



EDUCATOR PREPARATION PROGRAM

Teachers as Innovators

**Lane College Education Preparation Program
Procedures for Background Checks and Fingerprinting**

**ALL STUDENTS WHO WILL BE ENROLLED IN A FIELD
OR CLINICAL EXPERIENCE MUST SUBMIT TO A
CRIMINAL BACKGROUND CHECK AND
FINGERPRINTING PRIOR TO BEING PLACED IN THE
FIELD OR CLINICAL EXPERIENCE.**

**FOLLOW THE INSTRUCTIONS ON THE FOLLOWING PAGES
VERY CAREFULLY.**

Lane College Education Preparation Program Procedures for Background Checks and Fingerprinting

All students desiring to enter Lane's College Educator Preparation Program, pursuant to the provisions of Tenn. Code Ann. § 49-5-5632, must complete the following:

1. Supply a fingerprint sample and submit to a criminal history records check by the Tennessee Bureau of Investigation, including a Federal Bureau of Investigation search.
2. Submit the signed Parental Consent to Fingerprinting, Background Check, and Release of Information form (if the student is under 18) or the Consent to Fingerprinting, Background Check, and Release of Information form (if 18 or older) to the Office of Teacher Education (attached).; and
3. Sign an authorization and release form provided by the state Department of Education or the state Board of Education authorizing a qualified Tennessee licensed private investigator to complete a criminal history records check. To register for background check and complete fingerprinting, go to www.identogo.com/:

Fingerprinting:

1. Finger print locations can be found online www.identogo.com/.
2. Take the registration confirmation sheet with you.

Your TBI online results will be available to Lane's EPP office in 1-2 days unless your record has charges. The results must be on file before you can receive the field experience placement. **If you have a criminal record, it is in your best interest to try to get that record cleared before submitting to the background check.**

Offenses that most likely will prevent your being placed in a field or clinical experience may include but are not limited to the following:

1. Conviction of any felony, including a conviction of a plea of guilty, a plea of nolo contendere or order granting pre-trial diversion;
2. Criminal sexual conduct or child abuse or an attempt to commit that crime;
3. A misdemeanor involving cruelty, torture, or indecent exposure involving children;
4. A misdemeanor involving distribution of marijuana or any other drug on school property;
5. A misdemeanor involving assault and battery or domestic violence;
6. More than one driving under the influence or misdemeanor of any kind; or
7. Any other offense that involves harm to another person, especially children.

If your report includes any type of offense, you will be notified by the Director of Education and given the opportunity to submit an appeal to the TEC. This appeal allows you to know that a charge is on your record and to explain what happened. The committee will determine if you can proceed toward EPP admission. Approval of the appeal is required for you to receive your field experience placement. Successful completion of the field experience is required to pass the class.

Submit the signed Consent form (attached) to Dr. Waller immediately.

**PARENTAL CONSENT TO FINGERPRINTING, BACKGROUND CHECK, AND
RELEASE OF INFORMATION FOR STUDENTS UNDER 18 YEARS OF AGE**

As a parent or guardian of a student desiring to enter Lane's College Educator Preparation Program, pursuant to the provisions of Tenn. Code Ann. § 49-5-5632 and the Fair Credit Reporting Act, 15 U.S.C. § 1681 et. al., I hereby agree and consent to the following:

1. To allow my student to supply a fingerprint sample and submit to a criminal history records check by the Tennessee Bureau of Investigation;
2. The release of all investigative records received as a result of the records check to the Program Director and the Dean of Students; and
3. To allow my student to sign an authorization and release form provided by the state Department of Education or the state Board of Education authorizing a qualified Tennessee licensed private investigator to complete a criminal history records check.

I understand that Lane College reserves the right to not admit any student into the Educator Preparation Program, or any other College program, and to take all further action it deems appropriate if a student's investigative records and criminal background and history check reveal information that puts the student in violation of Lane's student code of conduct, or any other applicable College policy or procedure, or would disqualify the student from the College and/or the Educator Preparation Program under any applicable state or federal law.

