

Community College *of* Philadelphia

DISCLOSURE AND AUTHORIZATION FORM

FOR ALL EMPLOYMENT CANDIDATES (REGARDLESS OF LOCATION):

[] By checking this box, I certify that I have read and understand the entire Disclosure and Authorization Form and agree to the background investigation(s) as described.

I understand that if I want a paper copy of this Disclosure and Authorization Form, I may print it or request a copy by calling HR Plus (888-538-1969).

I agree that a facsimile ("fax"), electronic or photographic copy of this authorization shall be as valid as the original.

Last Name _____ First _____ Middle _____

Other Names/Alias _____

Social Security # _____

Date of Birth (for ID purposes only)* _____

Drivers License # _____

Phone Number _____

E-Mail Address _____

Present Address _____

City/State/Zip _____

***This information will be used for background screening purposes only and will not be used as hiring criteria.**

PLEASE NOTE: Employers who have 10 or more employees in the City limits of Philadelphia should remove the criminal history question from their employment application and only ask it after an interview is conducted, unless they are exempt from the provisions of the Philadelphia Fair Criminal Record Screening Standards Ordinance.

Have you been convicted of, or plead guilty or plead no contest to, a crime? *(SEE IMPORTANT EXCEPTIONS TO THIS QUESTION BELOW) ☐ yes ☐ no

You do not need to identify any arrest that did not result in conviction or violations, or infractions. You do not need to identify any convictions that have been legally sealed, expunged, pardoned, annulled, impounded or otherwise statutorily eradicated, or which state law allows you to lawfully deny as set forth below and can respond to this question without reference to any such conviction.

If **yes**, please explain:

A conviction will not necessarily disqualify you from employment and will be considered only as it may relate to the job you are seeking. This information will only be used for job-related purposes consistent with applicable law and is only relevant in determining whether the conviction is related to the job for which you are applying. Factors such as age at the time of the offense(s), recentness of the offense(s), seriousness of the offense(s), nature of the violation(s), its relation, if any, to the job you are seeking, and rehabilitation will be taken into account. Failure to honestly answer these questions will result in discontinued consideration of your application or termination of employment.

Signature: _____ Date: _____

HR Plus Fax Number: 773-693-1034

For candidates in the state of California:

You are not required to disclose any misdemeanor convictions for the possession of marijuana (except for convictions for the possession of marijuana on school grounds or possession of concentrated cannabis), possession of paraphernalia for using marijuana, and presence in a location where marijuana is being used that are more than two (2) years old, or felony marijuana convictions under California Health and Safety Code Section 11360 (c) which occurred prior to 1976. In addition, you are not required to disclose any misdemeanor convictions for which probation has been successfully completed or otherwise discharged and the case has been judicially dismissed. You are also not required to disclose any information concerning a referral to, and participation in, any pretrial or post trial diversion program.

For candidates in the state of Connecticut:

You are not required to disclose the existence of any arrest, criminal charge, or conviction, the records of which have been erased or are subject to being erased. Arrests, criminal charges, or convictions subject to erasure are records pertaining to a finding of delinquency, or that a child was a member of a family with service needs, an adjudication as a youthful offender, a criminal charge that has been dismissed or nolle, a criminal charge for which the person has been found not guilty or a conviction for which the person has received an absolute pardon. Any candidate whose criminal records have been erased shall be deemed never to have been arrested and need not disclose the arrests associated with those records.

For candidates in the state of Hawaii: Do not respond to this question until you have been given a conditional offer of employment.

For candidates in the state of Kentucky: You are not required to respond "Yes" based upon any misdemeanor conviction where the date of conviction was more than five years ago.

For candidates in the state of Massachusetts: **DO NOT ANSWER THIS QUESTION UNTIL YOU HAVE HAD AN INTERVIEW WITH THE COLLEGE.** Massachusetts law prohibits employers from making inquiries regarding candidates' criminal history information in an initial written application form. You may be required to provide some criminal history information later in the hiring process.

For candidates in the state of Washington: You are not required to list convictions that occurred over ten years ago.

