

Executive Summary

The School Board of Broward County, Florida (SBBC) entered into an agreement with MorphoTrust USA, LLC to provide a turn-key solution for fingerprinting and badging services for vendors, consultants, contractors, after care workers, student teachers, charter school personnel and constructions workers (non-employees). There is no cost to the District for these services; instead, fees charged for background checks and ID badging are considered income to Morphotrust USA, LLC and a shared portion of the income is provided back to SBBC. Additionally, MorphoTrust USA, LLC collects retention fees that apply to the annual retention of student teacher fingerprint record's for comparison to all incoming Florida arrests for notification to the District. The collected retention fees are paid to the District by MorphoTrust USA, LLC for reimbursement to the Florida Department of Law Enforcement.

This item was originally scheduled for the November 5, 2013, Regular School Board Meeting. The item was withdrawn to address some contractual language.

Section 1012.467, Florida Statute, was amended on July 1, 2013, requiring the Florida Department of Education to create a uniform, statewide identification badge that is to be worn by noninstructional contractors signifying that a contractor has met the screening requirements of this section. Section 1012.467, Florida Statute, addresses noninstructional contractors who are permitted access to school grounds when students are present, whose performance of the contract with the school or School Board is not anticipated to result in direct contact with students, and for whom any unanticipated contact would be infrequent and incidental. Additionally, the statute indicates that the uniform, statewide identification badge be valid for a period of five years as compared to the annual expiration of a contractor badge issued by this District under Section 1012.465, Florida Statute. Both sections, 1012.465 and 1012.467, Florida Statutes govern the background screening of contractors; however, each statute identifies a separate contractor type. Aside from the disqualifying offenses, the difference between the two contractor types is that one contractor is not anticipated to result in direct contact with students, and for whom any unanticipated contact would be infrequent and incidental and the other contractor has direct contact with students or has access to or control of school funds. Finally Section 1012.467, Florida Statute, required the Florida Department of Education to establish a uniform cost that a school district may charge a noninstructional contractor for receipt of the identification badge.

On July 18, 2013, the Florida Department of Education issued a Technical Assistance Paper outlining the specifications and maximum price for the uniform, statewide identification badge. Due to the addition of the uniform, statewide identification badge, maximum allowable fee that can be charged for the identification badge, five-year

validity period of the uniform, statewide identification badge and necessary modifications to the current solution, the pricing structure has been modified to accommodate these changes at no additional cost to the District. However, there is an anticipated annual decrease of approximately \$14,700 in revenue due to an increase of MorphoTrust fees as outlined in the contract. The contract expires on June 30, 2015.

Summary of Changes

Section 2.1 and Attachment A of the Second Amendment to the Agreement is being replaced by Section 2.03 of this Amendment. Please note that the original tiered pricing structure was based on obtaining an annual volume of 20,000 transactions to receive lower pricing. Eliminating the tiered pricing schedule is of no significance based on prior year volumes:

CALENDAR YEAR	VOLUME
2009-2010	5,767
2010-2011	8,558
2011-2012	6,874
2012-2013	9,994

Sections 2.03.1, 2.03.2, 2.03.3, 2.03.4, 2.03.5 and 2.03.6 were added to identify applicant category types and the respective fees associated with processing the applicant types. Section 2.03.7 was added to identify fees associated with a request for additional services beyond the issuance of badges under Category A, B, C, D and E. Section 2.03.7 also authorizes the Chief of Police to approve additional services up to a maximum of \$5,000 and to pay for those services through revenues derived by SBBC from the fees generated under this Agreement. Finally, Section 2.03.7 allows SBBC to fingerprint and photograph applicants covered under this Agreement for exigent circumstances as determined by the sole judgment of SBBC's Chief of Police or his/her designee and during the transition time period for production of the uniform statewide identification badge.

Section 2.03.1 – Category A Applicants – Direct Contact Contractor (FS 1012.465)

This category of applicants will be screened pursuant to Section 1012.465, Florida Statute, and will receive the District's vendor badge. The fees structure associated with this category is being amended from the original Agreement. The specific changes are to the SBBC and MorphoTrust fee as outlined below:

NEW ENROLLMENT (includes fingerprinting) – DISTRICT IDENTIFICATION BADGE					
	MorphoTrust Fee	SBBC Fee	FDLE/FBI Fee	FBI Retention Fee	Total to Applicant
Original Agreement	13.00	14.25	67.25	None	94.50
1 st Amendment	No changes to pricing				
2 nd Amendment	13.00	14.25	64.50	None	91.75
This Agreement	17.35	12.00	64.50	Currently no fee	93.85

ANNUAL RENEWAL – DISTRICT IDENTIFICATION BADGE			
	MorphoTrust Fee	SBBC Fee	Total to Applicant
Original Agreement	19.00	1.00	20.00
1 st Amendment	No changes to pricing		
2 nd Amendment	19.00	1.00	20.00
This Agreement	19.00	1.00	20.00

REPLACEMENT – DISTRICT IDENTIFICATION BADGE			
	MorphoTrust Fee	SBBC Fee	Total to Applicant
Original Agreement	19.00	1.00	20.00
1 st Amendment	No changes to pricing		
2 nd Amendment	19.00	1.00	20.00
This Agreement	10.00	0	10.00

Section 2.03.2 – Category B Applicants – Indirect Contact Contractor (FS 1012.467)

This category of applicants will receive the uniform, statewide identification badge. The maximum allowable fee for badge issuance is \$10. The \$10 fee is identified as a MorphoTrust fee in the contract, with no fees being designated to SBBC.

