

MARK T. PORTER
Superintendent of Schools



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Dear District Contractors and Vendors:

Please find enclosed a copy of the Jessica Lunsford Act. It is important that we be prepared to comply with this Act as it pertains to all applicants processed after September 1st, 2005. Pursuant to the District and Contractor/Vendor's new requirements under the law, all District contractual personnel must meet the same Level II screening requirements imposed upon District employees. A Level 2 background check includes submission of digital fingerprints to the FDLE for background checks and a local criminal records check through local law enforcement agencies.

Contractual personnel are defined as any vendor, individual or entity under contract with the school board. Subcontractors are also considered to be a contractor with the District for purpose of the Lunsford Act. Level 2 background screening requirements are required of:

- 1) All contractual personnel who are permitted access on school grounds when students are present,
- 2) All contractual personnel who have direct contact with students, or
- 3) All contractual personnel who have access to or control of school funds.

These background screenings are required of all public schools, including alternative or Charter schools. All contractual personnel employment with the District who have been convicted of a crime of moral turpitude or designated as a sexual predator/sex offender may be terminated. Crimes of moral turpitude may include, but are not limited to crimes:

- 1) relating to assault and/or battery, if victim was a minor,
- 2) relating to lewd and lascivious behavior
- 3) relating to child abuse and/or child neglect
- 4) relating to sexual battery
- 5) relating to contributing to the delinquency of a minor
- 6) relating to resisting arrest with violence
- 7) relating to aggravated assault and/or battery
- 8) relating to vehicular homicide
- 9) relating to taking or removing a child beyond the state limits with criminal intent pending custody proceedings
- 10) relating to prostitution.

Dr. Ramon M. Dawkins,
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The District has implemented procedures for complying with the Act. Please contact the District Personnel Office at (305) 293-1400 ext. 53329 as soon as possible for the procedures for complying with the new law. Procedures for performing background checks will include a deadline for contractual employees to submit to the new screening requirements. In addition, costs associated with the new criminal background screening are expected to be borne by the contractual personnel.

Attached, please find a sworn statement acknowledging the necessity for compliance with the Act. Please execute the contract and return to the Human Resources Department as soon as possible. Also attached are the district procedures for processing/fingerprinting.

We appreciate your assistance in performing these new State law requirements. Should you have any questions regarding the forgoing please do not hesitate to contact our office.

Regards,

Ms. Maria Catro
Human Resources Specialist