I understand that I will be responsible for the payment of all fees associated with the above-referenced fingerprinting and criminal history records check. I further understand that, upon my written request, I will be provided a copy of my student's investigative records and criminal history background check records obtained by Lane College pursuant to this release form, but I may not give the report to a third party.

I further acknowledge that I have been provided a copy of Lane's College procedures for completing the fingerprinting and criminal background check, a copy of my rights under the Fair Credit Reporting Act, a copy of the Agency Privacy Act, and a copy of the Noncriminal Justice Applicant's Privacy Rights.

I am to report any arrests or criminal citation committed by this student to Lane's Director of Teacher Education within 24 hours of the incident. Failure to do so may result in my dismissal from the program.

Parent/Legal Guardian's Signature: _____

Printed name of Parent/Legal Guardian: _____

Parent of (please print): _____ Date: _____

Student's Signature: _____ Date: _____

Student's ID: _____

Course Number: _____

Submit this signed form to Dr. Cell Waller in the Teacher Education building (Berry Hall).

**CONSENT TO FINGERPRINTING, BACKGROUND CHECK, AND
RELEASE OF INFORMATION FOR STUDENTS WHO ARE 18 OR OLDER**

As a student desiring to enter Lane’s College Educator Preparation Program, pursuant to the provisions of Tenn. Code Ann. § 49-5-5632 and the Fair Credit Reporting Act, 15 U.S.C. § 1681 et. al., I hereby agree and consent to the following:

1. To supply a fingerprint sample and submit to a criminal history records check by the Tennessee Bureau of Investigation;
2. The release of all investigative records received as a result of the records check to the Program Director and the Dean of Students; and
3. To sign an authorization and release form provided by the state Department of Education or the state Board of Education authorizing a qualified Tennessee licensed private investigator to complete a criminal history records check.

I understand that Lane College reserves the right to not admit any student into the Educator Preparation Program, or any other College program, and to take all further action it deems appropriate if a student’s investigative records and criminal background and history check reveal information that puts the student in violation of Lane’s student code of conduct, or any other applicable College policy or procedure, or would disqualify the student from the College and/or the Educator Preparation Program under any applicable state or federal law.

I understand that I will be responsible for the payment of all fees associated with the above-referenced fingerprinting and criminal history records check. I further understand that, upon my written request, I will be provided a copy of my investigative records and criminal history background check records obtained by Lane College pursuant to this release form, but I may not give the report to a third party.

I understand that, if I am a minor, I must submit to Lane College the Parent Consent for Minor Teacher Candidates that has been signed by my parents. Failure to do so may result in my dismissal from the program.

I further acknowledge that I have been provided a copy of Lane’s College procedures for completing the fingerprinting and criminal background check, a copy of my rights under the Fair Credit Reporting Act, a copy of the Agency Privacy Act, and a copy of the Noncriminal Justice Applicant’s Privacy Rights.

I am to report any arrests or criminal citation to Lane’s Assistant Dean for Teacher Education within 24 hours of the incident. Failure to do so may result in my dismissal from the program.

_____ Student Signature	_____ ID	_____ Course #
_____ Printed name	_____ Date	

Submit this signed form to Patti Todd in the Teacher Education suite.

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, DC 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., NW, Washington, DC 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 the lists these offers are based on. You may opt-out with the nationwide credit bureaus at 1-888-5OPTOUT (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 1-800-613-6743
Federal Reserve System member banks (except national banks, and federal branches/agencies of foreign banks).	Federal Reserve Board Division of Consumer & Community Affairs Washington, DC 20551 202-452-3693
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 1-800-842-6929
Federal credit Lanes (words “Federal Credit Lane” appear in institution’s name).	National Credit Lane 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 Ave., Ste. 100 Kansas City, MO 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

AGENCY PRIVACY REQUIREMENTS FOR NONCRIMINAL JUSTICE APPLICANTS

Authorized governmental and non-governmental agencies/officials that conduct a national fingerprint-based criminal history record check on an applicant for a noncriminal justice purpose (such as employment or a license, immigration or naturalization matter, security clearance, or adoption) are obligated to ensure the applicant is provided certain notice and other information and that the results of the check are handled in a manner that protects the applicant's privacy. These obligations are pursuant to the Privacy Act of 1974, Title 5, United States Code (U.S.C.) Section 552a, and Title 28, Code of Federal Regulations (CFR), Section 50.12, among other authorities.

