

Attachment 1
NEW YORK STATE OFFICE OF CHILDREN AND FAMILY SERVICES
NOTICE REGARDING FINGERPRINTING REQUIREMENTS

This notice is to advise you that New York State law (section 378-a of the Social Services Law) requires you and those persons over the age of 18 who currently live in your home to be fingerprinted if you are applying to be certified or approved as a foster parent (including a relative foster parent) or an adoptive parent. The fingerprints are used to conduct a national criminal history record check through the Federal Bureau of Investigation (FBI) and a New York State criminal history record check through the Division of Criminal Justice Services (DCJS).

The social services district or voluntary authorized agency with which you are seeking certification or approval will ask you and all of the above noted household members to have fingerprints taken. Please follow the simple steps below:

1. Complete the Request for NYS Fingerprinting Services – Information Form attached to this notice
2. Schedule an appointment to have your fingerprints taken by calling 1-877-472-6915 or by logging on to the website: www.L1enrollment.com
3. Select a location on the phone or on the website that is most convenient for you.
4. Show up at the selected location at the appointed time and be sure to bring the following:
 - The completed Request for NYS Fingerprinting Services – Information Form
 - Appropriate forms of Identification (see page 2 of form for acceptable forms of ID)

Your fingerprints will not be taken without the completed form and proper identification. Without them, you will be requested to reschedule your appointment.

After the fingerprints are taken, they will be sent electronically to DCJS and the FBI to search their agency files for any criminal record of charges or convictions in New York State or nationally. There is no fee to you for these searches. The reports of criminal history information will be forwarded to the Office of Children and Family Services (OCFS) for review and disclosure to the agency to which you have applied.

If in any search a criminal record is found, the district or voluntary authorized agency will receive summary information about the charges or convictions. (When application is made to a voluntary authorized agency, specific charges or convictions reported by the FBI involving you and those persons over the age of 18 who currently live in your home will only be provided to the voluntary authorized agency when OCFS receives the consent addressed in the notice section below.)

Depending upon the types of crimes listed in the criminal history, the following actions could result:

- denial of your application;
- revocation of your certification or approval;
- removal of children already placed in your home.

You will be provided notice and reason for such actions if they are taken. In the event your application is denied or your certification or approval is revoked, you will be provided with a copy of the summary of the criminal history record.

You will also be given a notice which provides a description of the process DCJS and the FBI have for persons to review their criminal history record and any rights to challenge the action taken.

Please be advised: If you are an applicant or a certified or approved foster or adoptive parent and you have been convicted of a mandatory disqualifying crime, your application will be denied or your certification or approval revoked.

Mandatory disqualifying crimes include certain felonies such as child abuse or neglect, spousal abuse, crimes against children, certain crimes of violence, and felony drug convictions within the last five years.

DCJS retains your fingerprints until your home is closed or an adoption is finalized. While it retains the fingerprints, DCJS will notify OCFS (which will then notify the social services district or voluntary authorized agency) if you or anyone fingerprinted under this law is charged with a crime. The FBI does not retain these fingerprints.

All criminal history record information is confidential. It may not be made available for public inspection. However, it may be disclosed for judicial or administrative proceedings relating to a denial of an application, revocation of a certificate or approval, or the removal of foster children. Where there is a pending court case, a copy of the summary of the criminal record will be provided to the Family Court or Surrogate's Court.

NOTICE TO PERSONS APPLYING TO A VOLUNTARY AUTHORIZED AGENCY [THIS DOES NOT APPLY TO PERSONS APPLYING TO A SOCIAL SERVICES DISTRICT]:

For a person who is applying to a voluntary authorized agency for certification or approval as a foster or adoptive parent and all other persons over the age of 18 who currently live in the home of the applicant, you will each be given a consent to sign called the "Acknowledgement and Consent for Fingerprinting and Disclosure of Criminal History Information". The purpose of the consent is to authorize OCFS to provide the voluntary authorized agency with certain specific information on any crime or crimes reported to OCFS by the FBI. The failure to sign the consent is a reason by itself to deny the application for certification or approval. Also, if someone subject to the fingerprint requirement refuses to sign a consent, and the FBI has reported to OCFS that the person has a conviction or charge, OCFS regulations require the voluntary authorized agency to deny the application for certification or approval.

We have a mutual interest in protecting the safety of foster children. These requirements are important in meeting that goal.