EXECUTIVE OFFICE OF THE GOVERNOR



OFFICE OF THE CHIEF INSPECTOR GENERAL



Enterprise Assessment of the State of Florida's Background Screening Process

Identifying Costs and Opportunities for Efficiencies and Economies

REPORT NUMBER 2013-15

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TABLE OF CONTENTS

EXECUTIVE SUMMARY1
AGENCY BACKGROUND SCREENING ROADMAP6
BACKGROUND SCREENING PRESENTATION
APPENDIX A - EXAMPLE OF MEMORANDUM OF AGREEMENT A-1
APPENDIX B - EXAMPLE OF MEMORANDUM OF UNDERSTANDING B-1
APPENDIX C - QUANTITY OF TRANSACTIONS BY AGENCY C-1
APPENDIX D - SELECT SURVEY DATA: CHARTS/GRAPHS D-1
APPENDIX E – LIST OF STATE-OWNED LIVESCAN DEVICES

EXECUTIVE SUMMARY

In accordance with the State of Florida (State) Inspectors General Enterprise Audit Plan for Fiscal Year 2012-2013, a multi-agency audit team was assembled to conduct an enterprise assessment of the State's background screening process.

The **primary objective** of this project was to identify costs and opportunities for improved efficiencies and economies related to the background screening process and use of background screening devices.

The **scope** of this project was limited to all Level 1 and Level 2 background screenings and re-screenings where payment of the screening was the responsibility of the State (i.e. paid for via State funds). Those screenings included full-time equivalent (FTE) employees, other personal services (OPS) employees, contracted employees, sub-contracted employees, interns, students and volunteers. Background screenings for positions that were paid via other means or reimbursed back to the State were not considered.

DATA GATHERING METHODOLOGY

To achieve the objectives of this project, the project team gathered data, primarily through use of a comprehensive online survey of state agencies. 24 State agencies participated in the survey, with the Offices of Inspectors General at each participating agency overseeing the data collection efforts.

Key data gathered during the project included:

- ✓ quantity and location of all State owned fingerprint devices (known as Livescan devices);
- ✓ number of agencies utilizing other various providers for conducting background screening services;
- ✓ costs associated with Livescan device ownership;
- ✓ cost variances between various service providers;
- ✓ use of Memorandums of Understanding/Agreements (MOUs/MOAs);
- ✓ number of positions classified as sensitive or special trust;
- ✓ frequency of re-screenings; and
- ✓ level of participation in State retention.

In addition, the project team collaborated with key individuals at the Florida Department of Law Enforcement (FDLE) responsible for receiving and processing background screening requests to obtain data and information related to the background screening process.

SUMMARY OF RESULTS

- > Two levels of background screening exists for State employment:
 - ✓ Level 1 screening fees (in-state only) typically cost \$24 per screening (some exceptions exist and criminal justice positions are screened at no cost) and include a name-based check through FDLE and an employment history check but **does not require fingerprinting**.
 - Level 2 screening fees (in-state and national screening through FBI) typically cost \$40.50 (again, with some exceptions and no cost for criminal justice positions) and include the Level 1 requirements in addition to requiring fingerprinting.
- A Level 2 background screening is required for any position designated by an agency as a "position of special trust or responsibility or sensitive location" or deemed as such by law. Most state employment positions have been classified by their employer as fitting this definition.
- Based upon changes made by the Federal Bureau of Investigation (FBI), FDLE now requires all fingerprints to be submitted electronically. Livescan devices are used to electronically capture and transmit fingerprints for background screening purposes.
- Due to federal regulations, state agencies are prohibited from exchanging or sharing criminal history results from background screenings. Thus, each time an individual relocates from one agency to another, a new background screening (including fingerprinting) may be required, even if the individual was recently screened at another agency.
- Of the 24 agencies surveyed, each agency reported falling into one of the following five categories for performing background screening fingerprinting services:
 - ✓ 7 agencies perform all screenings "in-house"
 - ✓ 4 agencies only utilize devices owned by other state agencies
 - ✓ 1 agency only uses a non-State governmental agency
 - ✓ 5 agencies only use private service providers
 - \checkmark 7 agencies use various combinations of the above
- Of the 24 agencies surveyed, 10 agencies own 182 Livescan devices in 53 counties within the State.
- The <u>additional fees</u> associated with using another entity (either another State or governmental entity or a private service provider) to perform Level 2 fingerprinting services range from \$0 to \$44.50. This is in addition to the base fee (typically \$40.50) charged by FDLE.

