Florida Gulf Coast University Board of Trustees
September 18, 2012

SUBJECT: Regulation: FGCU-PR5.006 Employee Criminal Background Checks

PROPOSED BOARD ACTION

Approve amendments to University Regulation FGCU-PR5.006 Employee Criminal Background Checks.

BACKGROUND INFORMATION

This regulation is being modified to require a criminal background check on all current and prospective employees, as well as those volunteers or contractors who may be otherwise required by law to submit to a criminal background check. Additionally, the modified regulation indicates that non-criminal background checks (credit history, job credentials, etc.) may be necessary of those positions designated by Human Resources as positions of special trust and/or responsibility.

Supporting Documentation Included: Notice and Text for Florida Gulf Coast University Regulation Employee Criminal Background Checks (FGCU-PR5.006)

Prepared by: General Counsel Vee Leonard

Legal Review by: N/A

Submitted by: Vice President for Administrative Services and Finance Steve Magiera
REGULATION TITLE:
Employee Criminal Background Checks

REGULATION NO:
FGCU-PR5.006

SUMMARY:
This regulation is being modified to provide for a criminal background check to be completed on all current and prospective employees, as well as those volunteers who will be interacting with minors.

FULL TEXT:
The full text of the regulation being proposed is attached and can also be found at http://www.fgcu.edu/generalcounsel/promulgation.asp

AUTHORITY:
Section 110.1127, Florida Statutes

UNIVERSITY OFFICIAL INITIATING THE PROPOSED REVISED REGULATION:
Assistant Vice President and Director of Human Resources

UNIVERSITY OFFICIAL APPROVING THE PROPOSED REGULATION:
Vice President for Administrative Services and Finance

PERSON TO BE CONTACTED REGARDING THE PROPOSED NEW REGULATION:
Diane St. John, Administrative Assistant, dstjohn@fgcu.edu; 239.590.7466 (Phone), 239.590.7470 (Facsimile); 10501 FGCU Blvd. S, Fort Myers, FL 33965-6565.

ANY COMMENTS REGARDING THE PROPOSED NEW REGULATION SHOULD BE SUBMITTED IN WRITING ON OR BEFORE SEPTEMBER 4, 2012 BY 5:00 P.M. THE COMMENTS MUST IDENTIFY THE REGULATION ON WHICH YOU ARE COMMENTING.

THIS NOTICE WAS POSTED ON THE FGCU WEBSITE ON: AUGUST 17, 2012
Current employees and applicants for certain positions of employment are will be subject to a criminal security and background checks, which may will include, as a condition of employment and continued employment, fingerprinting, as a condition of employment and continued employment. As appropriate, the Assistant Vice President and Director of Human Resources shall will designate the positions which require security and background checks based on the special trust, responsibility or location of the positions, and designate such within each applicable position description.

For the purposes of this rule regulation, security background investigations a criminal background check shall encompass a criminal records check shall include, but not be limited to, employment reference checks, criminal records checks through law enforcement agencies, and fingerprinting for all purposes required by Florida Statutes. Background investigations shall be conducted at the expense of the University.

This regulation excludes employment reference checks or any other type of background check which may be a requirement of the position.

Background checks will be conducted at the expense of the University.

Action by Florida Gulf Coast University Board of Trustees:
Approved: 06/17/08

Law Implemented:
Section 110.1127, Florida Statutes

History of Rule:
New 04/17/97

History of Regulation:
New 06/17/08, Amended

Effective Date of Regulation:
06/17/08