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[IMPORTANT -- PLEASE READ CAREFULLY BEFORE SIGNING AUTHORIZATION]

1. DISCLOSURE REGARDING BACKGROUND INVESTIGATION

FOR ALL EMPLOYMENT CANDIDATES (REGARDLESS OF LOCATION):

To the extent permitted by applicable local law:

Community College of Philadelphia (College) may obtain information about you from a consumer reporting agency/background Investigation Company for employment purposes. Thus, you may be the subject of a background investigation report, a "consumer report" and/or an "investigative consumer report" which may include information about your character, general reputation, personal characteristics, and/or mode of living, and which can involve personal interviews with sources such as your neighbors, friends, or associates. These reports may be obtained at any time after receipt of your authorization and, if you are hired, throughout your employment. These reports may include information regarding your credit history, criminal history, social security and other government program verification (including any worker's compensation filings to the extent allowable by law), motor vehicle and/or driving records, education and employment. Credit history will only be requested where such information is substantially related to the duties and responsibilities of the position for which you are applying. You have the right, upon written request made within a reasonable time after receipt of this notice, to request disclosure of the nature and scope of any background investigation report and/or investigative consumer report requested. Please be advised that the nature and scope of the most common form of background investigation reports and investigative consumer reports obtained with regard to applicants for employment is an investigation into your education and/or employment history conducted by HR Plus, 8745 West Higgins, Chicago, IL 60631, and Phone: 888-538-1969 ("HR Plus") or its agents. However, the scope of this Disclosure and Authorization Form is all-encompassing, allowing the College to obtain from HR Plus all manner of background investigation reports, consumer reports and investigative consumer reports about you now and, if you are hired, throughout the course of your employment to the extent permitted by applicable local law. As a result, you should carefully consider whether to exercise your right to request disclosure of the nature and scope of any background investigation report and/or investigative consumer report.

FOR EMPLOYMENT CANDIDATES IN THE UNITED STATES (INCLUDING CALIFORNIA):

By signing below you certify that you have read the attached Federal Summary Of Your Rights Under The Fair Credit Reporting Act.

California candidates and employees: By signing below you certify that you have read the attached Notice Regarding Background Investigation Pursuant to California Law. By signing below, you also acknowledge receipt of the Notice Regarding Background Investigation Pursuant to California Law.

[] Please check this box if you would like to receive a copy of an investigative consumer report or consumer credit report if one is obtained by the College at no charge whenever you have a right to receive such a copy under California law.

Minnesota and Oklahoma candidates and employees: You have the right, upon written request, to request disclosure of the nature and scope of any consumer report requested by the College by contacting HR Plus directly.

[] Please check this box if you would like to receive, at no charge, a copy of any consumer report or investigative consumer report if one is obtained by the College.

Maine, Massachusetts, and New Jersey candidates and employees: You have the right to inspect and receive a copy of any investigative consumer report requested by the College by contacting HR Plus directly. You may also contact the College to request the name, address and telephone number of the nearest unit of the consumer reporting agency designated to handle inquiries, which the College shall provide within 5 days.

New York candidates and employees: By signing below you certify that you have read the attached copy of Article 23-A of the New York Correction Law. You have the right to inspect and receive a copy of any investigative consumer report requested by the College by contacting HR Plus directly.

Washington candidates and employees: You have the right, upon written request made within a reasonable time after receipt of this notice, to request disclosure of the nature and scope of any investigative consumer report requested. You also have the right to request a written summary of consumer's rights and remedies under Washington's Fair Credit Reporting Act.

2. AUTHORIZATION

FOR EMPLOYMENT CANDIDATES IN THE UNITED STATES (INCLUDING CALIFORNIA):

I acknowledge receipt of the Disclosure Regarding Background Investigation and the Federal Summary of Your Rights under the Fair Credit Reporting Act and certify that I have read and understand both documents. I hereby authorize the obtaining of "consumer reports" and/or "investigative consumer reports" by the College at any time after receipt of this authorization and, if I am hired, throughout my employment. To this end, I hereby authorize, without reservation, any law enforcement agency, administrator, state or federal agency, institution, school or university (public or private), information service bureau, employer, or insurance company to furnish any and all background information requested by HR Plus, 8745 West Higgins, Chicago, IL 60631, and Phone: 888-538-1969.

FOR EMPLOYMENT CANDIDATES OUTSIDE THE UNITED STATES:

I acknowledge receipt of, and certify that I have read and understand, the Disclosure Regarding Background Investigation. I hereby authorize, to the extent permitted by applicable local law, the obtaining of background investigation reports by the College at any time after receipt of this authorization and, if I am hired, throughout my employment. To this end, I hereby authorize, without reservation, any: law enforcement authority; government agency or administrator; state, federal or provincial agency; private or public institution, school or university; information service bureau; employer or other organization for which I have performed work; or insurance company, to furnish any and all background information requested by HR Plus, 8745 West Higgins, Chicago, IL 60631, and Phone: 888-538-1969 ("HR Plus") or any of its agents.

