## Welcome to the Background Screening Clearinghouse

The <u>Care Provider Background Screening Clearinghouse</u> or 'Clearinghouse' was established by law in 2012 to reduce duplicative screenings. The Clearinghouse Results Website (CRW) provides a single data source for background screening results of people who may come in contact with vulnerable populations. It allows the results of criminal history checks to be shared among participating agencies and is maintained and managed by the Agency for Health Care Administration (AHCA).

## Clearinghouse Advantages

The Clearinghouse provides many advantages to the applicant/employee, districts, schools, and the Florida Department of Education (FDOE). Most importantly the Clearinghouse significantly increases the safety of our most vulnerable citizens.

#### The Clearinghouse facilitates:

- Sharing results of criminal history checks among participating agencies, providing cost savings to individuals and providers.
- Collecting subsequent arrest information for employees with retained fingerprints that is only available to current employers of the individual.
- Tracking screenings, from initial request until a determination is made.
- Emailing status update notifications to the district or school regarding each request initiated.
- Allowing district/schools to search and schedule screening appointments with Livescan Service Provider convenient to the applicant.

#### **Contact Information**

For more information, please contact <u>DOEBGS@AHCA.MyFlorida.com</u>, call (850) 412-4700, or fax (850) 487-0470.

# Legislation providing access to the Clearinghouse for Education

The following Florida Statutes may be referenced for additional information.

<u>Chapter 2023-220</u>, establishes education as a participant and references additional state statutes outlining disqualifying offenses and to whom they apply.

## Who must be screened in the Clearinghouse?

Florida Law <u>Chapter 2023-220</u> states that Clearinghouse staff will review and determine eligibility for employment submitted via the FDOE's Bureau of Educator Certification, Florida schools and districts, and vendors providing services to schools.

All the educational entities that are currently not in the Clearinghouse will have to be refingerprinted as required by law. This includes employees of the following facility types:

- Schools, including charter schools and specialty schools
- Private schools participating in educational scholarship programs

If an applicant is in the Clearinghouse under another agency, a new screening is not required. An Agency Review of the individual's current information can be initiated free of charge.

## Position Types Requiring Screening/Rescreening

- Individuals seeking educator certification.
  - The ORI is EDOEPUBS1 Teacher certification
- All employment positions which require direct contact with students in a district school system, charter school or private school participating in a state scholarship program, including contracted positions.
  - o The ORI is EDOEPUBS0 General employment
  - The ORI is VDOEPUBS3 Volunteers
- Non-instructional contractors who are permitted access to school grounds when children are anticipated to be present (restricted access).
  - The ORI is EDOEPUBS2 Restricted Contractor/vendor
- All the position types are required to submit new fingerprints along with a
  photograph taken at the time of fingerprinting unless they are already in the
  Clearinghouse. Current FALCON screenings will NOT be transferred to the
  Clearinghouse.

#### School Resource Officers

Section 1012.468, Florida Statutes (F.S.) provides exceptions to certain fingerprinting and criminal history checks:

(2) A district school board shall exempt from the screening requirements set forth in ss. 1012.465 and 1012.467 law enforcement officers, as defined in s. 943.10, who is assigned or dispatched to school grounds by his or her employer.

#### Contractors

#### Contractor/Vendors

Contractor/Vendors screened under s. 1012.465, who have direct access to students, will now be screened under the School Employment ORI–EDOEPUBS0 and are subject to the screening timeline.

Districts or schools that have processes already in place for contractors/vendors to be screened can continue with their current process and do NOT have to initiate the screenings in the Clearinghouse for those positions.

Contractor/Vendor with restricted access are subject to F.S. 1012.467 and are currently screened through the Florida Shared School Results (FSSR) system. FSSR is planned to sunset, but will be available to view screenings of previously screened people until such time as they are screened into the Clearinghouse. FSSR will not be available for renewals or new screenings.

There will be no changes in the badging process for contractors.

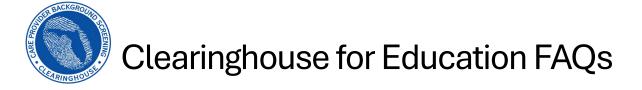
## **Features**

## **Agency Review**

Screenings meeting all three criteria will receive a Clearinghouse Status of Yes, indicating it has met the requirements for sharing.

- 1. Retained fingerprints
- 2. A photograph of the applicant, taken at the time of screening
- 3. Acceptance of the Privacy Policy\* by the applicant

<sup>\*</sup>The privacy policy acknowledges the person understands and accepts that the results may be shared across participating state agencies, including those affiliated with the Florida Department of Education.