- Purchasing a Livescan devices ranges in cost from approximately \$14,000 to nearly \$18,000, and possibly more if additional features are added. Furthermore, overall costs for owning equipment increase when maintenance costs and staff salaries are factored in.
- Based upon survey results, it was noted several agencies are using private service providers for some or all of their Level 2 fingerprinting services despite the availability of other State-owned devices or non-State governmental agencies within the same county.
- Several agencies also reported not fully utilizing Memorandums of Understanding/Agreement when acquiring fingerprinting services from another provider.
- 10 of the 24 agencies surveyed reported rescreening employees at a Level 2 rescreening every five years. Some agencies reported a different time span for rescreening while other agencies either rescreen at a Level 1 only or do not rescreen at all.
- A Level 2 rescreening requires the position to be fingerprinted again, with the full cost (in most cases the \$40.50 base fee plus any service provider fees) to be incurred again.
- Fingerprint retention is a way to obtain up-to-date criminal history records on employees without having to wait for a scheduled rescreening. Retention does not involve any of the rescreening methods mentioned above and is seen as an alternative to rescreening.
- State retention of fingerprints is currently available but is primarily used only by agencies required to retain (mostly those with sworn law enforcement personnel). Awareness, costs and limited benefits (only Florida arrest records) are hindering participation.
- Federal retention, also known as the FBI's Next Generation Identification (NGI) Rap Back Program, is slated for implementation in August 2014. This will allow for nationwide (all 50 states) arrest records as well as arrests for some Federal crimes to be reported to participating employers.
- Participation in federal retention will also reduce the need for rescreenings (thus reducing the need in some cases to purchase/own Livescan devices) and reduce personnel costs for tracking and processing rescreenings.
- The FBI will continue to release details of the NGI Rap Back Program as implementation plans progress. However, initial information released suggests costs of this new program could compete favorably with costs

currently incurred through the state retention program as well as Level 2 rescreenings. In addition, the program will provide more comprehensive and up-to-date arrest records than is currently available.

RECOMMENDATIONS

Given the various options available for background screening services and the benefits that could result from the upcoming NGI Rap Back Program, each State agency should re-evaluate current methods utilized for background screening employees. What has taken place historically may no longer be the most feasible or efficient option.

Thus, we **recommend** the following:

- In the short-term, Offices of Inspector General should meet with their agency head and key personnel in their agency responsible for background screening operations to review the information contained in this report to ensure background screenings are conducted in the most economic and efficient manner. Included in the review should be discussions regarding the impact of participation in the NGI Rap Back Program once it becomes available.
- Agencies should continue to maximize the use of any Livescan equipment currently owned until it reaches its end-of-life.
- Where feasible, agencies should consider leveraging Livescan devices currently available through other State or non-State governmental service providers (i.e. law enforcement agencies) rather than purchasing or replacing devices in an effort to contain costs. Any agreements to utilize other State or non-State governmental service providers should be documented through use of a Memorandum of Understanding (MOU) or Memorandum of Agreement (MOA).
- If leveraging the use of devices currently owned by other State and non-State governmental agencies is not feasible, agencies **should** perform a cost-benefit analysis to determine whether purchasing/replacing devices or utilizing private service providers would be the best option.
- In determining whether to invest in any new Livescan device purchases (either first time purchase or replacement purchase), agencies **should** consider how the impact of participation in the NGI Rap Back Program could affect future decisions. This program's added assurances and potential cost savings could affect frequency of screenings and thus eliminate the need to purchase or replace Livescan devices.

- In instances where private service providers are used, agencies should negotiate for the best rate possible. Unless a better rate can be negotiated, each agency should seek providers who will match the \$11.00 rate that was negotiated between the Agency for Health Care Administration and providers for the Care Provider Clearinghouse. (Note: this is the fee charged by providers above the flat fee of \$40.50 typically charged for a Level 2 screening.)
- In the long-term, Offices of Inspector General should consider assisting their agencies in an advisory capacity regarding any efforts to change current background screening practices and/or provide an after-action audit or review of the process once changes are implemented.

Details related to the information provided in this Executive Summary can be found in the enclosed roadmap, presentation and associated appendices.

PROJECT FOLLOW-UP

The project team reserves the right to conduct a follow-up survey of agencies in the future to determine the extent and impact of any changes made to the background screening process at both the enterprise and State-agency level following the release of this report. Any follow-up results will be reported to the Chief Inspector General.

Agency Background Screening Roadmap

NGI Rap Back Program (Federal Retention): Business Implementation *Slated to be implemented in August 2014

Ensure positions are appropriately classified as sensitive.

Determine quantity of positions to retain by ORI code.

Contact FDLE to determine which fee schedule tier(s) are available for your agency.

Review internal background screening policy and identify impacts and potential revisions (e.g. rescreening may be eliminated for retained positions)

If not currently retaining in AFRNP (State Retention), determine whether implementation will be a phased approach based upon rescreening requirements or all positions at once.

Consider future background screening quantity/volume and services utilized (e.g. state owned, non-state entity or private entity) to determine whether leveraging, purchasing or utilizing private service providers will provide the most cost savings in the future.

