

Escambia Children's Trust (ECT)

Policy: Provider Background Screening and Ongoing Suitability

Policy Number: [Assign Number]

Effective Date: [Insert Date]

Approved By: Escambia Children's Trust Board of Directors

Responsible Department: Grants Management and Compliance

I. Purpose

This policy establishes uniform requirements for background screening and ongoing suitability of provider staff, volunteers, and others who may have access to youth participants supported through Escambia Children's Trust (ECT) funding. The policy is intended to ensure the safety and protection of children/youth, compliance with contractual obligations, and adherence to all applicable state and federal laws, including Chapter 435, Florida Statutes.

II. Policy Statement

All programs receiving ECT funding must implement and maintain background screening policies and practices that provide adequate protection of youth and comply with all applicable laws, rules, regulations, and ECT contractual requirements.

All covered individuals must successfully pass required background screenings prior to having contact with youth and must remain qualified at all times while providing services supported by ECT funding.

III. Applicability

This policy applies to all program staff and provider staff, including employees, independent contractors, staff of subcontractors, volunteers, and any other individuals who may have access to youth participants supported through ECT funding. This requirement applies regardless of the funding source supporting the position.

Volunteers and subcontractors who assist on an intermittent basis for less than ten (10) hours per month are exempt from Level 2 background screening only if a person who meets the screening requirements of this policy is always present and maintains the volunteer or subcontractor within his or her line of sight. Providers must clearly document which volunteers and subcontractors are screened and which are exempt under this provision.

IV. Background Screening Requirements

A. Initial Level 2 Screening

All individuals covered by this policy are required to undergo and pass a national Level 2 background screening in compliance with the standards set forth in Chapter 435, Florida

Statutes, prior to having initial contact with youth participants and must remain qualified at all times while providing services supported by ECT funding.

Individuals must have no disqualifying offenses listed in Section 435.04, Florida Statutes, at any time while providing services supported by ECT funding, unless an exemption has been granted by the Florida Department of Children and Families (DCF) in accordance with Florida law. ECT does not provide an exemption or waiver process.

Proof of Level 2 background screening clearance, including any required affidavits or attestations of good moral character, must be maintained at all times in the appropriate personnel or volunteer files.

B. Re-Screening and Ongoing Qualification

All staff and volunteers covered individuals must continue to qualify to pass a Level 2 background screening at all times and must notify their employer immediately if they no longer qualify to pass a Level 2 screening.

Level 2 background screening must be repeated every five (5) years, or more frequently as required by law or as requested by ECT.

C. Annual Local Law Enforcement Criminal History Checks

In addition to Level 2 screening requirements, providers must conduct annual local law enforcement criminal history checks for all individuals covered by this policy. These checks must be completed every twelve (12) months through the Escambia County Sheriff's Office or the appropriate local law enforcement agency with jurisdiction over the individual's primary place of residence or employment.

Proof of local law enforcement criminal history clearance checks must be maintained at all times in the appropriate personnel or volunteer files.

V. Arrest Notification and Reporting

Employee or volunteer conduct or activity that results in potential liability to the provider or ECT, death or harm to a participant receiving ECT-funded services, jeopardizing provider's capability to continue to meet its obligations under the terms of the Agreement effectively and safely, or a violation of law, including falsification of official records, must be addressed immediately. The foregoing conduct or activity can occur while providing services supported by ECT funding or outside of any ECT-funded programs or services.

If an arrest is made for a potentially disqualifying offense under Level 2 background screening requirements, or if an arrest occurs while the individual is performing official duties related to services funded by ECT, the provider must report the incident immediately in accordance with ECT contractual notification requirements.

VI. Authorized Screening Methods

Providers that are statutorily authorized to participate in the Care Provider Background Screening Clearinghouse must utilize the Clearinghouse in compliance with Chapter 435, Florida Statutes.

If a provider is not statutorily authorized to receive a national Level 2 background screening under Chapter 435, Florida Statutes, the provider must comply with screening requirements through the Volunteer & Employee Criminal History System (VECHS).

Only if the provider is not eligible to participate in either the Care Provider Background Screening Clearinghouse or VECHS may the provider engage a qualified third-party vendor to conduct a national background screening that meets the standards set forth in Chapter 435, Florida Statutes.

VII. Documentation, Verification, and Monitoring

Providers using VECHS or any third-party vendor that does not permit the release of background screening results to ECT must submit a signed affidavit attesting to compliance with this policy and Chapter 435, Florida Statutes. The affidavit must be executed by the provider's Executive Director or equivalent, renewed annually, and submitted within thirty (30) calendar days of the effective date of the agreement and upon any change of staff in this position.

Providers must also submit a written procedure within thirty (30) calendar days of the effective date of the agreement describing how compliance with this policy is ensured, including identification of the individual responsible for verifying screening results against disqualifying offenses listed in Section 435.04, Florida Statutes.

Personnel and volunteer files must reflect who verified whether an employee or volunteer candidate passed the background screening requirements.

Providers agree to submit to ECT monitoring activities to ensure compliance with this policy. Monitoring may include, but is not limited to, review of personnel and volunteer files, training logs, position descriptions, applications, resumes, and verification of staff credentials.

Providers shall not release protected health information (PHI) to ECT and must maintain such information separately from personnel and volunteer files. Parental consent for ECT monitoring activities must be documented in the participant files of minor children.

VIII. Enforcement, Review, and Updates

Failure to comply with this policy may result in corrective action, suspension of provider's contract and ECT funding, or termination of the funding agreement, in accordance with ECT policies and contractual requirements.

This policy will be reviewed periodically by ECT staff and updated as necessary to reflect changes in law, contractual requirements, and best practices in child safety and program oversight.
