# Background check information and release form

**Upper New York Annual Conference Board of Ordained Ministry**

### The Upper New York Board of Ordained Ministry is required by United Methodist Discipline to obtain a criminal background check and credit check as part of the process of issuing credentials to individuals who will be licensed, commissioned, ordained or received into the conference by transfer.

We want to be able to say to our church congregations, to our denomination and to the community around us that the programs we offer are of the highest possible quality and the individuals who lead them are beyond reproach, highly motivated and appropriately trained, resourced and supervised.

The required information and release form is enclosed. Also included in this packet are a DISCLOSURE REGARDING BACKGROUND INVESTIGATION, a copy of your rights

under the Fair Credit Reporting Act and NEW YORK CORRECTION LAW ARTICLE 23-

1. **Please read them carefully before signing the release form.**

A note about the confidentiality of your personal information: We require and use your Social Security Number once – to request the background check on a secure website. The completed background check documents and your signed release will be kept in a secure location by the appropriate BOOM officer. In the event of any “red flag” items that require interpretation with you, other than the BOOM Background Check personnel, only you and your District Superintendent will have access to the completed report.

**Please sign, have witnessed & return the completed form to**

Betsy O’Flynn, UNY BOOM Admin Assistant 1100 South Goodman Street, Rochester, NY 14620 585-340-9558; 585-340-9526 (fax)

[candidacy@unyumc.org](mailto:candidacy@unyumc.org)

The cost of this background check varies considerably based on the number and location of previous residences.

**You must include a check for $80 made out to Upper New York Conference UMC with this application.** BOOM covers any additional charges.

# Please note that all blanks must be filled. We cannot run your background check with out date of birth and Social Security Number.

**Background Check Release**

### Full Name: Full Address: Home Phone: cell: E-mail Address:

Social Security Number - - Date of Birth / /

Drivers License # (State that issued it)

Home church District

Check Purpose for background check:  Candidacy / Local Pastor License / CLM / Lay Hire

* + Applying for Ordination or Commissioning  Transfer into UNY Conference

**Please list all additional previous addresses you have resided at (including county) in the last 10 years on the next page of this form**

Have you ever been charged, convicted of or pled guilty to a crime, either misdemeanor or felony (including but not limited to drug related charges, child abuse, other crimes of violence, theft or motor vehicle violations)  No  Yes

If Yes, please explain fully:

**Statement of Waiver and Consent:**

I, , hereby certify that the information I have provided on this application for ministry background check is true and correct. I authorize the Upper New York Conference Board of Ordained Ministry to verify the information I have provided on this application by conducting a background check and credit check.

In the event I am appointed as a licensed, commissioned or ordained United Methodist Clergy person I agree to abide by and be bound by the policies of the United Methodist Church and to refrain from inappropriate and/or unlawful conduct in the performance of my leadership duties on behalf of the church. I further agree to work within the organizational and supervisory structures determined by the UM Church and its subsidiary organizations as guided by the current United Methodist Book of Discipline.

I sign this freely and under no duress or coercion.

Signed by applicant: Date: Witness’s signature: Date:

Background check consent 11-2011.docx

Additional Addresses I have lived at during the previous 10 years:

My Full Name

Last address :

Street

City Zip

County State

I lived there from Month Year to Month Year

Prior address:

Street

City Zip

County State

I lived there from Month Year to Month Year

Prior address:

Street

City Zip

County State

I lived there from Month Year to Month Year

Prior address:

Street

City Zip

County State

I lived there from Month Year to Month Year

**IMPORTANT - PLEASE READ CAREFULLY BEFORE SIGNING AUTHORIZATION DISCLOSURE REGARDING BACKGROUND INVESTIGATION**

**Please note: Nothing contained herein should be construed as legal advice or guidance**.

The Upper New York Conference of the United Methodist Church Board of Ordained Ministry may obtain information about you for credentialing purposes from a third party consumer reporting agency. Thus, you may be the subject of 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 contain information regarding your credit history, criminal history, social security verification, motor vehicle records ("driving records"), verification of your education or employment history, or other background checks. You have the right, upon written request made within 90 days after receipt of this notice, to request disclosure of the nature and scope of any investigative consumer report. Please be advised that the nature and scope of the most common form of investigative consumer report obtained with regard to applicants for employment is an investigation into your education and/or employment history conducted by LexisNexis Screening Solutions Inc, P.O. Box 105108, Atlanta, GA 30348-5108,1-800- 845-6004. The scope of this notice and authorization is all-encompassing, however, allowing the Board of Ordained Ministry to obtain from any outside organization all

manner of consumer reports and investigative consumer reports now and throughout the course of your credentialing to the extent permitted by law. As a result, you should carefully consider whether to exercise your right to request disclosure of the nature and scope of any investigative consumer report.

As a New York resident you have the right to inspect and receive a copy of any investigative consumer report requested by the Company by contacting the consumer reporting agency identified above directly.