NEW ENROLLMENT (includes fingerprinting) – STATE IDENTIFICATION BADGE					
	MorphoTrust Fee	SBBC Fee	FDLE/FBI Fee	FBI Retention Fee	Total to Applicant
Original Agreement	N/A	N/A	N/A	None	N/A
1 st Amendment	No changes to pricing				
2 nd Amendment	N/A	N/A	N/A	None	N/A
This Agreement	17.35	12.00	64.50	Currently no fee	93.85

INITIAL ISSUANCE/REPLACEMENT – STATE IDENTIFICATION BADGE			
	MorphoTrust Fee	SBBC Fee	Total to Applicant
Original Agreement	N/A	N/A	N/A
1 st Amendment	No change to pricing		
2 nd Amendment	N/A	N/A	N/A
This Agreement	10.00	0	10.00

Section 2.03.3 - Category C Applicants – Dual Purpose (FS 1012.32)

This category of applicants will be screened pursuant to Section 1012.32, Florida Statute, as they have in the past Agreements and Amendments. The fee structure associated with this category is being amended from the original Agreement. The specific changes are to the SBBC and MorphoTrust fee as outlined below:

NEW ENROLLMENT (includes fingerprinting) – DISTRICT IDENTIFICATION BADGE					
	MorphoTrust Fee	SBBC Fee	FDLE/FBI Fee	FBI Retention Fee	Total to Applicant
Original Agreement	13.00	14.25	49.25	None	76.50
1 st Amendment	No changes to pricing				
2 nd Amendment	13.00	14.25	46.50	None	73.75
This Agreement	18.50	10.00	46.50	Currently no fee	75.00

ANNUAL RENEWAL – DISTRICT IDENTIFICATION BADGE				
	MorphoTrust Fee	SBBC Fee	FDLE Fee	Total to Applicant
Original Agreement	19.00	0	6.00	25.00
1 st Amendment	No changes to pricing			
2 nd Amendment	19.00	0	6.00	25.00
This Agreement	19.00	0	6.00	25.00

REPLACEMENT – DISTRICT IDENTIFICATION BADGE			
	MorphoTrust Fee	SBBC Fee	Total to Applicant
Original Agreement	19.00	1.00	20.00
1 st Amendment	No changes to pricing		
2 nd Amendment	19.00	1.00	20.00
This Agreement	19.00	1.00	20.00

Section 2.03.4 - Category D Applicants – Florida Shared School Results (FSSR) (FS 1012.465)

This category of applicants will be screened pursuant to Section 1012.465, Florida Statute, and will receive the District's vendor badge. The fees structure associated with this category is being amended from the original Agreement. The specific changes are to the SBBC and MorphoTrust fee as outlined below:

NEW ENROLLMENT – DISTRICT IDENTIFICATION BADGE			
	MorphoTrust Fee	SBBC Fee	Total to Applicant
Original Agreement	13.00	7.00	20.00
1 st Amendment	No changes to pricing		
2 nd Amendment	13.00	7.00	20.00
This Agreement	10.00	0	10.00

ANNUAL RENEWAL – DISTRICT IDENTIFICATION BADGE			
	MorphoTrust Fee	SBBC Fee	Total to Applicant
Original agreement	19.00	1.00	20.00
1 st Amendment	No changes to pricing		
2 nd Amendment	19.00	1.00	20.00
This Agreement	19.00	1.00	20.00

REPLACEMENT – DISTRICT IDENTIFICATION BADGE			
	MorphoTrust Fee	SBBC Fee	Total to Applicant
Original agreement	19.00	1.00	20.00
1 st Amendment	No changes to pricing		
2 nd Amendment	19.00	1.00	20.00
This agreement	10.00	0	10.00

Section 2.03.5 - Category E Applicants – Florida Shared School Results (FSSR) (FS 1012.467)

This category of applicants will be screened pursuant to Section 1012.467, Florida Statute and receive the uniform, statewide identification badge. The maximum allowable fee associated with this category type is \$10.00. The \$10.00 fee is identified as a MorphoTrust fee in the contract, with no fees being designated to SBBC. The specific changes are to the SBBC and MorphoTrust fee as outlined below:

NEW ENROLLMENT – STATE IDENTIFICATION BADGE			
	MorphoTrust Fee	SBBC Fee	Total to Applicant
Original Agreement	N/A	N/A	N/A
1 st Amendment	No changes to pricing		
2 nd Amendment	N/A	N/A	N/A
This Agreement	10.00	0	10.00

REPLACEMENT – STATE IDENTIFICATION BADGE			
	MorphoTrust Fee	SBBC Fee	Total to Applicant
Original Agreement	N/A	N/A	N/A
1 st Amendment	No changes to pricing		
2 nd Amendment	N/A	N/A	N/A
This Agreement	10.00	0	10.00

Section 2.03.6 - Category F Applicants – Charter School Personnel (FS 1012.32)

This category of applicants will be screened pursuant to Section, 1012.32 Florida Statute. The second Amendment to the Agreement added this “category” of applicants for processing. There are **no changes to the fees** associated with processing this category.

Section 2.03.7 – Fee for Additional Services

This section authorizes the Chief of Police to approve additional services up to a maximum of \$5,000 and to pay for those services through revenues derived by SBBC from the fees generated under this Agreement. Additionally, this section allows SBBC to fingerprint and photograph applicants covered under this Agreement for exigent circumstances as determined by the sole judgment of the Chief of Police or his/her designee and during the transition period for production of the uniform, statewide identification badge.