

FSR0007 Form A
Notice of Rights and Authorization to Conduct Criminal Background Check
Employee Having Access to Guns and Ammunition

PART 1
NOTICE OF RIGHTS

PLEASE READ THIS ADVISORY BEFORE PROVIDING THE INFORMATION REQUESTED ON THIS FORM

1. You are being asked to provide private information about you, as classified by Minnesota Statutes Chapter 13, the Minnesota Government Data Practices Act. This information is required in order to perform a background check on you in relation to your application for employment/reassignment as an employee whose work assignment requires access to working guns and ammunition. A criminal records search will be required for Minnesota and any state in which you have lived or worked in the last ten years. Only convictions for offenses for which jail time may be imposed may be considered and not arrest records or expunged records.
2. The background check will be conducted pursuant to Minnesota Statutes Chapter 364, which permits MnSCU to consider an applicant's criminal record if selected for an interview by the hiring authority. A criminal conviction will not automatically remove an individual from consideration for employment. Chapter 364 permits public employers to refuse to hire an individual based on his/her criminal record only if the conviction directly relates to the position being sought. In determining if a conviction directly relates to the position being sought, the hiring authority shall consider:
 - a) The nature and seriousness of the crime or crimes to the purposes of regulating the position of public employment sought;
 - b) The relationship of the crime or crimes to the purposes of regulating the position of public employment sought; and
 - c) The relationship of the crime or crimes to the ability, capacity and fitness required to perform the duties and discharge the responsibilities of the position of employment; for positions requiring handling guns and ammunition, conviction of a crime that would disqualify an individual from possessing a firearm, under Minn. Stat. §624.713, will specifically be examined.
3. You are not legally required to provide information about you to perform the criminal background check and you may refuse to provide some or all of the information requested. However, we will not be able to effectively perform a background check on you if you do not provide sufficient information, and we will not be able to process your application or consider you for employment/reassignment to a position that requires handling guns and ammunition.
4. With some exceptions, unless you consent to further release of private information, access to this background check information will be limited to individuals within the Minnesota State Colleges and Universities system, the state Bureau of Criminal Apprehension (BCA) and other state or federal law enforcement agencies whose jobs reasonably require access to this information to process your

background check. However, state and federal law also authorize release of private information without your consent:

- to the Commissioner of the Minnesota Management & Budget Department (Minnesota Statutes Chapter 43A);
- to labor organizations to the extent necessary to implement state law governing labor relations (Minnesota Statutes §13.43);
- to state and federal revenue authorities for tax purposes;
- to child support enforcement authorities in this or another state (Minnesota Statutes §256.978);
- if required by court order, or authorized by other state or federal law;
- to others if necessary to resolve a complaint or challenge to the results of the background check or in an administrative or court hearing.

5. You have the following rights:

- the right to be informed by the College/University of the response to the background check, and to obtain from the College/University a copy of the background check report;
- the right to obtain from the Bureau of Criminal Apprehension any record that forms the basis for the report;
- the right to challenge the accuracy and completeness of information contained in the report or record under Minnesota Statutes §13.04, Subdivision 4; and
- the right to be informed by the College/University if your application to be employed by the College/University, or to accept reassignment to the covered position, has been denied because of the result of the background check.

If you are hired for this position, you will be asked to agree to immediately inform the hiring authority if you are convicted of any crime for which jail time may be imposed.

PART 2
Information Needed to Process Background Check
To Be Completed by Applicant/Employee

PLEASE PRINT:

1.	Last Name
2.	First Name
3.	Full Middle Name
4.	Former Name or Alias
5.	Date of birth
6.	Sex M F
7.	Race/ethnicity (OPTIONAL):

Failure to disclose or giving false information may result in rejection of application or dismissal from employment.

Have you ever resided or worked outside of the state of Minnesota in the past ten years?

YES NO

If yes, list the state(s) in which you have resided or worked including dates:

PART 3
Consent and Authorization for Release of Data

1. I have read Part I of this form. I authorize the College/University or its authorized assignee(s) to conduct a criminal background check. This information will be used to determine my suitability for employment with the College/University. I understand that continued employment is contingent upon receiving satisfactory results from this background check.
2. I certify that all the information I have provided on this form is true and complete to the best of my knowledge. I understand that providing false information or omitting requested information could result in rejection of my application or dismissal from employment if my application is accepted and later determined to be fraudulent and/or to contain omissions of requested information. I understand that submitting this information does not guarantee my acceptance into a College/University position.
3. My consent will expire one year from the date of my signature or when the background check has been completed, whichever occurs first.
4. I consent to this background check and to the release of the results of the check to the College/University.

Applicant signature	Date
Print Name:	

Notary:

PART 4
Criminal Background Search Request to the BCA

To be completed by Human Resources Office

Name and address of College/University
Contact Person
Telephone number

1. A **full criminal background check** is requested for all convictions for which a jail sentence may be imposed. Enclosed are:



A certified check from the institution made payable to the BCA for \$15.00.



A signed, notarized consent form from the subject.



A stamped, self-addressed envelope made out to the person who will be making the campus hiring decision.

2. The College/University contact for processing this request is:

Name of person who will be making the campus hiring decision	Telephone number
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Processing Instructions

Forward all five pages of this completed form, the certified check for \$15.00, and the self-addressed stamped envelope, to the BCA at the following address:

Minnesota Department of Public Safety
Bureau of Criminal Apprehension
MNJIS Section
1430 Maryland Avenue East
St. Paul, MN 55106

NOTE: The institution is required to pay for the background check. Response time for mailed requests is approximately two weeks; a request may also be presented in person at the address above and may be picked up in three working days. Records from other states must be obtained separately; the Minnesota BCA records only include Minnesota criminal history.

