Duval County Public Schools
Employment Procedures
(Criminal Background and Hiring Guidelines)

The safety of the students of Duval County Public Schools is of paramount importance, and in compliance with Florida law, all candidates for employment, or re-employment are subject to a criminal background check to determine eligibility for employment.

An applicant’s criminal background includes any offense for which the applicant posted bail; entered pre-trial diversion, pre-trial intervention, teen or drug court or a juvenile diversion or commitment program; had adjudication withheld, was convicted or found guilty; was placed on probation; pled guilty or no contest; was jailed or imprisoned; or appeared in court; as a juvenile or adult. Sealed records, expunged records and military court proceedings must be disclosed.

For the purposes of these hiring guidelines a conviction is defined as finding of guilt or delinquency, a plea of guilty, a plea of nolo contendere, or entering a pre-trial intervention or detention program, whether or not there was a formal adjudication of guilt, adjudication of delinquency or if the case was sealed or expunged.

A person is ineligible for employment with Duval County Public Schools if convicted of:
1. Statutory felonies as set forth in F.S. 1012.315.*
2. Statutory misdemeanors as set forth in F.S. 1012.315.*
3. Any felony offense within the last 10 years. Felony offenses 10 years or greater will be carefully reviewed and may result in disqualification.
4. Two misdemeanor offenses within the last 5 years. Misdemeanor offenses 5 years or greater will be carefully reviewed and may result in disqualification.

*Florida Statute 1012.315 prohibits the employment of instructional personnel or school administrators who require direct contact with students if the person has been convicted of certain felony or misdemeanor offenses including the following. A complete list of the statutory disqualifying acts is enumerated in Florida Statute 1012.315.

- Felony Offenses: Related to murder, manslaughter, sexual misconduct of certain individuals, sexual battery, aggravated assault and battery, kidnapping, arson, carjacking, certain thefts and robbery, certain lewd or lascivious offenses, child abuse, luring or enticing a child, obscenity, possession of certain weapons, exhibition of firearms or weapons at certain events and resisting arrest with violence.
- Misdemeanor Offenses: Related to battery (if the victim was a minor) and luring or enticing a child.

Other Factors Considered
In addition to criminal background screening results, the district’s hiring consideration shall include, but is not limited to the following:

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1. Applicant had a professional license (a driver’s license is not a professional license) or a Professional Certificate, including a teaching certificate, sanctioned by the issuing agency in this or any state. Sanction is defined to include: suspension; revocation; discipline, such as issuance of a reprimand or fine; or, otherwise conditioned, such as placed on any restriction or probation. Applicant resigned, surrendered, or otherwise relinquished a professional license or certificate in this or any state. Applicant has an action pending in this or any state against a professional license or certificate you hold or held. Applicant has any action pending in this or any state against an application for a professional license or certificate you have on file. (A determination of academic ineligibility is not considered denial of a license or certificate.)

2. Applicant has unresolved criminal charges that could result in a final disposition rendering the applicant ineligible for hire.

3. Applicant has a prior employment termination for unsatisfactory performance.

4. Applicant has a prior employment termination for cause.

5. Applicant’s reference checks were negative or nonresponsive.

**Review/Appeal Process**

Every effort will be made to promote fairness in the process of review including follow up on a case-by-case basis considering the following factors: (a) nature of the crime, (b) the time elapsed since the crime, and (c) the nature of the job in question.

Applicants who are disqualified for employment based on their criminal history records will receive written notification by mail. Any applicant may contest the accuracy of the information provided to the district by the FDLE, or other law enforcement agency which may have been the basis for disqualification.

A request for an appeal must be submitted within 15 days from the receipt of notification. An appeal will be considered by a district review committee consisting of no less than three School Board administrators.

It will be the applicant’s burden to provide verifiable documentation in support of his or her claims of mitigation. The decision of the committee will be final with the approval of the Superintendent or designee.

These guidelines shall not be applicable to any employee employed prior to implementation of these procedures whose criminal record was fully known to the administration at the time of hire and whom the administration concluded was suitable for employment in a particular position. However, if an employee who was hired under previous hiring guidelines is separated from the district through resignation or termination, he/she shall be subject to the current hiring guidelines when seeking reemployment.

Eligibility for hire under the above guidelines, does not guarantee employment with Duval County Public Schools.