



OSPRA 100

(Updated: 04/09/2024)

Fingerprinting Information and Instructions (NYSED purposes only)

This is a five-page document.

Office of School Personnel Review and Accountability (OSPRA)

New York State Education Department
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Website: <https://www.nysed.gov/educator-integrity>

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FINGERPRINT INSTRUCTIONS FOR STATE EDUCATION DEPARTMENT PURPOSES ONLY

Effective August 3, 2015, the New York State Education Department (“NYSED”) joined the Statewide Vendor Managed Fingerprint System operated by MorphoTrust/IDEMIA in conjunction with the Division of Criminal Justice Services (“DCJS”) for fingerprinting services. Fingerprint applicants must contact MorphoTrust/IDEMIA to get information about filing a fingerprint application, paying the fee, and getting fingerprinted.

You must use one of the URLs below or call MorphoTrust/IDEMIA to schedule your fingerprinting appointment.

Enter the appropriate service code from this table:

APPLICANT FOR	SERVICE CODE
Certification	14ZGQT
Employee*	14ZGR7

- To get fingerprinted **for State Education Department purposes**, click on the appropriate URL from this table below:
- You may call MorphoTrust/IDEMIA at: 877-472-6915 to schedule an appointment.

The fingerprint application fee as of May 1, 2024 is:

Total Fee \$102.50

APPLICANT FOR	URL
Certification	https://uenroll.identogo.com/workflows/14ZGQT
Employee*	https://uenroll.identogo.com/workflows/14ZGR7
* <u>Attention prospective New York City DOE employees:</u>	DO <u>NOT</u> USE THE ABOVE LINKS IF YOU NEED TO GET FINGERPRINTED FOR NEW YORK CITY DOE EMPLOYMENT – THESE LINKS ARE <u>NOT</u> FOR NYC DOE. The above URLs are for STATE EDUCATION DEPARTMENT fingerprinting purposes only. If you have questions about how to get fingerprinted for New York City DOE employment, please contact New York City DOE.

Privacy Act Statement

Authority: The FBI's acquisition, preservation, and exchange of fingerprints and associated information is generally authorized under 28 U.S.C. 534. Depending on the nature of your application, supplemental authorities include Federal statutes, State statutes pursuant to Pub. L. 92-544, Presidential Executive Orders, and federal regulations. Providing your fingerprints and associated information is voluntary; however, failure to do so may affect completion or approval of your application.

Principal Purpose: Certain determinations, such as employment, licensing, and security clearances, may be predicated on fingerprint-based background checks. Your fingerprints and associated information/biometrics may be provided to the employing, investigating, or otherwise responsible agency, and/or the FBI for the purpose of comparing your fingerprints to other fingerprints in the FBI's Next Generation Identification (NGI) system or its successor systems (including civil, criminal, and latent fingerprint repositories) or other available records of the employing, investigating, or otherwise responsible agency. The FBI may retain your fingerprints and associated information/biometrics in NGI after the completion of this application and, while retained, your fingerprints may continue to be compared against other fingerprints submitted to or retained by NGI.

Routine Uses: During the processing of this application and for as long thereafter as your fingerprints and associated information/biometrics are retained in NGI, your information may be disclosed pursuant to your consent, and may be disclosed without your consent as permitted by the Privacy Act of 1974 and all applicable Routine Uses as may be published at any time in the Federal Register, including the Routine Uses for the NGI system and the FBI's Blanket Routine Uses. Routine uses include, but are not limited to, disclosures to: employing, governmental or authorized non-governmental agencies responsible for employment, contracting, licensing, security clearances, and other suitability determinations; local, state, tribal, or federal law enforcement agencies; criminal justice agencies; and agencies responsible for national security or public safety.

Application Notification and Record Challenge

Your fingerprints will be used to check the criminal history records of the FBI. You have the opportunity to complete or challenge the accuracy of the information contained in the FBI identification record. The procedure for obtaining a change, correction, or updating an FBI identification record are set forth in Title 18, CFR, 16.34. You can find additional information on the FBI website at <https://www.fbi.gov/about-us/cjis/background-checks>.

IDENTIFICATION REQUIREMENTS:

What kind of identification must I provide to IdentoGO / IDEMIA at the time of fingerprinting?

A: For the most current list of identification documents accepted by IdentoGo, visit the IdentoGo website through the appropriate link at <https://www.nysed.gov/educator-integrity/fingerprinting>, then select the option that reflects the reason for your fingerprinting, which will take you to IdentoGO's website. Next, click on: "What do I need to bring to enrollment?".

You must bring one of the valid/unexpired identification documents from the list below to your enrollment appointment.