I understand and agree that as part of the background investigations described above, my personally identifiable data ("PII") may be transferred outside of the country in which it was collected, including to a country that may not be approved by the European Commission as adequately protecting PII. I expressly agree to the transfer of my PII from the country in which it was collected to all of the following:

- (a) HR Plus. HR Plus has verified compliance with the United States Department of Commerce's Safe Harbor program for the protection of PII from the EEA and Switzerland to the United States ("Safe Harbor").
- (b) Any of HR Plus' agents, wherever located, that commit to protecting PII to standards equal to or greater than those imposed by Safe Harbor.
- (c) The College, Main Campus location.

Para informacion en espanol, visite www.ftc.gov/credit o escribe a la FTC Consumer Response Center, Room 130-A 600 Pennsylvania Ave. N.W., Washington, D.C. 20580.

A Summary of Your Rights under the Fair Credit Reporting Act

The federal Fair Credit Reporting Act (FCRA) promotes the accuracy, fairness, and privacy of information in the files of consumer reporting agencies. There are many types of consumer reporting agencies, including credit bureaus and specialty agencies (such as agencies that sell information about check writing histories, medical records, and rental history records). Here is a summary of your major rights under the FCRA. **For more information, including information about additional rights, go to www.ftc.gov/credit or write to: Consumer Response Center, Room 130-A, Federal Trade Commission, 600 Pennsylvania Ave. N.W., Washington, D.C. 20580.**

- **You must be told if information in your file has been used against you.** Anyone who uses a credit report or another type of consumer report to deny your application for credit, insurance, or employment – or to take another adverse action against you – must tell you, and must give you the name, address, and phone number of the agency that provided the information.
- **You have the right to know what is in your file.** You may request and obtain all the information about you in the files of a consumer reporting agency (your “file disclosure”). You will be required to provide proper identification, which may include your Social Security number. In many cases, the disclosure will be free. You are entitled to a free file disclosure if:
 - a person has taken adverse action against you because of information in your credit report;
 - you are the victim of identity theft and place a fraud alert in your file;
 - your file contains inaccurate information as a result of fraud;
 - you are on public assistance;
 - you are unemployed but expect to apply for employment within 60 days.

In addition, by September 2005 all consumers will be entitled to one free disclosure every 12 months upon request from each nationwide credit bureau and from nationwide specialty consumer reporting agencies. See www.ftc.gov/credit for additional information.

- **You have the right to ask for a credit score.** Credit scores are numerical summaries of your credit-worthiness based on information from credit bureaus. You may request a credit score from consumer reporting agencies that create scores or distribute scores used in residential real property loans, but you will have to pay for it. In some mortgage transactions, you will receive credit score information for free from the mortgage lender.
- **You have the right to dispute incomplete or inaccurate information.** If you identify information in your file that is incomplete or inaccurate, and report it to the consumer reporting agency, the agency must investigate unless your dispute is frivolous. See www.ftc.gov/credit for an explanation of dispute procedures.
- **Consumer reporting agencies must correct or delete inaccurate, incomplete, or unverifiable information.** Inaccurate, incomplete or unverifiable information must be removed or corrected, usually within 30 days. However, a consumer reporting agency may continue to report information it has verified as accurate.
- **Consumer reporting agencies may not report outdated negative information.** In most cases, a consumer reporting agency may not report negative information that is more than seven years old, or bankruptcies that are more than 10 years old.
- **Access to your file is limited.** A consumer reporting agency may provide information about you only to people with a valid need -- usually to consider an application with a creditor, insurer, employer, landlord, or other business. The FCRA specifies those with a valid need for access.
- **You must give your consent for reports to be provided to employers.** A consumer reporting agency may not give out information about you to your employer, or a potential employer, without your written consent given to the employer. Written consent generally is not required in the trucking industry. For more information, go to www.ftc.gov/credit.

- **You may limit “prescreened” offers of credit and insurance you get based on information in your credit report.** Unsolicited “prescreened” offers for credit and insurance must include a toll-free phone number you can call if you choose to remove your name and address from the lists these offers are based on. You may opt-out with the nationwide credit bureaus at 1-888-567-8688.

- **You may seek damages from violators.** If a consumer reporting agency, or, in some cases, a user of consumer reports or a furnisher of information to a consumer reporting agency violates the FCRA, you may be able to sue in state or federal court.

- **Identity theft victims and active duty military personnel have additional rights.** For more information, visit www.ftc.gov/credit.