## Who is in the Clearinghouse?

Any person screened within the past 5 years that meets the requirements for sharing is available for free agency review by the district. The Clearinghouse currently includes sharing with:

- Agency for Health Care Administration (AHCA)
- Florida Department of Health (DOH)
- Department of Children and Families (DCF)
- Agency for Persons with Disabilities (APD)
- Department of Elder Affairs (DOEA)
- Florida Department of Juvenile Justice (DJJ)
- Department of Education Vocational Rehabilitation (VR)
- As FDOE transitions to the Clearinghouse, screenings from other districts and schools will also become available, free of charge.

#### **Person Profiles**

Person Profiles display

- Demographic information
- Retained Prints Expiration Date
- Clearinghouse Status
- Eligibility
- Screenings in Process table
- FDOH Licensure Status
- Employment/Contract History
- School District Exception table

## Can we edit the profile?

Most demographic information may be edited, with the exception of the social security number (SSN), last name and date of birth. Those fields can only be changed by sending the required documentation to Clearinghouse staff. Even if a SSN, for example, is miskeyed in the screening results from the Florida Department of Law Enforcement (FDLE), the Clearinghouse is the system of record.

## **Employee Roster**



## Adding/Terminating

Change in an applicant's status must be reported within five (5) business days and can be done in the Clearinghouse Employee/Contractor Roster. Terminated employees will be retained but are filtered out of the results by default.

Please clarify termination of temporary personnel (contractors, substitutes, etc.) with your legal department.

## History

Employment history is available in the person profile for the applicant if the previous employer is in the Clearinghouse and added that person to their employee roster.

There is not currently a method for uploading employment records, but this will be considered for system enhancements.

## **Timeline**

Per statute, the rescreening will need to be conducted based on the last submission date of the last screening, as follows:

| Last Screened               | Must be in Clearinghouse |  |
|-----------------------------|--------------------------|--|
|                             | by                       |  |
| On or before 6/30/2021      | 6/30/2025                |  |
| Between 7/1/21 and 6/30/22  | 6/30/2026                |  |
| Between 7/1/22 and 12/31/23 | 6/30/2027                |  |

Until all people are in the Clearinghouse, current systems such as VECHS will continue to be used for individuals not yet in the Clearinghouse.

\*This timeline is mandated by statute, so there is no plan to extend the 6/30/2025 deadline.

AHCA does *not* have the authority to ensure compliance with the rescreening schedule. Screening may be completed earlier at the discretion of the entity but must be completed by 6/30/2027, including those that have been screened after 1/1/2024 until April 6, 2025.

#### **Audits**

AHCA is not authorized to conduct audits. FDLE will continue to perform audits for Criminal Justice Information System (CJIS) compliance. For additional information for how to become CJIS certified please visit Noncriminal Justice CJIS Compliance & Training.

#### Fees

## Usage fees

The Clearinghouse requires no fee to access and requires no installation. It is accessed via common internet browsers such as Edge, Chrome, and Firefox.

## Screening fees

Per section 435.08, F.S., the employer or the employee is responsible for paying the costs of screening. Current costs for screenings, including the 5-year retention are:

## **New Applicants**

- State fee \$24
- Retention fee \$24
- FBI fee \$12
- Clearinghouse fee \$0
- Livescan Service Provider fee varies
- Paid directly to the Livescan provider at time of screening

## Agency Reviews

• FREE via the Clearinghouse

#### Resubmission

- Must be completed for employees with a 90-day break in employment
- \$12
- Paid by check or with credit card via the Clearinghouse

#### Renewal

- Renewal of people whose fingerprints are expiring in the Clearinghouse
- \$42.00
- Paid by check or with credit card via the Clearinghouse

## Equipment fees

The Clearinghouse does not require purchase of equipment - screening appointments can be made within the application with a nearby Livescan provider. If you have existing equipment, you can find additional information in the <u>Livescan section</u>.

## Will fees for applicants currently in FALCON be pro-rated?

No, FDLE will not refund money for years not used in the current system.

#### How will we be invoiced?

#### **New Hires**

If you have your own equipment, you will continue to be invoiced by FDLE for new hires. If scheduling a screening with a Livescan location, payment can be made when the appointment is scheduled by either the employer or the employee.

#### Renewals/Resubmissions

You will pay the 5-year retention fees and FBI fees through the Clearinghouse. You will need to have a credit card or a bank account for ACH transfers. The Clearinghouse does not accept POs at this time.

