

**PENSACOLA STATE COLLEGE**  
**POLICIES OF THE DISTRICT BOARD OF TRUSTEES**

Policy Title:	Criminal Background Checks/Fingerprinting	<u>Number</u> 6Hx20-1.036
Legal Authority:	s. 1001.64(46), Fla. Stat.	<u>Page</u>
Law Implemented:	s. 1001.65, s. 768.096, Fla. Stat.	Page 1 of 2

Pensacola State College, in compliance with the National Child Protection Act (NCPA) and Florida Statutes, as amended, will require all selected individuals for work or volunteer assignments at the College (full-time, part-time, and adjuncts), volunteers, interns, and current employees working in select/sensitive positions (each referred to herein as a “Covered Person”), to submit to a criminal background check per procedures to be established by the College President.

- I. Every Covered Person in a selected position approved for Level II screening by the FDLE, unless excepted by related procedures, shall be required to sign a waiver allowing the release of state and national criminal history record information to the College. A complete set of the Covered Person’s fingerprints shall be submitted to the Florida Department of Law Enforcement (FDLE) for state processing.
- II. Results of the criminal background checks will be reviewed by the Chief of Police and Director of Human Resources. If the results reveal that any Covered Person has been found guilty of, regardless of adjudication, or entered a plea of nolo contendere or guilty to, any offense prohibited under any of the provisions of Florida Statutes enumerated in s. 435.03 and s. 435.04, Fla. Stat., as amended, then the President will determine what actions, if any, will be made regarding that person’s employment, contract, volunteer, or intern status. In reaching a determination as to the proper action required, the President may consider factors such as (i) the nature and severity of the offense; (ii) the length of time between the occurrence of the offense and the discovery of its existence by College; (iii) the relationship between the offense and the duties performed by that person for College; (iv) the person’s work history and disciplinary record with College; and (v) any other factor deemed appropriate by the President under the circumstances involved. The President may take any action deemed to be appropriate, including no action, or any action up to and including termination of the person’s employment, contract, volunteer, or intern status. New employees shall be on a probationary status pending fingerprint processing. Employees whose employment status is adversely affected by a criminal background check shall have the right to an appeal.
- III. Records related to fingerprinting and criminal background checks will be maintained confidentially in the Department of Human Resources.
- IV. ~~In addition to~~ addition to screening Covered ~~Persons~~ Persons upon employment ~~employment and upon~~ employment and upon initial implementation of this policy, the College shall be entitled to perform a criminal background check on any Covered Person at any time deemed necessary by the College as further described in the procedure.

IV.V. For those individuals in assignments other than I. above, the College shall conduct a background web-based screening with a third-party source. Individuals are required to complete a notification and authorization for this criminal background check.

History: Adopted 7/17/07; revised 1/20/09; amended 8/18/21.

President's Signature:

Date: ~~8/18/2021~~