States may enforce the FCRA, and many states have their own consumer reporting laws. In some cases, you may have more rights under state law. For more information, contact your state or local consumer protection agency or your state Attorney General. Federal enforcers are:

TYPE OF BUSINESS:	CONTACT:
Consumer reporting agencies, creditors and others not listed below	Federal Trade Commission: Consumer Response Center - FCRA Washington, DC 20580 1-877-382-4357
National banks, federal branches/agencies of foreign banks (word "National" or initials "N.A." appear in or after bank's name)	Office of the Comptroller of the Currency Compliance Management, Mail Stop 6-6 Washington, DC 20219 800-613-6743
Federal Reserve System member banks (except national banks, and federal branches/agencies of foreign banks)	Federal Reserve Consumer Help (FRCH) P O Box 1200 Minneapolis, MN 55480 Telephone: 888-851-1920 Website Address: www.federalreserveconsumerhelp.gov Email Address: ConsumerHelp@FederalReserve.gov
Savings associations and federally chartered savings banks (word "Federal" or initials "F.S.B." appear in federal institution's name)	Office of Thrift Supervision Consumer Complaints Washington, DC 20552 800-842-6929
Federal credit unions (words "Federal Credit Union" appear in institution's name)	National Credit Union Administration 1775 Duke Street Alexandria, VA 22314 703-519-4600
State-chartered banks that are not members of the Federal Reserve System	Federal Deposit Insurance Corporation Consumer Response Center, 2345 Grand Avenue, Suite 100 Kansas City, Missouri 64108-2638 1-877-275-3342
Air, surface, or rail common carriers regulated by former Civil Aeronautics Board or Interstate Commerce Commission	Department of Transportation , Office of Financial Management Washington, DC 20590 202-366-1306
Activities subject to the Packers and Stockyards Act, 1921	Department of Agriculture Office of Deputy Administrator - GIPSA Washington, DC 20250 202-720-7051

NOTICE REGARDING BACKGROUND INVESTIGATION PURSUANT TO CALIFORNIA LAW

Under *California Civil Code section 1786.22*, you are entitled to find out from an Investigative Consumer Reporting Agency ("ICRA") what is in the ICRA's file on you with proper identification, as follows:

- In person, by visual inspection of your file during normal business hours and on reasonable notice. You also may request a copy of the information in person. The ICRA may not charge you more than the actual copying costs for providing you with a copy of your file.
- A summary of all information contained in the ICRA's file on you that is required to be provided by the California Civil Code will be provided to you via telephone, if you have made a written request, with proper identification, for telephone disclosure, and the toll charge, if any, for the telephone call is prepaid by or charged directly to you.
- By requesting a copy to be sent to a specified addressee by certified mail. ICRA's complying with requests for certified mailings shall not be liable for disclosures to third parties caused by mishandling of mail after such mailings leave the ICRA's.

"Proper Identification" includes documents such as a valid driver's license, social security account number, military identification card, and credit cards. Only if you cannot identify yourself with such information may the ICRA require additional information concerning your employment and personal or family history in order to verify your identity. The ICRA will provide trained personnel to explain any information furnished to you and will provide a written explanation of any coded information contained in files maintained on you. This written explanation will be provided whenever a file is provided to you for visual inspection.

You may be accompanied by one other person of your choosing, who must furnish reasonable identification. An ICRA may require you to furnish a written statement granting permission to the ICRA to discuss your file in such person's presence.

All items of information in the ICRA's file shall be available for inspection, except that the sources of information acquired solely for use in preparing an investigative consumer report and actually used for no other purpose will not be disclosed. Upon your request, the ICRA will also disclose the name, address and telephone number of any recipients of an investigative consumer report about you that the ICRA has furnished within the three-year period preceding the request. The ICRA will also disclose the dates, original payees, and amounts of any checks or charges upon which is based any adverse characterization of you, included in the file at the time of the disclosure.

The ICRA may charge you a fee up to \$8 for the disclosure and must notify you of any fee prior to the disclosure. The ICRA may not impose a fee for providing you with a revised report after a reinvestigation of disputed information. You have the right to request that an ICRA provide the above information to you once during any 12-month period without charge if you certify in writing that you: (1) are unemployed and intend to apply for employment in the 60-day period beginning on the date the certification is made, (2) are a recipient of public welfare assistance, or (3) have reason to believe that the file on the you at the investigative consumer reporting agency contains inaccurate information due to fraud.

**NEW YORK CORRECTION LAW
ARTICLE 23-A**

**LICENSURE AND EMPLOYMENT OF PERSONS PREVIOUSLY
CONVICTED OF ONE OR MORE CRIMINAL OFFENSES**

Section 750. Definitions.

