

PROCEDURE

Series: Recruitment **COA:** HR 3.03
CFOP: 65.13

Procedure Name: Background Screenings
Procedure Number: HR2209
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Effective Date: 9/04

Applicable to: All Brevard Family Partnership Family of Agencies (BFP FOA) Staff, Board of Directors, Applicants, Volunteers, Interns, Temporary Staff, Independent Contractors in direct service, and Partner Agency staff.

PURPOSE: To ensure Agency compliance with requirements of federal law, F.S. 409, 175, F.S. 435.04, 435.10 and the DCF Contract. As a part of the background verification process, BFP FOA conducts background screenings on all final candidates being considered for employment with the Agency. This also applies to potential members of the Board of Directors, Volunteers, Temporary staff, Interns Independent Contractors in direct service and partner agency staff. BFP is committed to ensuring, to the best of its ability, that candidates selected to join the organization have acceptable clearance and are suitable to work with our children and families.

PROCEDURE:

1. Candidates considered for employment, Board of Director members, all Independent Contractors in direct service, Interns, Temporary staff and Volunteers are required to complete a criminal background screening as a condition for acceptance and retention based on specified dates of validation.
2. BFP FOA conducts legally permissible, appropriate and mandated background screenings which include but are not limited to reviews of state-wide criminal checks through the Florida Department of Law Enforcement (FDLE), federal criminal records checks through the Federal Bureau of Investigation (FBI), a seven (7) year criminal county search based on the applicant's residence address, a check through the National Sex Offender Registry and local records checks through the local law enforcement agency for the past five (5) years. A Department of Motor Vehicle check is also conducted. The FDLE, FBI and local law enforcement checks must be acceptable as a condition of initial and continued employment, Board membership, Internship, Temporary or Volunteer status or to serve as an Independent Contractor in direct care. This is documented in formal offer letters, internships or Volunteer acceptance letters and in Independent Contractor Agreements or Rate Agreements as applicable. Board member candidates are provided with information of this requirement as part of the process whether the results are obtained prior to or subsequent to being voted upon. Temporary staff is informed of this requirement during the interview process.

3. Prior to hire background checks examine whether or not applicants, employees, Board of Directors, Independent Contractors in direct service, Interns, Temporary staff or Volunteers have been found guilty of, regardless of adjudication, or entered a plea of nolo contendere or guilty to any offense prohibited under any provision of the Florida Statutes or under any similar statute of another jurisdiction.
4. BFP FOA pays the costs of these background screenings.
5. Any information on the employment application relating to felonies and misdemeanors must be reviewed by the Human Resources Manager prior to considering the candidate in the selection process. This information does not automatically exclude an applicant from consideration of employment, Internship, Independent Contractor or Volunteer status but the nature, job-relatedness, severity, and offense date in relation to the position applied for must be considered. This information is also evaluated against specific disqualifying activities outlined in the Affidavit of Good Moral Character.
6. An applicant/employee, intern, temporary staff, independent contractor in direct service and Volunteer must also have a valid driver's license and a record of safe driving when the specific position will require driving within the County. The report from the Department of Motor Vehicles is evaluated and a history of traffic violations may preclude an individual from being hired or offered an internship or volunteer position. When there is a history of traffic and/or moving violations, driving uninsured and/or a history of points being assessed, the Human Resources Manager or designee will coordinate with the insurance broker to determine if the individual will be considered "insurable." Refer to HR-2211 Driving and Related Requirements.
7. BFP FOA sub-contractors are required to conduct criminal background screenings in accordance with F.S. 435 and their own established policy and procedures.
8. **Sharing of personnel information among employers:** Every employer of employees covered by F.S. Chapter 435.10 shall furnish copies of personnel records for employees or former employees to any other employer requesting this information pursuant to this section. Information contained in the records may include, but is not limited to, disciplinary matters and any reason for termination. Any employer releasing such records pursuant to this chapter shall be acting in good faith and may not be held liable for information contained in such records, absent a showing that the employer maliciously falsified such records.

Requirements for Department of Children & Family Services (DCF) Screenings:

New Employee

1. During the first day of employment, all new employees will be asked to execute the Affidavit of Good Moral Character. This document must also be notarized, and notaries are available at all locations. Affidavits of Good Moral Character are also executed on an annual basis by all current employees, interns, independent contractors in direct care, board members and volunteers.

2. Federal law requires all employers to verify the identity and employment eligibility of all persons hired to work in the United States. All newly hired staff will, before or on their first day of employment complete and sign the I-9 form and provide the required supporting documentation. This is provided by the Human Resources Manager or designee. In order to determine whether Form I-9 documentation is valid, the Agency uses E-Verify and will provide the Social Security Administration (SSA) and if necessary the Department of Homeland Security (DHS) with information from each new employee's Form I-9 to confirm work authorization. The Agency will execute this form on the same day or within three (3) days of employment.
3. Every new employee, Board member, Volunteer, Intern, Temporary staff or Independent Contractor in direct service must, before their first day of employment, complete the fingerprint process, and have completed the required background authorization forms. The background screening process must be completed, and the results must indicate that the individual is eligible to be hired. As a regular course of business, a successful level 2 background screening is required as a condition of employment and for continued employment. Under exceptional circumstances and at the discretion of the agency, an employee may begin employment with background screening results pending only when a contingency agreement has been executed that restricts the employee's access to client information, direct client contact, and from accessing the state automated child welfare information system (FSFN). Information about this process is provided to the new employee during the hiring process and applicants or others are informed that no formal offer or relationship can be executed until acceptable results are received. The offer letter also indicates that a new hire will be required to submit to a drug test upon employment. Fingerprints can be done at several local locations and appointments are to be scheduled for this purpose.
4. The Florida Department of Law Enforcement (FDLE) will conduct a search of criminal and juvenile records and will request that the FBI conduct a search of its records for each employee and others covered by this procedure. The results are provided to the Human Resources Manager if satisfactory by DCF Background Screening. These results become part of the individual's employment, Temporary, intern, volunteer, independent Contractor in direct service or Board Member file. Should the results be unsatisfactory, DCF Background Screening will provide notification of this and the applicant will be directed to make contact with that department.
5. In accordance with statute all employees, Volunteers, Interns, Independent Contractors in direct service and Board Members will be required to be re-screened every five (5) years.
6. In the event that information is missing from the screening documentation, this will be requested from the individual by the Human Resources Manager. The individual must supply this information within 30 days from the date of the request or the individual will be subject to automatic disqualification and/or termination from employment or engagement.



BY DIRECTION OF THE CHIEF EXECUTIVE OFFICER:

A handwritten signature in blue ink that reads "Philip J. Scarpelli".

Mr. PHILIP J. SCARPELLI
Chief Executive Officer
Brevard Family Partnership Family of Agencies

APPROVAL DATE: 2/14/2020