

12.4 Background Check Forms

Instructions for Using Forms in Criminal and Other Background Checks

When conducting criminal and other background checks for an applicant/employee/volunteer, federal and state law mandates specific disclosures to and authorizations from that person. These are embodied in the forms listed below. Please be sure to insert your legal name in the blank on each form. To ensure your compliance with the law, please take the following steps related to these forms. (For simplicity, the term “applicant” will be used below for applicant, employee or volunteer, as applicable).

To be considered (or to remain) in any position working with children, the applicant will complete an employment or volunteer application. Existing workers need not complete a new application unless required by the manual. In addition, to be considered for such a position (or to remain in that position), the applicant must consent to a background check. Prior to that check, the applicant will be given and return to Foursquare the following two forms, signed and dated:

- **CONSUMER, INVESTIGATIVE, AND DIRECT REPORTS AUTHORIZATION, DISCLOSURE AND RELEASE.** Among other things, this form authorizes Foursquare to use an agency to perform a criminal records check and interview references, or to do these things itself. It also discloses the nature and scope of the reports and certain rights of the applicant, including the right to obtain a copy of the report the agency provides Foursquare. *Note: Though generally* not required to do so, Foursquare’s current policy provides agency reports to all applicants. *(The three exceptions when Foursquare must provide such reports: 1) applicants residing in CA, MN, OK unless waived, 2) agency reports based on personal interviews, 3) reports resulting in adverse action against the applicant).*
- **CONSUMER, INVESTIGATIVE, AND DIRECT REPORTS DISCLOSURE.** This form discloses additional rights of the applicant, including a summary of rights provided by the Federal Trade Commission, and explains certain terminology related to the reports Foursquare may obtain on the applicant. It also lists obligations of Foursquare. *Note: If you use a different background check agency than Foursquare uses, please mark the appropriate box on the form, fill-in the contact information (including a toll free telephone number) and make arrangements to send a copy of the report directly to the applicant as soon as you receive it (for CA residents, it must be sent within 3 business days of your receipt; 5 days elsewhere). Some agencies will do this, if requested.*

If an applicant is a *California resident*, he/she must also be given and return a third form, signed and dated:

- **CONSUMER, INVESTIGATIVE, AND DIRECT REPORTS DISCLOSURE – CALIFORNIA ADDENDUM.** This form discloses certain rights of the applicant and obligations of Foursquare specific to California. Some are redundant with the forms above. *See note above.*

Finally, if you take any adverse action (decline to accept, discharge or reassign the applicant, etc.) based on a report you receive from the agency performing the check, you must communicate the information contained in the sample letter below to the applicant. It is recommended this be done either by delivering the letter to the applicant personally (and retaining an acknowledged copy) or mailing the letter to the applicant (preferably by certified mail). If you take adverse action based on a report of a public record you obtained yourself (not through the agency), you must promptly provide that report/record (not the letter) to the applicant.

- **ADVERSE ACTION NOTICE LETTER.** Among other things, this notifies the applicant you have taken adverse action based on an agency report you received and provides the applicant rights to dispute the information in the report.

Please review these forms and the letter carefully, since in addition to setting forth the applicant’s rights, they set forth some of your obligations.

Background Check Forms, Cont.

Consumer, Investigative, and Direct Reports Authorization, Disclosure and Release

Name		Social Security no.		Date of birth (mm/dd/yyyy)*	
Street address			City		State
					Zip Code
Driver's license no.	State of issuance	Any other names used			

By signing below, I hereby voluntarily authorize International Church of the Foursquare Gospel d/b/a _____ (legal name and code number of church, school, camp) ("Foursquare") to obtain "consumer reports" and "investigative consumer reports" about me from a "consumer reporting agency," and reports Foursquare may obtain directly, and to consider these reports when making decisions regarding my employment/volunteer position or potential position with Foursquare. The nature and scope of these reports are as follows. They may contain information on my character, general reputation, personal characteristics, and mode of living. They may also include, among other things, checks, records and/or information regarding: my criminal convictions (including, without limit, court, sex offender, incarceration and DMV records), social security number, current and prior employer(s)/supervisor(s) and/or references I provided, coworkers, neighbors, friends, associates or acquaintances, and verification of college degrees and professional licenses or certifications.

I understand that I have rights under the Fair Credit Reporting Act (and the California Investigative Consumer Reporting Agencies Act and other California law for California residents, the Government Data Practices for Minnesota residents, the Credit Services Organization Act for Oklahoma residents, the equivalent New York FCRA for New York residents, and the equivalent Maine FCRA for Maine residents) including the rights discussed in the separate disclosure statement(s) provided to me.