Leverage State and Non-State Provider

- a. Identify business requirements ✓ Roll fingerprints and transmit to FDLE OR
 - ✓ Roll fingerprints and print fingerprint card, then route to an owned device for scanning and transmission to FDLE
 - ✓ Other?
- **b.** Determine average fingerprinting volume/quantity.
 - ✓ Consider how any future participation in a retention program may impact current volume/quantity
- c. Identify state-owned and non-state owned equipment in the area of need.
- d. Identify applicable service fees.
- e. Perform cost benefit analysis:

Purchase Livescan Device

- a. Identify business requirements and associated device requirements.
 - ✓ Mobile unit?
 - Built-in camera or iris scanner?
 - ✓ Other support equipment?
- b. Identify cost established within the state term contract and price list.
- c. Determine average fingerprinting volume/quantity.
 - Consider how any future participation in a retention program may impact current volume/quantity
- d. Perform cost benefit analysis:

Equipment Cost + (Annual Maintenance * Life of the Equipment) = Annual Cost Life of the Equipment

e. Determine impacts to cost/budget and quantity volume resulting from decision to participate in the NGI Rap **Back Program.**





In 2012, the Executive Office of the Governor's Chief Inspector General (CIG) and agency Offices of Inspectors General performed an Enterprise Risk Assessment and developed an Enterprise Project Plan. Due to the potential risks and opportunities for cost savings to the enterprise, the Background Screening topic was selected as a project.

PRESENTATION OUTLINE

Presentation content includes:

- Objectives, Scope and Methodology
- Background
- Survey Results
- Costs to Purchase and Maintain
- Pros and Cons
- Fingerprint Retention
- Recommendations



Reviewed prior audit reports related to background screening issued from AWI & DCF. Neither audit relates to the objectives of this project.

PROJECT SCOPE

- The project scope was limited to those background screenings where the payment of the screening is the responsibility of the State of Florida - full-time equivalent (FTE) employees, other personal services (OPS) employees, contracted employees, subcontracted employees, interns, students and volunteers.
- The project covered both Level 1 and Level 2 background screenings, as defined in Section 435.03(1), Florida Statutes (F.S.).
- Initial and renewal background screenings were examined.



A survey was distributed to all participating agencies to gather information on various aspects of their background screening process. The team then gathered the information obtained from the survey as well as other relevant information to:

- Identify the quantity of devices owned by the State of Florida;

- Determine if devices are leveraged and shared among city, county and state government entities to contain costs;

- Determine if there are agreements in place in instances of device leveraging;

- Determine the average cost for a state agency to purchase, setup, and maintain a device;

- Identify cost variances among private service providers;
- Evaluate the cost/savings of owning a device vs. utilizing a service provider; and
- Evaluate the cost and benefits of retaining fingerprints.





Section 110.1127, *Florida Statutes (F.S.)*, establishes the criteria for conducting background screening as a condition for employment and continued employment. Each agency designates those positions that, based on the position duties, require background screening. All persons and employees in such positions must undergo employment screening in accordance with Chapter 435, *F.S.*, using Level 1 screening standards, as a condition of employment and continued employment. Also, each agency shall designate those positions that because of the special trust or responsibility or sensitive location, require security background investigations. All persons and employees in such positions must undergo employment screening in accordance with Chapter 435, *F.S.*, using Level 2 screening standards, including fingerprinting, as a condition of employment and continued employment."

Level 1 and Level 2 Background Checks are terms used in Florida Law to convey the method of the criminal history record check and the extent of the data searched. However, the terms may also refer to certain disqualifying offenses if certain statutes are referenced. Level 1 and Level 2 are terms that pertain only to Florida and are not used by the FBI or other states. They are defined in Chapter 435, *F.S.*, but are used elsewhere in statute without definition and appear not to be associated with all provisions in the chapter.



FDLE does not charge fees to register and certify a device. However, there are several steps that must be completed.

-The device must successfully pass the FBI Certification process. In order to be certified, the device must be in compliance with the FBI's Integrated Automated Fingerprint Identification System (IAFIS) Image Quality Specifications (IQS).

- A registration form must be submitted for each device.

- The appropriate data must be submitted from each device into a test system and must pass validation routines administered by FDLE.
- Accepted customers must submit individual registration forms provided by FDLE for each account they will be using.

FDLE EVALUATED SERVICE PROVIDERS/VENDORS

- The following website lists service providers and device vendors who have voluntarily chosen to have their device(s) and electronic fingerprint data submissions evaluated by FDLE to verify compliance with both FDLE and FBI regulations and standards:
 - http://www.fdle.state.fl.us/Content/getdoc/941d4e90-131a-45ef-8af3-3c9d4efefd8e/Livescan-Service-Providers-and-Device-Vendors.aspx
 - This website may also be easily located by searching "FDLE Livescan Service" in your web browser.



28 CFR 50.12 – Exchange of FBI identification records

- (a) "The Federal Bureau of Investigation, hereinafter referred to as the FBI, is authorized to expend funds for the exchange of identification records with officials of federally chartered or insured banking institutions to promote or maintain the security of those institutions and, if authorized by state statute and approved by the Director of the FBI..."
- (b) "The FBI Director is authorized by 28 CFR 0.85(j) to approve procedures relating to the exchange of identification records. Under this authority, effective September 6, 1990, the FBI Criminal Justice Information Services (CJIS) Division has made all data on identification records available for such purposes. Records obtained under this authority may be used solely for the purpose requested and cannot be disseminated outside the receiving departments, related agencies, or other authorized entities. Officials at the governmental institutions and other entities authorized to submit fingerprints and receive FBI identification records under this authority must notify the individuals fingerprinted that the fingerprints will be used to check the criminal history records of the FBI. The officials making the determination of suitability for licensing or employment shall provide the applicants the opportunity to complete, or challenge the accuracy of, the information contained in the FBI identification record..."