Section 751. Applicability.

Section 752. Unfair discrimination against persons previously convicted of one or more criminal offenses prohibited.

Section 753. Factors to be considered concerning a previous criminal conviction; presumption.

Section 754. Written statement upon denial of license or employment.

Section 755. Enforcement.

§750. Definitions. For the purposes of this article, the following terms shall have the following meanings:

- (1) "Public agency" means the state or any local subdivision thereof, or any state or local department, agency, board or commission.
- (2) "Private employer" means any person, College, corporation, labor organization or association which employs ten or more persons.
- (3) "Direct relationship" means that the nature of criminal conduct for which the person was convicted has a direct bearing on his fitness or ability to perform one or more of the duties or responsibilities necessarily related to the license, opportunity, or job in question.
- (4) "License" means any certificate, license, permit or grant of permission required by the laws of this state, its political subdivisions or instrumentalities as a condition for the lawful practice of any occupation, employment, trade, vocation, business, or profession. Provided, however, that "license" shall not, for the purposes of this article, include any license or permit to own, possess, carry, or fire any explosive, pistol, handgun, rifle, shotgun, or other firearm.
- (5) "Employment" means any occupation, vocation or employment, or any form of vocational or educational training. Provided, however, that "employment" shall not, for the purposes of this article, include membership in any law enforcement agency.

§751. Applicability. The provisions of this article shall apply to any application by any person for a license or employment at any public or private employer, who has previously been convicted of one or more criminal offenses in this state or in any other jurisdiction, and to any license or employment held by any person whose conviction of one or more criminal offenses in this state or in any other jurisdiction preceded such employment or granting of a license, except where a mandatory forfeiture, disability or bar to employment is imposed by law, and has not been removed by an executive pardon, certificate of relief from disabilities or certificate of good conduct. Nothing in this article shall be construed to affect any right an employer may have with respect to an intentional misrepresentation in connection with an application for employment made by a prospective employee or previously made by a current employee.

§752. Unfair discrimination against persons previously convicted of one or more criminal offenses prohibited. No application for any license or employment, and no employment or license held by an individual, to which the provisions of this article are applicable, shall be denied or acted upon adversely by reason of the individual's having been previously convicted of one or more criminal offenses, or by reason of a finding of lack of "good moral character" when such finding is based upon the fact that the individual has previously been convicted of one or more criminal offenses, unless:

- (1) There is a direct relationship between one or more of the previous criminal offenses and the specific license or employment sought or held by the individual; or
- (2) The issuance or continuation of the license or the granting or continuation of the employment would involve an unreasonable risk to property or to the safety or welfare of specific individuals or the general public.

§753. Factors to be considered concerning a previous criminal conviction; presumption. 1. In making a determination pursuant to section seven hundred fifty-two of this chapter, the public agency or private employer shall consider the following factors:

- (a) The public policy of this state, as expressed in this act, to encourage the licensure and employment of persons previously convicted of one or more criminal offenses.
 - (b) The specific duties and responsibilities necessarily related to the license or employment sought or held by the person.
 - (c) The bearing, if any, the criminal offense or offenses for which the person was previously convicted will have on his fitness or ability to perform one or more such duties or responsibilities.
 - (d) The time which has elapsed since the occurrence of the criminal offense or offenses.
 - (e) The age of the person at the time of occurrence of the criminal offense or offenses.
 - (f) The seriousness of the offense or offenses.
 - (g) Any information produced by the person, or produced on his behalf, in regard to his rehabilitation and good conduct.
 - (h) The legitimate interest of the public agency or private employer in protecting property, and the safety and welfare of specific individuals or the general public.
2. In making a determination pursuant to section seven hundred fifty-two of this chapter, the public agency or private employer shall also give consideration to a certificate of relief from disabilities or a certificate of good conduct issued to the applicant, which certificate shall create a presumption of rehabilitation in regard to the offense or offenses specified therein.

§754. Written statement upon denial of license or employment. At the request of any person previously convicted of one or more criminal offenses who has been denied a license or employment, a public agency or private employer shall provide, within thirty days of a request, a written statement setting forth the reasons for such denial.

§755. Enforcement. 1. In relation to actions by public agencies, the provisions of this article shall be enforceable by a proceeding brought pursuant to article seventy-eight of the civil practice law and rules.

2. In relation to actions by private employers, the provisions of this article shall be enforceable by the division of human rights pursuant to the powers and procedures set forth in article fifteen of the executive law, and, concurrently, by the New York city commission on human rights.