I authorize any governmental entity, law enforcement agency, institution, information service bureau, school, employer, supervisor, reference, or other person contacted by Church Volunteer Central (or other selected agency) or Foursquare, or their agents or volunteers, to furnish the information described herein.

I release and discharge from liability all persons, agencies, and entities providing the above information or reports about me to Church Volunteer Central (or other selected agency) and/or Foursquare. To the fullest extent permitted by law, I further release and discharge Foursquare and Church Volunteer Central (or other selected agency), and their agents, employees and volunteers, from any claims, damages, losses, liabilities, costs and/or expense arising from the retrieving and/or reporting of said information, including any consumer report or investigative consumer report.

I acknowledge a copy or telephonic facsimile of this document shall be valid as the original. If I am presently a resident of Maine or New York, I have reviewed the additional state law disclosure information attached.

Signature	Date

If you would like a copy of any investigative consumer report sent to you at your address listed above, please check the box below.

- Yes, I would like to receive a copy of any investigative consumer report which may be obtained on me by a consumer reporting agency.
- If you would like to receive a copy via email, please provide your email address.

Your date of birth is requested to verify the information obtained is about you and not someone with the same or a similar name. It will not be used for employment purposes.

Consumer, Investigative, And Direct Reports Disclosure

To be Completed by Staff

Check the investigative consumer reporting agency below that will be used to conduct the background investigation prior to giving to candidate.

Church Volunteer Central, 1515 Cascade Ave., Loveland, CO 80539; 800-267-9040

If using another agency, check and fill-in complete name, address, city, state, zip code and toll free telephone number.

To be Signed and Dated by Applicant

International Church of the Foursquare Gospel d/b/a _____ (legal name and code number of church, school, camp), when making a final decision whether to offer you employment or a volunteer position, when deciding whether to continue your employment or volunteer position (if you are accepted), and when making other employment/ volunteer related decisions directly affecting you, may wish to obtain and use a “consumer report” and/or an “investigative consumer report” from the consumer reporting agency listed above, or Foursquare may conduct its own investigation and obtain a direct report.

The terms “consumer report” and “investigative consumer report” are defined in the federal Fair Credit Reporting Act (“FCRA”), which applies to you. As an applicant for employment or as an employee of Foursquare, you are a “consumer” with rights under the FCRA.

A “consumer reporting agency” is a person or business that, for monetary fees, dues or on a cooperative nonprofit basis, regularly assembles or evaluates consumer credit information or other information on consumers for the purpose of furnishing “consumer reports” to others, such as Foursquare.

A “consumer report” is any written, oral or other communication of any information by a “consumer reporting agency” bearing on a consumer’s credit worthiness, credit standing, credit capacity, character, general reputation, personal characteristics or mode of living which is used or collected for the purpose of serving as a factor in establishing the consumer’s eligibility for employment or volunteer purposes.

An “investigative consumer report” is a consumer report or portion thereof in which information on a consumer’s character, general reputation, personal characteristics, or mode of living is obtained through personal interviews with neighbors, friends, or associates of the consumer reported on or with others with whom he is acquainted or who may have knowledge concerning any such items of information. The Fair Credit Reporting Act provides you with the right to request, in writing within a reasonable amount of time, a disclosure of the nature and scope of the investigation requested (you can find disclosure of the nature and scope of the investigation in the separate form, “Consumer, Investigative, And Direct Reports Authorization, Disclosure And Release”, you received with this Disclosure). You are also entitled to a written summary of your rights under the Fair Credit Reporting Act (enclosed) as prepared by the Federal Trade Commission. Keep the attached pages for future reference.

If Foursquare obtains a “consumer report” or “investigative consumer report” about you, and if Foursquare considers any information in the “consumer report” or “investigative consumer report” when making an employment/volunteer related decision that directly and adversely affects you, you will be provided with a copy of the “consumer report” before the decision is finalized. You also may contact the Federal Trade Commission about your rights under the FCRA as a “consumer” with regard to “consumer reports,” “investigative consumer reports” and “consumer reporting agencies.”

If Foursquare obtains a direct report of public record information about you and considers it when making an employment/volunteer related decision that directly and adversely affects you, you will be provided a copy of the report/record unless you waive it, except for California residents, who will be provided a copy whether or not they waive it.

Please sign and date below to signify your receipt of this Disclosure, including the FCRA summary of rights.

Signature	Date
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CALIFORNIA RESIDENTS ONLY: Complete this form and the form “Consumer, Investigative, and Direct Reports Disclosure – California Addendum.”