

6Hx19-2.66 Employee Background Checks

The purpose of this Board Rule is to establish Board policy regarding criminal background checks on College employees.

All prospective regular full-time and part-time employees and certain designated part-time, temporary employees shall be required to consent to a criminal background check at the time of application for employment at Pasco-Hernando State College (PHSC). No employee hired under an initial period of probation shall be removed from the initial period of probation until the College has received a satisfactory criminal background check for that employee. PHSC shall bear the costs of conducting the criminal background checks. All employees subject to a background check under this Rule shall be required to consent to a criminal background check during every fifth year of employment with the College.

Employees with professional licensing with an authority that requires self-reporting of criminal activity may be exempt from this requirement provided the prospective employee furnishes proof of good standing within his/her professional organization. This exemption will only apply if the failure to self-report is a disciplinary rule violation and the rules of the profession clearly require reporting of felony and other appropriate offenses.

Any employee or applicant whose criminal background check demonstrates that the employee or applicant failed to report criminal convictions accurately on the PHSC employment application form may not be eligible for continued employment. At the sole discretion of the District Board of Trustees, any person having a conviction for a felony involving theft, burglary, embezzlement, violence or involving moral turpitude, or any person who has been classified as a sexual offender or sexual predator under the Laws of Florida or any other state, within the ten years immediately preceding the date of application, may be disqualified from continued employment at the College. Convictions of crimes other than those identified above may be considered in the final employment decision and may result in termination of employment.

Nothing in this Rule limits the authority of the College to conduct additional checks on individuals who are being hired into positions for which PHSC requires a credit check or other types of background investigations.

All PHSC employees are required to report to the College arrests for any felony offense in accordance with IMM #2-22 *Employee Background Checks*. Failure to do so may result in disciplinary action.

Provisions implementing this Rule may be found in IMM #2-22 *Employee Background Checks*.

Rule Adopted: 11/18/03; 2/24/04; 1/20/09; 9/15/15

Effective Date: 11/18/03; 2/24/04; 1/20/09; 9/15/15

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Legal Authority:

General Authority: Florida Statutes: 1001.64; 1001.65

Other References: Florida Administrative Code: 14.0261(3)(5);

Law Implemented: Florida Statutes: 1001.64(1)(4)(18)(46); FS 1001.65(1)(3)(25)

Proposer: Timothy L. Beard, President