ACKNOWLEDGMENT AND AUTHORIZATION

I acknowledge receipt of the DISCLOSURE REGARDING BACKGROUND INVESTIGATION (above) and A SUMMARY OF YOUR RIGHTS UNDER THE FAIR CREDIT REPORTING ACT

(attached) and certify that I have read and understand both of those documents. I hereby authorize the obtaining of "consumer reports' and/or "investigative consumer reports" by the Board of Ordained Ministry at any time after receipt of this authorization and throughout my credentialing with the United Methodist Church if applicable. 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 LexisNexis Screening Solutions Inc., P.O. Box 105108, Atlanta, GA 30348-5108,1-800-845-6004, another outside organization acting on behalf of the Company, and/or the Company itself and/or the Company itself.

I agree that a facsimile ("fax"), electronic or

photographic copy of this Authorization shall be as valid as the original. By signing the release included in this packet, you also acknowledge receipt of Article 23-A of the New York Correction Law. (See attachment)

Section 750. Definitions.

751. Applicability.

NEW YORK CORRECTION LAW ARTICLE 23-A

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

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

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

754. Written statement upon denial of license or employment. 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, company, 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.

1. "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:
   1. 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.
   2. The specific duties and responsibilities necessarily related to the license or employment sought or held by the person.
   3. 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.
   4. The time which has elapsed since the occurrence of the criminal offense or offenses.
   5. The age of the person at the time of occurrence of the criminal offense or offenses.
   6. The seriousness of the offense or offenses.
   7. Any information produced by the person, or produced on his behalf, in regard to his rehabilitation and good conduct.
   8. 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.

***Para informacion en espanol, visite*** [***www.ftc.gov/credit***](http://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 Report ing 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 agenc ies (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, includ ing **information about addit ional rights, go to** [**www.ftc.gov/credit**](http://www.ftc.gov/credit) **or write to: Consumer Response Center, Room 130-A, Federa l** Trade Comm iss ion , 600 Pennsylvani a Ave. **N.W.,** Washington , **DC 20580.**

* **You must be told if information** in **your** file **has been used again st you.** Anyone who uses a credit report or another type of consumer report to deny your app lication 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 kno w what is in your file.** You may request and obtain all the informat ion 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 aga inst you because of information in your credit report;
  + You are the victim of identify 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 agenc ies. See [www.fie.gov/credit](http://www.fie.gov/credit) for additional information.

* **You have the right to ask for a cred it 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 agenc ies 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**

**info rm ation .** If you identify information in your file that is incomplete or inaccurate and report it to the consumer reporting agency, the age ncy must investigate unless you r dispute is frivolous . See [www.ftc.gov/credit](http://www.ftc.gov/credit) for an explanation of dispute procedures.

* **Consu mer 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 agenc ies may not report outdated

nega ti ve info rmat io n. In most cases, a consumer reporting agency may not report negative informat ion 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 abo ut you only to people with a valid need - usually to consider an app lication with a creditor, insurer, employer,

land lord, 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.](http://www.ftc.gov/credit)
* **You may limit "prescreened" offers of credit and insurance you get based on informat ion in your cred it 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.
* **Ident ity theft victims and active duty military personnel have add itional rights.** For more information, visit [www.ftc.gov/credi t.](http://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:**

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| **TYPE OF BUSINESS:** | **CONTACT:** |
| Consumer repo rting 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 "Nation al" 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  1-800-613-67 43 |
| Federal Reserve System member banks (except national banks and federal branches/agencies of foreign banks) | **Federal Reserve Board** Division of Consumer & Commun ity **Affairs** Washington, DC 20551  202-452-3693 |
| Savings associations and federally | Office of Thrift Supe rvision |
| chartered savings banks (word | Consumer Complaints |
| "Federal" or initials "F.S.B." appear | Washington, DC 20552 |
| in federal institution's name) | 800-842-6929 |
|  | Nati onal Credit Union |
| Federal credit unions (words | **Ad ministration** |
| "Federal Credit Union" appear in | 1775 Duke Street |
| institution' s name) | Alexandr ia, VA 22314 |
|  | 703-519-4600 |
|  | Federal Depos it Insuranc e |
| State-chartered banks that are not members of the Federal  Reserve System | **Corporation**  Consumer Response Center 2345 Grand Avenue , Suite 100 Kans as City, Missouri 64108- |
|  | 2638 |
|  | 1-877-275-3342 |
| Air, surface, or rail common | Departmen t of Transpo rtation |
| carriers regu lated by former Civil | Office of Financia l Management |
| Aeronautics Board or Interstate | Washington, DC 20590 |
| Commerce Commission | 202-366-1306 |
|  | Departmen t of Agriculture |
| Activities subject to the Packers and Stockyards Act of 1921 | Office of Deputy Administrator - GIPSA  Washington, DC 20250 |
|  | 202-720-7051 |