



Florida Certification Board Policy Statement Regarding Applicants with Criminal History

The Florida Certification Board is a private, non-profit credentialing agency that evaluates an individual's professional competency and grants recognition only to those candidates who meet specified minimum standards.

One of the multiple components that the FCB evaluates is the applicant's criminal background. The FCB recognizes that some of the very best counselors in health and human services fields are individuals who have achieved and maintained recovery, and wish to "give back" by going into the counseling profession. It is not uncommon for these applicants to have a criminal history for crimes committed in the midst of their addiction, mental illness, or other issue. For this reason, the FCB does not automatically disqualify an applicant with a criminal history from certification eligibility.

Notification Process:

All applicants are required to voluntarily provide their criminal background information by answering the following three questions:

1. Have you ever been convicted of a felony or first degree misdemeanor?
2. Have you ever pled nolo contendere or pled guilty to a crime which is a felony or first degree misdemeanor?
3. Have you ever had the adjudication of guilt withheld for a crime which is a felony or first degree misdemeanor?

If the applicant indicates that he or she has ever met one of the specified criteria, the applicant must provide official documentation indicating that he or she has satisfied all sanctions and is no longer under any court ordered supervision of any kind.

Internal Review and Action Policy:

Upon receipt of the official criminal record, the FCB conducts an initial evaluation, reviewing the record for the following information:

1. Is the candidate still under any form of court-ordered supervision?
 - Yes. The applicant is not eligible for certification until all sanctions are satisfied.
 - No. Continue to next question.
2. Does the record indicate an offense prohibited under s. 435.04, F.S.?
 - Yes. Specify the crime.
 - No. Continue to next question.
3. Is the most recent record 5 years or older?
 - Yes. Forward the file to the Director of Certification for review and action.
 - No. Forward the file to the FCB Board of Directors for review and action.

If it has been 5 years or more since the applicant has been released from supervision, the FCB Director of Certification will review the charges and make a determination as to whether or not the applicant is eligible for certification.

The Director of Certification MAY approve:

1. Any crime not prohibited under s. 435.04, F.S.
2. Any crime that is NOT against persons (possession, petty theft, bad checks, etc).

The Director of Certification MAY NOT approve, regardless of length of time since the applicant has been released from supervision, any crime prohibited under s. 435.04, F.S. that is a crime against persons (for example: murder, kidnapping, rape, domestic violence, crimes against children, etc.)

All applicants who have a criminal background that is not eligible for approval by the Director of Certification will be forwarded to the FCB Board of Directors for review and action. The FCB Board of Directors meets on a quarterly basis.