The purpose of the Care Provider Background Screening Clearinghouse is to provide a single data source for background screening results of persons required to be screened by law for employment in positions that provide services to children, the elderly and disabled individuals (vulnerable persons).

The Clearinghouse allows results of criminal history checks to be shared among 7 specified agencies when a person has applied to volunteer, be employed, be licensed, or enter into a contact that requires a state and national fingerprint-based criminal history check.

The 7 Florida State Agencies authorized to participate in the Clearinghouse include:

- 1. Agency for Health Care Administration (AHCA)
- 2. Department of Health (DOH)
- 3. Division of Vocational Rehabilitation (DVR)
- 4. Department of Elder Affairs (DOEA)
- 5. Department of Juvenile Justice (DJJ)
- 6. Department of Children and Families (DCF)
- 7. Agency for Persons with Disabilities (APD)

The retention of fingerprints will allow the Florida Department of Law Enforcement (FDLE) to report any new arrest/registration information to the specified state agencies.



Some agencies such as Agriculture and Children & Families have reduced state fees stipulated in statute for certain individuals.







Own devices – do not use any other state agency, non-state agency (local government), or a private provider to perform fingerprinting.



14 of the 24 agencies do not own any Livescan devices



Shows the # of devices owned by county and gives you an idea of how devices are spread geographically throughout the state.

As you can see, currently there are 21 Livescan devices in Leon county and none in several of the counties surrounding it.



Shows the # of agencies using their own devices by county.



Shows the # of agencies using another state agency for fingerprinting.

As you can see, at least 1 agency in every county uses another agency.

For the counties that do not have a device (noted in first map), this map indicates that the agency has their employee travel to another county to be fingerprinted. For example Wakulla county.



Shows the # of agencies using other government entities for fingerprinting (city, or county government or law enforcement).

As you can see, at least 1 agency in every county uses another government entity for fingerprinting.



Shows the # of agencies using private providers for fingerprinting.

If you compare it with the first and second map you see that although for Leon county there are 10 agencies that own a total of 21 devices, 4 agencies are still using private providers for fingerprinting.

Also noted in the survey was one agency stated they use a private service provider in two counties where the agency itself owns a device.



See presentation attachments for examples of MOUs/MOAs that state agencies have executed for background screening services.



INTIAL PURCHASE AND ONGOING MAINTENANCE

- The cost to purchase a device ranges from approximately **\$14,000** to **\$18,000**.
- Additional items (e.g. extra scanners, hand held devices, etc.) can increase these initial costs.
- Maintenance is included for two years.
- After two years, annual maintenance agreements are available from the state-term contract vendor.
- The typical maintenance cost is \$1,620 per year.
 - The costs listed above do not include the additional hardware (desktop/laptop/monitors) and other associated equipment that may be needed to operate the device.





AGENCIES USING THEIR OWN DEVICES PROS AND CONS

When determining whether an agency should continue to own and/or purchase devices, the following should be considered:

- Pros
 - Agency already invested in devices
 - No additional acquisition cost is involved for providing services
 - Fingerprinting can be scheduled at the convenience of the agency
 - Decreased risk of personal/protected information misuse
- Cons
 - Travel expenses when device(s) are dispersed geographically
 - Personnel support demands and expenses should be considered
 - Cost of purchasing devices if not already owned
 - Ongoing maintenance costs
 - Federal retention participation may lessen the quantity/volume of fingerprint screenings, resulting in a need for fewer devices than currently owned

LEVERAGING STATE-OWNED DEVICES (DIFFERENT AGENCIES) PROS AND CONS When leveraging state-owned devices, the following should be considered: · Pros Cost savings compared to using a private service provider • Utilizing existing state owned equipment reduces the need to purchase new equipment Ease of accessibility due to the number of available devices • throughout the state Cons Increased demand on limited state personnel/resources (time and expense) for agencies offering the service Time and effort to establish a Memo of Understanding/Agreement that includes invoicing/payment agreement between agency and transmitting entity Increased possibility of transmittal errors to FDLE due to requirement to change originating (ORI) code for each requesting agency


Authority does not exist that requires law enforcement agencies or criminal justice agencies to own a device.



An increase in the utilization of private service providers by the State of Florida could create competition and result in more competitive fees (e.g. lower costs).





Retention is applied for entities applying for state licenses and other regulatory functions.



The fingerprint based submission may be a Level 1 screening.

10 of 24 agencies rescreen employees using Level 2 procedures every five years. Background screening fees vary for agencies that do not retain fingerprints. Based on survey results, screening costs range from \$40.50-\$68.00 per person (p.p.) for those who rescreen using Level 2 every five years.



