erroneous, or deceptive information on the application form, resume, or in an interview can be immediately eliminated from further consideration for employment and possibly terminated if discovered after employment begins.

Level I Background Screening Procedure

All covered individuals who do not provide child care or child care placement, while having access to confidential information, shall be asked to grant the Coalition permission to conduct a Level I background screening which shall include screen for employment history, statewide criminal correspondence checks through the Department of Law Enforcement, a check of the Dru Sjodin National Sex Offender Public Website and local criminal records check through local law enforcement agencies. This process will be conducted by the Human Resources department prior to making a final offer to a candidate.



Level II Background Screening Procedure

1. All covered individuals will be fingerprinted using livescan technology. A background screening candidate will be scheduled through the Human Resources department. When reporting for the appointment, a driver license is required for identification, and they will be asked to sign a VECHS Waiver Form prior to going to the screening taking place. The Early Learning Coalition will make payment for the screening.
2. Human Resources will notify the covered individual of the time and location of the screening, All covered individuals must provide a driver's license to the live scan vendor at screening.
3. Upon receipt and review of the Level II screening results by Human Resources the applicant will be notified that they have been "Qualified" or "Disqualified", and the hiring process continued if appropriate. Human Resources will complete a Letter of Attestation (LOA) of the completion to acknowledge the Level II Screening indicating if the individual has met or has not met all requirements necessary for employment. The VECHS/FDLE results will be filed separately from personnel documents; the Acknowledgement Form shall be filed in the employee's file. Should the individual be disqualified, the Acknowledgement will be filed with the VECHS/FDLE results.

Employee Responsibility to Notify Coalition of Arrest

- The ELC shall require each employee it assigns to this agreement to notify the ELC within 48 hours of being arrested for any criminal offense.
- If the 48-hour period [following an arrest] falls on a Saturday, Sunday or federal holiday, the determination shall occur the next business day.

Management and Human Resources will review the details of the offense within 48 hours of notification, and if it is an offense that would be an exclusion from employment under Level II Screening according to s. 435.04, F.S., then said employee will be suspended without pay from work pending the outcome of charges. The employee may not return to work until cleared of all charges. Should the employee be convicted, their employment will be terminated. The charges which disqualify an individual from employment are contained in s. 435.04, F.S., which sets forth the background screening standards. In the event an individual is cleared of all charges and accepts the opportunity to return to active employment in a timely manner, they will receive back pay for the time of suspension based on their normal bi-weekly pay if funding is available under the administrative cap. If funding is not available, as determined by the ELC Budget Management Committee, the employee may choose to return to active employment with pay beginning as of the date returned to work.



- The ELC shall require, if applicable, its subrecipient, contractor or subcontractor to
 - Notify the ELC within 48 hours of an employee being arrested or removed from working on the contract for any criminal offense.
 - If the 48-hour period falls on a Saturday, Sunday or federal holiday, the determination shall occur the next business day.

The entity shall review the alleged offense within 48 hours, determine if it is one that would exclude the employee from employment under the Level II screening according to s. 435.04, F.S., and if so, remove the employee from work on the ELC agreement. The employee shall not be allowed to work on the agreement until such time that all charges are cleared.

- Any subrecipient, contractor or subcontractor that does not meet the definition of "Qualified Entity," but has staff who will perform duties under contract with the ELC and are permitted access to a child care location while children are present, or who will have access to confidential information about the children in care or their families, shall comply with all of the above.

Additional Screening Requirements

The Early Learning Coalition shall require, prior to the first day of employment, proof of the highest level of education claimed, professional licenses as applicable, and employment history for all Coalition employees. This requirement, as applicable for the position, shall apply to sub-recipients, contractors, and subcontractors. Sub-recipients, contractors, and subcontractors shall supply documentation to meet this requirement prior to the first day of work associated with this agreement.