- Officials must provide to the applicant written notification¹ that his/her fingerprints will be used to check the criminal history records of the FBI.
- Officials must ensure that an applicant receives, and acknowledges receipt of, an adequate Privacy Act Statement when the applicant submits his/her fingerprints and associated personal information.²
- Officials using the FBI criminal history record (if one exists) to make a determination of the applicant's suitability for the employment, license, or other benefit must provide the applicant the opportunity to complete or challenge the accuracy of the information in the record.
- Officials must advise the applicant that procedures for obtaining a change, correction, or update of an FBI criminal history record are set forth at 28 CFR 16.34.
- Officials should not deny the employment, license, or other benefit based on information in the criminal history record until the applicant has been afforded a reasonable time to correct or complete the record or has declined to do so.
- Officials must use the criminal history record solely for the purpose requested and cannot disseminate the record outside the receiving department, related agency, or other authorized entity.³

The FBI has no objection to officials providing a copy of the applicant's FBI criminal history record to the applicant for review and possible challenge when the record was obtained based on positive fingerprint identification. If agency policy permits, this courtesy will save the applicant the time and additional FBI fee to obtain his/her record directly from the FBI by following the procedures found at 28 CFR 16.30 through 16.34. It will also allow the officials to make a more timely determination of the applicant's suitability.

Each agency should establish and document the process/procedures it utilizes for how/when it gives the applicant notice, what constitutes "a reasonable time" for the applicant to correct or complete the record, and any applicant appeal process that is afforded the applicant. Such documentation will assist State and/or FBI auditors during periodic compliance reviews on use of criminal history records for noncriminal justice purposes.

¹ Written notification includes electronic notification, but excludes oral notification.

² See <https://www.fbi.gov/services/cjis/compact-council/privacy-act-statement>

³ 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), 50.12(b) and 906.2(d).

NONCRIMINAL JUSTICE APPLICANT'S PRIVACY RIGHTS

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

- You must be provided written notification¹ that your fingerprints will be used to check the criminal history records of the FBI.
- You must be provided, and acknowledge receipt of, an adequate Privacy Act Statement when you submit your fingerprints and associated personal information. This Privacy Act Statement should explain the authority for collecting your information and how your information will be used, retained, and shared.²
- If you have a criminal history record, the officials making a determination of your suitability for the employment, license, or other benefit must provide you the opportunity to complete or challenge the accuracy of the information in the record.
- The officials must advise you that the procedures for obtaining a change, correction, or update of your criminal history record are set forth at Title 28, Code of Federal Regulations (CFR), Section 16.34.
- If you have a criminal history record, you should be afforded a reasonable amount of time to correct or complete the record (or decline to do so) before the officials deny you the employment, license, or other benefit based on information in the criminal history record.³

You have the right to expect that officials receiving the results of the criminal history record check will use it only for authorized purposes and will not retain or disseminate it in violation of federal statute, regulation or executive order, or rule, procedure or standard established by the National Crime Prevention and Privacy Compact Council.⁴

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

If you decide to challenge the accuracy or completeness of your FBI criminal history record, you should send your challenge to the agency that contributed the questioned information to the FBI. Alternatively, you may send your challenge directly to the FBI. The FBI will then forward your challenge to the agency that contributed the questioned information and request the agency to verify or correct the challenged entry. Upon receipt of an official communication from that agency, the FBI will make any necessary changes/corrections to your record in accordance with the information supplied by that agency. (See 28 CFR 16.30 through 16.34.)

¹ Written notification includes electronic notification, but excludes oral notification.

² <https://www.fbi.gov/services/cjis/compact-council/privacy-act-statement>

³ See 28 CFR 50.12(b).

⁴ 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).