RISKS OF NOT PARTICIPATING IN AFRNP

- Crimes committed between periodic employee background rescreening may remain undisclosed.
- Dependence on employees to report a new arrest.
- Risk of negative affects resulting from incidents involving employees who should have been terminated for a new arrest.
- Public scrutiny, unfavorable media attention, or law suits for continuing to employ individuals who were arrested for certain offenses.



All tiers, regardless of term, require periodic validation that the subject of enrollment still maintains a position of trust. Failure to validate will result in the termination of the subject's enrollment.



Tiers available to State of Florida agencies is subject to change as preparation for implementation progresses.



If an agency is currently not participating in AFRNP and is considering the overall benefits of retention... it would be prudent to begin the transition to retention once the NGI Rap Back Program is fully implemented and integrated within FDLE's infrastructure.

This is due to the following considerations:

- Both the State and Federal retention programs require a Level 2 screening upon enrollment (criminal history fees + applicable service provider fees if applicable).
 - <u>State retention still requires a Level 2 rescreening</u> upon the frequency mandated in applicable agency internal policies.
 - <u>Federal retention eliminates the necessity to rescreen</u> as long as the personnel remains in a sensitive position within the same state agency.
 - Overall, the NGI Rap Back Program will provide more benefit at less cost.





Some agencies have contracts with a private service provider to lock-in fees as low as \$11.00 per transaction.

ADMINISTRATIVE EFFICIENCY AND ACCOUNTABILITY RECOMMENDATIONS

- Agencies should consider their current expenditures for background screening in conjunction with the fees and additional benefits provided by the FBI's NGI Rap Back Program and determine if the value justifies the cost.
- Considerations include:
 - The risks of not retaining can leave the employer vulnerable and unaware of new employee arrests.
 - Whereas, the benefits protects the employer, vulnerable populations, property, and the public.
 - Benefits are especially applicable in agencies where Level 2 rescreening is desired, but not fiscally practical.
 - Multi-state criminal history reports will be available once the FBI NGI Rap Back Program is fully integrated within FDLE's infrastructure in the near future.

PROJECT TEAM

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Special thanks to:

- Donna Uzzell (FDLE)
- Timothy Giesecke (FDLE)
- Chris Johnson (FDLE)
- Martha Wright (FDLE)

PROJECT SURVEY PARTICIPANTS Thank you to the following agencies for participating in the project survey:	 Business and Professional Regulation Children and Families Corrections Early Learning Economic Opportunity Education Elder Affairs Emergency Management Environmental Protection Executive Office of the Governor Fish & Wildlife Conservation Commission Florida Lottery Health Health Care Administration Highway Safety and Motor Vehicles Juvenile Justice Law Enforcement Management Services Military Affairs Persons with Disabilities Revenue State
	StateTransportationVeterans' Affairs



LIVESCAN FINGERPRINTING SERVICES AGREEMENT

THIS AGREEMENT Is made and entered Into by and between the State of Florida. Department of ______, and

an agency with headquarters located at

The purpose of this agreement is to obtain the services of the Florida Department of______ to provide Livescan fingerprinting to applicants employed by the above-named agency. In order to successfully complete the Livescan fingerprinting services. The parties agree that:

The requesting Agency will:

- Register with the FDLE, e-Government Criminal History Services in the Civil Workflow Control System (CWCS).
- Provide ______ with the ORI number that is registered in ewes for return of Criminal history results and reverse search hit information. Ensure that only certified officers or the applicants "for the certified positions as described in 943.13, F.S., are sent to ______ for fingerprinting. Agencies will need to make alternate arrangements for personnel that are authorized but not required to be fingerprinted.
- Provide an estimated number of applicants that will be sent to ______ to be fingerprinted in the first year and each year thereafter.
- Contact ______ at _____ to schedule an appointment for each officer to be fingerprinted.

___ will:

- Provide fingerprinting services by appointment only and on a space available basis.
- Run a warrant check on each individual in addition to rolling his/her fingerprints.
- Submit the fingerprints electronically to the FDLE Headquarters for state and national processing.
- Return all results to the ORI provided by the employing criminal justice agency.

Appointments may be made by contacting ______ at the number given above. All applicants to be fingerprinted by ______ must bring with them a valid driver's license and a blank fingerprint card denoting their agency's ORI.

Estimated number of applicants that will be sent to ______ to be fingerprinted in the first year _____.

NAME OF USER AGENCY	
AGENCY HEAD (or authorized person)	
(PLEASE PRINT)	_ TITLE
(SIGNATURE)	_ DATE
(WITNESS)	_ TITLE
FLORIDA DEPARTMENT OF LAW ENFORC	EMENT
BY:(PLEASE PRINT)	_ TITLE
(SIGNATURE)	_ DATE
(WITNESS)	_ TITLE

Department of _____ Memorandum of Understanding Contract Number _____

This Memorandum of Understanding (MOU) is agreed to by and between the Department of ______, State of Florida, (hereinafter referred to as the Department) and the Department of ______, State of Florida, (hereinafter referred to as ______).