## Can retention be paid annually?

No, to participate in the Clearinghouse, the five-year retention paid upfront is required. While one employee may leave after only a year, districts/schools will also be able to hire others already in the Clearinghouse. Over time, this will result in cost savings. The Clearinghouse has saved applicants/agencies over \$150 million through shared screenings.

## Access

The Clearinghouse for Education will be managed by the Agency for Healthcare Administration (AHCA).

## When can we register for Clearinghouse access?

April 7<sup>th</sup>, 2025

## What if I have existing Clearinghouse access?

You will retain your existing login but will request DOE agency access once it becomes available April 7<sup>th</sup>, 2025.

Once you have DOE access you will be able to use a **View As** feature to toggle between agencies. If the applicant has been reviewed under DCF Summer Camp, for example, you will see their eligibility according to DCF Summer Camp criteria. If you consider hiring them in some capacity, you will 'View As' DOE and select Initiate Agency Review to begin the process of determining that applicant's eligibility for the selected role in education.

## FDLE CJIS Agreements

You will continue to use your existing process to obtain and oversee Criminal Justice Information System (CJIS) agreements with the Florida Department of Law Enforcement (FDLE). For additional information for how to become CJIS certified please visit Noncriminal Justice CJIS Compliance & Training.

# Screening, Arrests, and Eligibility

## **Background Screening**

The first step in conducting a screening in the Clearinghouse is to search for an individual by SSN and either date of birth or last name. If the person already exists in the system, you will know immediately and be able to initiate an Agency Review free of charge. If no results are returned you may initiate a new screening (fee assessed by FDLE and Livescan).

## **Privacy Policy**

When a screening is initiated in the Clearinghouse the applicant email is required. The form that advises the applicant that their information could be shared is sent to that email address. The person initiating the screening process will check a box acknowledging the following and this fulfills the audit requirements of the FBI.

Signed copies are not currently maintained in the Clearinghouse but this capability can be considered for future enhancements.

Any additional documents required by the district or school will continue according to current policy and procedure.

#### Self-initiated screenings

Applicant initiated screenings are currently available only to the Florida Department of Health, but expansion is planned for future updates of the Clearinghouse.

#### Rejected fingerprints

Fingerprints may be rejected for low-quality, scanner error or other reasons. The incoming criminal history result will include a response from the FBI indicating the reason for the rejection and providing the necessary information for the applicant to submit a second set of fingerprints. There is no charge for resubmission of fingerprints rejected for low quality.

#### **Errors**

If an applicant believes there has been an error in the screening results, the applicant must contact FDLE to discuss the discrepancy. If the screening results are updated as a result, FDLE will send an updated criminal history. This will start a new Clearinghouse criminal history review.

#### Results

Screening results are visible on the Clearinghouse Results Website (CRW) and notification emails are sent to the district or school when the screening is initiated. Files will continue to be transmitted to the Bureau of Educator Certification.

## Screening expiration/Renewals

The Clearinghouse provides notification when renewal is needed for any employee/contractor on the employee roster. Renewals can be processed as early as 60 days in advance of fingerprint expiration. You will receive email notifications 60 days, 30 days and 5 days prior to expiration. The individual will also appear in the **Employees with Expiring Retained Prints** module on your Clearinghouse Dashboard with a quick link to begin the renewal process.

## Standard Disqualifying Offenses

Details are outlined in Florida Statute Chapter 435, Section 04 (435.04) for most applicants.

Contractors not anticipated to be present on school grounds while children are present (restricted access) will be screened under <u>Florida Statute 1012.467</u>.

Disqualifying offenses in Florida Statute Chapter 1012.315 are moved under 435.04 and now in addition to convictions, AHCA reviews for adjudication withheld, nolo contendere and arrests awaiting dispositions for disqualifying offenses. The applicant would be disqualified for employment until those charges are resolved.

It is important to note there are 23 additional disqualifying offenses under 435.04 that have not previously been reviewed for educational purposes.

#### Offenses outside the state of Florida

The Clearinghouse receives both state and national offenses. National offenses are reviewed

#### **Pending Charges**

If an applicant is found not eligible due to pending charges, they must notify the Clearinghouse, per instructions which will be included in a **Not Eligible** notification letter generated by the Clearinghouse and sent directly to the applicant.

#### Supporting documents

If an applicant has a potentially disqualifying offense but the supporting documentation is no longer available, they can supply a statement from the arresting agency stating the records are no longer available AND a signed statement from the applicant explaining the situation.

#### Fingerprint retention

Fingerprints are not retained if not renewed after five years.

## Screening dates

The Clearinghouse has multiple dates within the system:

**Screening date** is the date of the last fingerprint/photograph instance. This date does not change unless a new screening is requested and received from FDLE/FBI.

