

Cornell University
Cooperative Extension
Erie County

21 South Grove Street
East Aurora, New York 14052-2345
t. 716.652.5400
f. 716.652.5073
erie@cornell.edu
<http://counties.cce.cornell.edu/erie/>

Memo

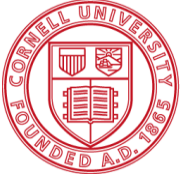
To: All prospective and current Cornell Cooperative Extension of Erie County Volunteers
From: Diane Held, Executive Director
Date: 11/14/2014
Re: Required Volunteer Background Screening

Volunteers have always been a valued and essential part of Cornell Cooperative Extension. As a volunteer, you provide critical outreach on multiple levels to residents of all ages throughout Erie County and across New York State.

As part of our commitment to the excellent volunteer programs of Cornell Cooperative Extension and the well-being of our volunteers and participants we continuously review volunteer policies. Recently, in response to events at other organizations, and in compliance with our insurance underwriter, Cornell Cooperative Extension has updated its volunteer background screening requirement effective March 31, 2013. All volunteers providing more than one day per calendar year will need to have a volunteer background screening, including interns from other agencies and organizations. The Board of Directors of Cornell Cooperative Extension of Erie County adopted this policy at the February 12, 2013 meeting, as required.

The volunteer background screening includes verification of the volunteer's identity, a check for criminal background and sex offender registry; and for volunteers who will drive as part of their role, a motor vehicle driving record check. Please be assured that personal information we gather on volunteers to conduct the screening is treated as confidential, restricted to the screening company and a small number of staff. It is not shared with the insurance company or any other outside party. These screenings cost between \$6 and \$7 for each component, so while the Association is prepared to cover the cost of this initial change, donations to assist with the cost are welcomed.

Thank you for your service as a volunteer to Cornell Cooperative Extension of Erie County. Please contact me at dar45@cornell.edu if you have any questions about this policy.



Cornell University
Cooperative Extension
Erie County

21 South Grove Street
East Aurora, New York 14052-2345
t. 716.652.5400
f. 716.652.5073
erie@cornell.edu
<http://counties.cce.cornell.edu/erie/>

BACKGROUND SCREENING AUTHORIZATION/CONSENT

During the application process and at any time during the tenure of my volunteer service with Cornell Cooperative Extension of Erie County, I hereby authorize LexisNexis Screening Solutions, Inc. on behalf of Cornell Cooperative Extension of Erie County to procure a consumer report (known as an investigative consumer report in California) which I understand may include information regarding my character, general reputation, or personal characteristics. This report may be compiled with information from courts record repositories, departments of motor vehicles, past or present employers and educational institutions, governmental occupational licensing or registration entities, business or personal references, and any other source required to verify information that I have voluntarily supplied. I understand that I may request a complete and accurate disclosure of the nature and scope of the background verification; to the extent such investigation includes information bearing on my character, general reputation, or personal characteristics.

Applicant Legal Name (please print)

Signature

Social Security Number *

Date of Birth*

Street Address

City, State, Zip

Phone

Date

* For identification purposes only

MN & Oklahoma Residents please note: In connection with your application for employment/service, your consumer report may be obtained and reviewed. Under Minnesota and Oklahoma law, you have a right to receive a free copy of your consumer report by checking the appropriate box below.

☐ YES, I am a Minnesota resident and would like a free copy of my consumer report.

☐ YES, I am an Oklahoma resident and would like a free copy of my consumer report.

CA Residents please note: Under CA law, you have a right to receive a free copy of your report by checking the appropriate box below.

☐ YES, I am a California resident and would like a free copy of my investigative consumer report.

Printed Name _____

Street Address _____ City, State, Zip _____

PLEASE RETURN COMPLETED FORM TO CCE STAFF MEMBER.

Building Strong and Vibrant New York Communities

Cornell Cooperative Extension in Erie County provides equal program and employment opportunities.

BACKGROUND VERIFICATION DISCLOSURE

This is used to inform you that a consumer report is being obtained from a consumer reporting agency for the purpose of evaluating you for employment, volunteer service or a contracted position, including retention as an employee, volunteer or independent contractor.

This report may contain information bearing on your character, general reputation, and personal characteristics from public or private record sources.

California Notice:

You have the right under Section 1786.22 of the California Civil Code to contact LexisNexis Screening Solutions Inc., P.O. Box 105108, Atlanta, GA 30348-5108, 1-800-845-6004, during normal business hours to obtain your file for your review. You may obtain such information as follows:

1. In person at the LexisNexis office at the address listed above. You will need to furnish proper identification prior to receiving your file. You may have someone accompany you and should inform such person that they will also have to present reasonable identification. If you want LexisNexis to disclose to or discuss your information with this third party, you may be required to provide a written statement granting LexisNexis permission to do so.
2. By certified mail, if you make a written request (and provide proper identification) to have your file sent to a specified addressee.
3. By telephone, if you have previously made a written request and provided proper identification.

LexisNexis has trained personnel to explain any information that is furnished to you and to explain any information that is coded.

Employer please note: If consumer checks "YES" regarding the full consumer report, and consumer resides in California, you will need to provide the individual with a copy of their consumer report.

The following Article 23-A applies to positions in the State of New York only.

**NEW YORK CORRECTION LAW ARTICLE 23-A
LICENSURE AND EMPLOYMENT OF PERSONS PREVIOUSLY
CONVICTED OF ONE OR MORE CRIMINAL OFFENSES**

Section 750. Definitions.

751. Applicability.

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.
- (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.

MOTOR VEHICLE RECORD REQUEST PERMISSION FORM

I, the undersigned, give authorization for P. W. Wood and Son, Inc. and Cornell Cooperative Extension to obtain a current copy of my Motor Vehicle Driving Record (MVR). I state that I currently hold a valid Motor Vehicle Driver's license as indicated below and all information is correct. This authorization is good until revoked by me in writing. This information will only be used to verify my Motor Vehicle Driving Record.

County requesting check:

Check one:

Employee Consideration _____ **IF HIRED: Please inform The Wood Office.**

Current Employee _____

Volunteer _____

NAME AS IT APPEARS ON LICENSE: _____

ADDRESS: _____

DATE OF BIRTH: _____

STATE OF LICENSE: _____

DRIVER'S LICENSE NUMBER: _____

DATE: _____

SIGNATURE

FORM TO BE RETURNED TO UNDERSIGNED

CCE AUTHORIZATION SIGNATURE: _____

PRINT NAME _____

EMAIL ADDRESS (for results) _____

PLEASE RETURN COMPLETED FORM TO CCE STAFF MEMBER.