Whereas _______ is required under s. ______ to conduct employment screenings as follows; ________ shall require all employees and applicants for employment to undergo personnel screening and security background investigations as provided in chapter 435, using the level 2 standards for screening set forth in that chapter, as a condition of employment and continued employment. All _______ employees and applicants for employment must meet level 2 screening standards as provided in s. 435.04 prior to employment and as a condition of continued employment; and

Whereas ______ has implemented these requirements with the use of a contract with ______; and

Whereas the contract with ______ no longer is providing the background screening services in several locations needed by ______; and

Whereas because of the above conditions _____ wishes to comply with the Statutory requirements for background screenings in a way that is cost affective to the state; and

Whereas ______ has determined the most effective way to conduct the background screenings is with an agreement with the Department; and

Whereas the Department has agreed to provide the background screening services for the division's employees and applicants subject to the terms and conditions of this agreement.

NOW THEREFORE, the Department and ______, for the considerations hereinafter set forth, agree to enter in to an agreement as follows:

<u>SSSSS</u> agrees to provide the following services:

- 1. Accept applications for employment screening from ______ at any of the Department's ______ facilities equipped with fingerprint scanners, for the purpose of scanning applicant fingerprints with the Department's fingerprint scanning equipment or other mutually agreed upon equipment.
- 2. The Department will verify the identity of the ______ applicant by review of the applicant's Florida driver license or state identification and/or related information. No payment is required of the applicant at the time of screening.
- 3. The Department will scan the ______ applicant's fingerprints after identification and transmit the electronic information to the Florida Department of Law Enforcement.
- 4. The Department agrees to provide the information required to ______ for processing payments to the Department by journal transfer.
- 5. The Department reserves the right to refuse to scan any _____applicant at its discretion.

_____ agrees to the following:

- 1. _____agrees to provide any required documentation to the Department for processing of fingerprints.
- 2. ______ agrees to provide all required information to the Department to make any changes required to the fingerprinting scanning equipment.
- 3. ______ agrees to incur the cost for rescanning an applicant if the prints of that applicant have been rejected and require rescanning.

The Department and ______agree to the following:

1. The Department is responsible for the purchasing and/or contracts with the vendor to make any changes to the fingerprint scanning equipment.

Period of Performance: This MOU shall begin on the date of execution and shall terminate_____. The Department's performance and obligations to provide services under this agreement are contingent upon an annual appropriation by the Legislature.

Cancellation: the Department and/or _____ may cancel this contract in the event that it becomes in the Department's or _____ best interest to discontinue this service. A minimum of sixty (60) days written notice shall be provided to the _____ or the Department.

Termination: With the mutual agreement of the Department and _____, this contract may be terminated in writing on an agreed date prior to the end of the contract period without penalty to either party.

Taxes: the Department is an agency of the State of Florida and holds a tax-exempt status.

Indemnification: the Department and ______ liability in negligence or indemnity for acts of its employees or officers will be only as provided under Section 768.28, Florida Statutes.

Contract Modifications: The terms and conditions of this contract may not be modified by either party without prior written agreement by the Department and/or _____.

Reporting and Payments: Each month, the Department will generate a report of all fingerprint scans completed for ______ and charge \$_____ per fingerprint. Payment will be made to ______ after invoicing _____.

Force Majeure; Suspension and Termination: If either party is unable to perform any of its obligations under this Agreement or to enjoy any of its benefits because of (or if loss of the Services is caused by) natural disaster; terrorist act; action or decrees or governmental bodies (other than by Department acting in either its sovereign or contractual capacity); or communication line failure not the fault of the affected party; or any other event beyond the reasonable control of the affected party (each a "Force Majeure Event"), the party who has been so affected shall immediately give notice to the other party and shall do everything possible to resume performance. Neither party shall hold the other liable for damages or failure to perform due to a Force Majeure Event so long as the party who is temporarily unable to perform resumes performance as soon as it is reasonably possible following the Force Majeure Event and the Force Majeure Event does not arise from actions taken by or collusion of the party seeking delay. Upon receipt of such notice, all obligations under this Agreement shall be immediately suspended. If the period of nonperformance exceeds fifteen (15) days from the receipt of notice of the Force Majeure Event, the party whose performance has not been so affected may, by giving written notice, terminate this Agreement.

Contract Manager:	
Contract Manager:	

[Remainder of page intentionally left blank]

IN WITNESS WHEREOF, the parties have executed this Agreement by their duly authorized officers on this day of ______.

Department of	Department of
By: Authorized Signature	By: Authorized Signature
(Print/Type)	(Print/Type)
Title:	Title:
By:	Ву:
Authorized Signature	Authorized Signature
(Print/Type)	(Print/Type)
Title:	Title:

Quantity of FDLE Criminal History Transactions By Agency 2013

	Number of Transactions (3/26/13 – 9/25/13)
	*Excludes CJIS transactions
AGENCY FOR HEALTHCARE ADMINISTRATION	conducted at no cost 179
AGENCY FOR PERSONS WITH DISABILITIES	407
AUDITOR GENERAL	24
BOARD OF GOVERNORS	1
COMMISSION ON ETHICS	0
DEPARTMENT OF AGRICULTURE AND CONSUMER	64
SERVICES	
DEPARTMENT OF BUSINESS AND PROFESSIONAL	8
REGULATION	
DEPARTMENT OF CHILDREN AND FAMILIES	2,646
DEPARTMENT OF ECONOMIC OPPORTUNITY	681
DEPARTMENT OF EDUCATION	207
DEPARTMENT OF ELDER AFFAIRS	72
DEPARTMENT OF ENVIRONMENTAL PROTECTION	123
DEPARTMENT OF FINANCIAL SERVICES	903
DEPARTMENT OF HEALTH	3,310
DEPARTMENT OF HIGHWAY SAFETY AND MOTOR	126
VEHICLES	
DEPARTMENT OF MANAGEMENT SERVICES	592
DEPARTMENT OF MILITARY AFFARIS	2
DEPARTMENT OF REVENUE	380
DEPARTMENT OF STATE	7
DEPARTMENT OF TRANSPORTATION	0
DEPARTMENT OF VETERANS AFFAIRS	0
EXECUTIVE OFFICE OF THE GOVERNOR	91
FISH AND WILDLIFE CONSERVATION COMMISSION	46
FLORIDA LOTTERY	85
FSU/RINGLING MUSEUM OF ART	57
NORTHEAST FLORIDA STATE HOSPITAL	450
NORTHWOOD SHARED RESOURCE CENTER	0
OFFICE OF LEGISLATIVE SERVICES	2
PUBLIC SERVICE COMMISSION	13
SOUTHWOOD SHARED RESOURCE CENTER	0
STATE BOARD OF ADMINISTRATION	35
UNIVERSITY OF FLORIDA	183
UNIVERSITY OF SOUTH FLORIDA	0
Total	10,694



Enterprise Background Screening: Select Survey Data (Charts/Graphs)



Quantity of Agencies Required to Retain Fingerprints at FDLE?





APPENDIX D

Enterprise Background Screening: Select Survey Data (Charts/Graphs)



Quantity of Agencies That Require a Level 1 Upon Hire Without Fingerprints



Enterprise Background Screening: Select Survey Data (Charts/Graphs)



*The following potential survey responses were not selected by any of the survey respondents and are excluded from the pie chart above:

- \$1,001 \$3,000
- \$7,001 \$9,000
- \$13,001 \$15,000

Listing of 182 State-Owned Livescan Devices By County, Agency/Department & Quantity

Florida County	Agency/Department
(Total)	(Total Per Agency/Department)
Alachua (4)	Dept. of Children and Families (1)
	Dept. of Highway Safety and Motor Vehicles (1)
	Agency for Persons with Disabilities (1)
	Dept. of Health (1)
Baker (1)	Dept. of Health
Bay (4)	Dept. of Children and Families (2)
	Dept. of Highway Safety and Motor Vehicles (1)
	Dept. of Health (1)
Bradford (0)	_
Brevard (3)	Dept. of Highway Safety and Motor Vehicles (2)
	Dept. of Health (1)
Broward (7)	Dept. of Children and Families (1)
	Dept. of Highway Safety and Motor Vehicles (5)
	Dept. of Health (1)
Calhoun (0)	_
Charlotte (3)	Dept. of Children and Families (1)
()	Florida Dept. of Law Enforcement (1)
	Dept. of Health (1)
Citrus (3)	Dept. of Children and Families (1)
	Dept. of Highway Safety and Motor Vehicles (1)
	Dept. of Health (1)
Clay (2)	Dept. of Highway Safety and Motor Vehicles (1)
,,,,	Dept. of Health (1)
Collier (3)	Dept. of Children and Families (1)
	Dept. of Health (1)
	Dept. of Highway Safety and Motor Vehicles (1)
Columbia (2)	Dept. of Children and Families (1)
	Dept. of Highway Safety and Motor Vehicles (1)
De Soto (1)	Dept. of Health (1)
Dixie (0)	_
Duval (8)	Dept. of Children and Families (2)
	Florida Dept. of Law Enforcement (1)
	Dept. of Highway Safety and Motor Vehicles (3)
	Dept. of Health (2)
Escambia (3)	Dept. of Children and Families (1)
	Florida Dept. of Law Enforcement (1)
	Dept. of Highway Safety and Motor Vehicles (1)
Flagler (2)	Dept. of Highway Safety and Motor Vehicles (1)
	Dept. of Health (1)
Franklin (0)	
Gadsden (2)	Dept. of Highway Safety and Motor Vehicles (1)
	Dept. of Health (1)
Gilchrist (0)	
Glades (0)	-
Gulf (0)	
Hamilton (0)	-
Hardee (1)	Dept. of Highway Safety and Motor Vehicles (1)
Hendry (2)	Dept. of Children and Families (1)
	Dept. of Highway Safety and Motor Vehicles (1)

Listing of 182 State-Owned Livescan Devices By County, Agency/Department & Quantity