**Eligibility date** is the date the eligibility determination was made within the Clearinghouse.

**Retained Prints Expiration date** is the date the prints will expire and no longer be retained if they are not renewed.

#### Arrests

If there is *any* arrest, you will be notified by email immediately if an individual is on your Employee/Contractor Roster in the Clearinghouse.

## Eligibility

Eligibility determinations by the Clearinghouse indicate whether an individual is eligible under the standards set forth in legislation. The hiring decision will continue to proceed according to your current policies.

If the screening returns no disqualifying offenses, the eligibility will be automatically determined by the Clearinghouse system.

If additional documentation is required, this timeline will extend in accordance with the applicant's submission of those documents. The Clearinghouse status for the applicant will be updated to *Screening in Process - Additional Information Requested from Applicant*, which will indicate staff have requested additional information. The Clearinghouse will generate email notifications to the (prospective) employer when there is a change in applicant status.

#### DOE DQ List:

AHCA does not have access to the DOE Disqualifying List. Eligibility determinations made, are based solely on the criminal history. Schools will still need to do their due diligence and check the DQ List.

#### Errors in determination

If you believe there has been an error in the eligibility determination, the district or school can contact Clearinghouse support at the following email DOEBGS@AHCA.MyFlorida.com, or call (850) 412-4700.

# **Technically Speaking**

#### Livescan

There are over 2,000 Livescan locations across the state of Florida that are Clearinghouse compliant as well as locations in all 50 states.

If you conduct your own screenings, you should be able to use your current hardware and a camera, with only software updates to be Clearinghouse compliant.

The Livescan software is the same for all Livescan vendors, regardless of agency/ORI. Additional Information may be obtained through Livescan vendors.

#### Camera and photo specifications

The law states that the photographs must be taken at the time of fingerprinting, therefore photos on file are not acceptable.

The timeline for updating photos is currently under consideration. Any requirements determined will be communicated at that time.

The Clearinghouse is moving toward compliance with SAP40 per the NIST guidelines. A 12-megapixel camera provides the lowest resolution that meets these criteria.

The full text is located here:

Clearinghouse Livescan Web Service High Level Design

#### Volume

We will work with the districts and schools to determine the best process for handling the first round of fingerprinting, but the Clearinghouse is able to handle large quantities of screenings.

#### **ORIs**

All 67 public school districts, charter schools, and specialty schools (university lab schools, Florida School for the Deaf and Blind, Florida Virtual School) will begin screening under the following statewide ORI numbers starting April 7<sup>th</sup>:

- EDOEPUBS0 General employment
- EDOEPUBS1 Teacher certification
- EDOEPUBS2 Contractor/vendor
- VDOEPUBS3 Volunteers

Public school districts will maintain access to FSSR for five years. Since all screenings from April 7<sup>th</sup> forward will be in the Clearinghouse, no contractors or vendors will be added to FSSR after that date. Agency Reviews can be initiated by other school districts employing the contractor/vendor in the Clearinghouse.

Likewise, all private schools that accept taxpayer-funded School Choice scholarship monies, will begin screening under three statewide ORI numbers that day:

- EDOEPRIVO Private School Employees, Contractors, Vendors
- EDOEPRIV1 Private Schools Owners and Operators



# Clearinghouse for Education FAQs

- VDOEPRIV3 Volunteers\*
  - \*NOTE: You may continue screening volunteers through your current VECHS
     ORI (beginning with a 'V') or through the Clearinghouse using the above ORI.
     For more guidance, please contact the Department of Education's School
     Choice office or your school's legal counsel.

# Transition to the Clearinghouse

Once an individual has been screened into the Clearinghouse, they no longer need to be maintained in the current system. Until all employees are in the Clearinghouse (on or before 6/30/2027), it will be necessary to maintain multiple systems for those not yet transitioned.

#### **Teacher Certification**

An individual being screened for their teacher certification needs to be screened under the ORI – EDOEPUBS1. The eligibility for teacher certification does NOT mean that the individual has been certified. You must still check with FDOE to confirm the certification.

This eligibility result can also be used for employment as instructional personnel. An Agency Review for School Employment does NOT need to be requested.

| DOE-Districts/Charters/Specialty Eligibility |                        |                           |                                |
|--|------------------------|---------------------------|--------------------------------|
| Туре   | Item                   | Eligibility Determination | Eligibility Determination Date |
| Employment                                   | School Employment      | Agency Review Required    |                                |
| Employment                                   | Teacher Certification  | Eligible                  | 03/19/2025                     |
| Employment                                   | Restricted Contractors | Agency Review Required    |                                |