

1 **5122F Personnel**

2 Applicant Rights and Consent to Fingerprint

3 As an applicant who is the subject of a national fingerprint-based criminal history record check for a noncriminal  
4 justice purpose (such as an application for employment or a license, an immigration or naturalization matter, security  
5 clearance, or adoption), you have certain rights which are discussed below.

- 6 • You must be provided written notification<sup>8</sup> by Great Falls Public Schools that your fingerprints will be used  
7 to check the criminal history records of the FBI.
- 8 • You must be provided, and acknowledge receipt of, an adequate Privacy Act Statement when you submit  
9 your fingerprints and associated personal information. This Privacy Act Statement should explain the  
10 authority for collecting your information and how your information will be used, retained, and shared.
- 11 • If you have a criminal history record, the officials making a determination of your suitability for  
12 employment, license, or other benefit must provide you the opportunity to complete or challenge the  
13 accuracy of the information in the record.
- 14 • The officials must advise you that the procedures for obtaining a change, correction, or updating of your  
15 criminal history record are set forth at Title 28, Code of Federal Regulations (CFR), Section 16.34.
- 16 • If you have a criminal history record, you should be afforded a reasonable amount of time to correct or  
17 complete the record (or decline to do so) before the officials deny you the employment, license, or other  
18 benefit based on information in the criminal history record.<sup>9</sup>

19 You have the right to expect that officials receiving the results of the criminal history record check will use it only for  
20 authorized purposes and will not retain or disseminate it in violation of federal statute, regulation or executive order,  
21 or rule, procedure or standard established by the National Crime Prevention and Privacy Compact Council.<sup>10</sup>

22 If agency policy permits, the officials may provide you with a copy of your FBI criminal history record for review and  
23 possible challenge. If agency policy does not permit it to provide you a copy of the record, you may obtain a copy of  
24 the record by submitting fingerprints and a fee to the FBI. Information regarding this process may be obtained at  
25 <http://www.fbi.gov/about-us/cjis/background-checks>.

26 If you decide to challenge the accuracy or completeness of your FBI criminal history record, you should send your  
27 challenge to the agency that contributed the questioned information to the FBI. Alternatively, you may send your  
28 challenge directly to the FBI at the same address as provided above. The FBI will then forward your challenge to the  
29 agency that contributed the questioned information and request the agency to verify or correct the challenged entry.  
30 Upon receipt of an official communication from that agency, the FBI will make any necessary changes/corrections  
31 to your record in accordance with the information supplied by that agency.

32 If a change, correction, or update needs to be made to a Montana criminal history record, or if you need additional  
33 information or assistance, please contact Montana Criminal Records and Identification Services at  
34 [dojitsdpublicrecords@mt.gov](mailto:dojitsdpublicrecords@mt.gov) or 406-444-3625.

35 Your signature below acknowledges this agency has informed you of your privacy rights for fingerprint-based  
36 background check requests used by the agency.

37 Signed: \_\_\_\_\_

38 Name: \_\_\_\_\_ Date: \_\_\_\_\_

<sup>8</sup> Written notification includes electronic notification, but excludes oral notification.

<sup>9</sup> See 28 CFR 50.12(b).

<sup>10</sup> See 5 U.S.C. 552a(b); 28 U.S.C. 534(b); 42 U.S.C. 14616, Article IV(c); 28 CFR 20.21(c), 20.33(d) and 906.2(d).

1 To \_\_\_\_\_:

2 You have applied for employment with, will be working in a volunteer position with, or will be providing vendor or  
3 contractor services to Great Fall Public Schools for the position of (please be specific) \_\_\_\_\_  
4 \_\_\_\_\_.

5 The National Child Protection Act of 1993 (NCPA), Public Law (Pub. L.) 103-209, as amended by the Volunteers for  
6 Children Act(VCA), Pub. L. 105-251 (Sections 221 and 222 of Crime Identification Technology Act of 1998), codified  
7 at 42 United States Code (U.S.C.) Sections 5119a and 5119c, authorizes a state and national criminal history  
8 background check to determine the fitness of an employee, or volunteer, or a person with unsupervised access to  
9 children, the elderly, or individuals with disabilities.

- 10 1. Provide your name, address, and date of birth, as appears on a document made or issued by or under the
- 11 authority of the United States Government, a State, political subdivision of a State, a foreign government,
- 12 a political subdivision of a foreign government, an international governmental or an international quasi-
- 13 governmental organization which, when completed with information concerning a particular individual, is
- 14 of a type intended or commonly accepted for the purpose of identification of individuals. 18 U.S.C.
- 15 §1028(D)(2).
- 16 2. Provide a certification that you (a) have not been convicted of a crime, (b) are not under indictment for a
- 17 crime, or (c) have been convicted of a crime. If you are under indictment or have been convicted of a crime,
- 18 you must describe the crime and the particulars of the conviction, if any.
- 19 3. Prior to the completion of the background check, the entity may choose to deny you unsupervised access
- 20 to a person to whom the entity provides care.

21 The entity shall access and review State and Federal criminal history records and shall make reasonable efforts to  
22 make a determination whether you have been convicted of, or are under pending indictment for, a crime that bears  
23 upon your fitness and shall convey that determination to the qualified entity. The entity shall make reasonable  
24 efforts to respond to the inquiry within 15 business days.

25 Your Name: \_\_\_\_\_  
26 First Middle Maiden Last

27 Date of Birth: \_\_\_\_\_

28 Address: \_\_\_\_\_  
29 \_\_\_\_\_  
30 City State Zip

31  I have been convicted of, or am under pending indictment for, the following crimes [include the dates,  
32 location/jurisdiction, circumstances and outcome]:

33  I have not been convicted of, nor am I under pending indictment for, any crimes

34  I authorize Montana Department of Justice, Criminal Records and Identification Services Section to disseminate  
35 criminal history record information to Great Falls Public Schools.

36 \_\_\_\_\_  
37 Signature of Applicant Date

38 Policy History:  
39 Adopted on: March 12, 2018