Hernando (3)	Dept. of Children and Families (1)
	Dept. of Highway Safety and Motor Vehicles (1)
	Dept. of Health (1)
Highlands (3)	Dept. of Children and Families (1)
	Dept. of Highway Safety and Motor Vehicles (1)
	Dept. of Health (1)
Hillsborough (5)	Dept. of Children and Families (1)
	Florida Dept. of Law Enforcement (1)
	Dept. of Highway Safety and Motor Vehicles (2)
	Dept. of Health (1)
Holmes (1)	Dept. of Highway Safety and Motor Vehicles (1)
Indian River (2)	Dept. of Highway Safety and Motor Vehicles (1)
	Dept. of Health (1)
Jackson (6)	Dept. of Children and Families (2)
	Dept. of Highway Safety and Motor Vehicles (1)
	Dept. of Corrections (2)
	Agency for Persons with Disabilities (1)
Jefferson (0)	-
Lafayette (0)	-
Lake (4)	Dept. of Children and Families (1)
	Dept. of Highway Safety and Motor Vehicles (2)
	Dept. of Health (1)
Lee (4)	Dept. of Children and Families (1)
	Dept. of Highway Safety and Motor Vehicles (2)
	Dept. of Health (1)
Leon (21)	Dept. of Children and Families (4)
	Dept. of Lottery (1)
	Florida Dept. of Law Enforcement (1)
	Dept. of Highway Safety and Motor Vehicles (7)
	Dept. of Corrections (1)
	Agency for Persons with Disabilities (1)
	Dept. of Management Services (1)
	Dept. of Fish and Wildlife (1)
	Dept. of Health (1)
	Dept. of Juvenile Justice (3)
. (2)	
Levy (3)	Dept. of Highway Safety and Motor Vehicles (3)
Liberty (0)	
Liberty (0) Madison (0)	Dept. of Highway Safety and Motor Vehicles (3) – –
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Liberty (0) Madison (0) Manatee (1) Marion (3)	Dept. of Highway Safety and Motor Vehicles (3) - Dept. of Health (1) Dept. of Children and Families (1) Dept. of Highway Safety and Motor Vehicles (2)
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Liberty (0) Madison (0) Manatee (1) Marion (3) Martin (1)	Dept. of Highway Safety and Motor Vehicles (3) - Dept. of Health (1) Dept. of Children and Families (1) Dept. of Highway Safety and Motor Vehicles (2) Dept. of Highway Safety and Motor Vehicles (1) Dept. of Children and Families (3) Florida Dept. of Law Enforcement (1) Dept. of Highway Safety and Motor Vehicles (8)
Liberty (0) Madison (0) Manatee (1) Marion (3) Martin (1) Miami-Dade (13)	Dept. of Highway Safety and Motor Vehicles (3) - Dept. of Health (1) Dept. of Children and Families (1) Dept. of Highway Safety and Motor Vehicles (2) Dept. of Highway Safety and Motor Vehicles (1) Dept. of Children and Families (3) Florida Dept. of Law Enforcement (1) Dept. of Highway Safety and Motor Vehicles (8) Dept. of Health (1)
Liberty (0) Madison (0) Manatee (1) Marion (3) Martin (1) Miami-Dade (13) Monroe (1)	Dept. of Highway Safety and Motor Vehicles (3) - Dept. of Health (1) Dept. of Children and Families (1) Dept. of Highway Safety and Motor Vehicles (2) Dept. of Highway Safety and Motor Vehicles (1) Dept. of Children and Families (3) Florida Dept. of Law Enforcement (1) Dept. of Highway Safety and Motor Vehicles (8) Dept. of Highway Safety and Motor Vehicles (8) Dept. of Highway Safety and Motor Vehicles (1)
Liberty (0) Madison (0) Manatee (1) Marion (3) Martin (1) Miami-Dade (13) Monroe (1) Nassau (1)	Dept. of Highway Safety and Motor Vehicles (3) - Dept. of Health (1) Dept. of Children and Families (1) Dept. of Highway Safety and Motor Vehicles (2) Dept. of Highway Safety and Motor Vehicles (1) Dept. of Children and Families (3) Florida Dept. of Law Enforcement (1) Dept. of Health (1) Dept. of Children and Families (3) Florida Dept. of Law Enforcement (1) Dept. of Highway Safety and Motor Vehicles (8) Dept. of Health (1) Dept. of Children and Families (1) Dept. of Children and Families (1) Dept. of Highway Safety and Motor Vehicles (1)
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Liberty (0) Madison (0) Manatee (1) Marion (3) Martin (1) Miami-Dade (13) Monroe (1) Nassau (1)	Dept. of Highway Safety and Motor Vehicles (3) - Dept. of Health (1) Dept. of Children and Families (1) Dept. of Highway Safety and Motor Vehicles (2) Dept. of Highway Safety and Motor Vehicles (1) Dept. of Children and Families (3) Florida Dept. of Law Enforcement (1) Dept. of Health (1) Dept. of Children and Families (3) Florida Dept. of Law Enforcement (1) Dept. of Highway Safety and Motor Vehicles (8) Dept. of Health (1) Dept. of Children and Families (1) Dept. of Children and Families (1) Dept. of Highway Safety and Motor Vehicles (1)

Listing of 182 State-Owned Livescan Devices By County, Agency/Department & Quantity

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