- Driver's license issued by a U.S. State or outlying possession of the U.S.
- Enhanced Driver's License (EDL)
- Canadian Driver's License (Non-Commercial)
- Mexican Driver's License (Commercial or Non-Commercial)
- Commercial Driver's License issued by a State or outlying possession of the U.S.
- DMV Non-Driver Identification Card
- Department of Defense Common Access Card
- Driver's License PERMIT issued by a U.S. State or outlying possession of the U.S.
- Employment Authorization Card/ Document (Form I-766) with a photograph
- Enhanced Commercial Driver's License
- Enhanced Tribal Identification Card (for federally recognized U.S. Tribes)
- Federal ID Card with a seal or logo from a federal agency
- Foreign passport
- Merchant Mariner Document (MMD)
- Military Dependent's Identification Card
- Military Identification Card
- Military Identification Card (Retired)
- NYC Identification Card
- NYS Benefit Identification Card
- Passport Book or Card
- Permanent Resident Card / Green Card (I-551)
- [Waiver Form for Applicants age 17 and Under](#) and U.S. Social Security Card or Birth Certificate
- U.S. Visa issued by the U.S. Department of Consular Affairs for travel to or within, or residence within, the U.S.
- Uniformed Services Identification Card (Form DD-1172-2)

NOTE: For the most current list of Identification Requirements, please visit the IdentoGo website.

FINGERPRINTING INFORMATION

SAVE Law: Effective July 1, 2001, Education Law §§305(30), 3004-b, 3004-c and 3035, as amended by Chapter 180 of the Laws of 2000, and Part 87 of the Commissioner's Regulations require the Commissioner of Education to request a fingerprint-supported criminal history background check for applicants for certification as well as for prospective employees of covered schools. A covered school means a board of cooperative educational services, a charter school, a school district, or any nonpublic or private elementary or secondary school that elects to fingerprint and seek clearance for prospective employees from the department beginning July 1, 2007, geographically located in New York State, excluding the city school district of the City of New York. The Commissioner of Education carries out these responsibilities through the New York State Education Department's Office of School Personnel Review and Accountability (OSPRA).

Fingerprint Processing: An individual has their fingerprints taken, in accordance with the procedures described above. The Statewide Vendor (MorphoTrust/IDEMIA) electronically forwards fingerprint images to the New York State Division of Criminal Justice Services (DCJS) and to the Federal Bureau of Investigation (FBI) for processing. DCJS and the FBI provide OSPRA with a copy of the individual's criminal history background, if any, so that OSPRA can make a determination on clearance for employment or certification.

Rejection of Fingerprints and/or a Fingerprint Application: There are several reasons why an application and/or fingerprints are rejected prior to completion of the fingerprint process. DCJS and/or the FBI may reject the fingerprints because there was a problem with the quality of the fingerprints, such as; the fingerprints were smudged; or too light or too dark. If fingerprint images are rejected, MorphoTrust/IDEMIA will attempt to contact the applicant three times via phone call or email to arrange for the submission of a new set of fingerprints. If they are unsuccessful, MorphoTrust/IDEMIA will send the individual a letter advising that the fingerprints were rejected.

Clearance Process: If there is no criminal history OSPRA will normally automatically issue a clearance within 24 to 48 hours. If there is a criminal history, the matter is reviewed by OSPRA, pursuant to the provisions in Executive Law § 296(16) and Correction Law §§ 752 and 753, to determine whether there is any basis for a possible denial of clearance.

Full Clearances for Employment: Full clearances for employment will be forwarded directly to the covered school through the Department's TEACH system. A full clearance for employment does not entitle the individual to a job. Final employment decisions rest with the covered school.

Conditional Clearances for Employment: In the event that the FBI criminal history report is delayed and there is no possible basis for denial based on the DCJS report, OSPRA may issue a conditional clearance for employment (pursuant to Chapter 147 of the Laws of 2001). A conditional clearance for employment would permit the school district, charter school or BOCES to hire the prospective employee on a conditional basis while OSPRA is waiting for criminal history results from the FBI. A conditional clearance for employment does not entitle the individual to a job. Final employment decisions rest with the covered school.

Clearance for Certification: The New York State Office of Teaching Initiatives is automatically notified that the individual is **cleared for certification** after OSPRA has reviewed both the DCJS and FBI criminal history reports and determined that there is no basis for a possible denial of clearance. **The individual will not receive a clearance letter from OSPRA indicating that his or her fingerprints have been cleared.**

Denial of Clearance for Employment: If OSPRA makes an initial determination that clearance for employment should be denied, OSPRA follows the due process steps outlined in Part 87 of the Department's regulations. The prospective employee will receive an "Intent to Deny" letter and an OSPRA 107 Form. A copy of the "Intent to Deny" letter **will not** be forwarded to the prospective school district, charter school or BOCES. The letter will advise the prospective employee on how to submit written material to demonstrate that clearance for employment should be granted. OSPRA will then review any information submitted by or on behalf of the prospective employee and make a final determination on clearance for employment. The prospective employee will then either be cleared or denied. If the prospective employee is denied clearance for employment, they will receive a Notice of Denial via regular and certified mail. If the prospective employee receives a final denial of clearance for employment, the covered school that put in the request for clearance will receive an electronic notification in TEACH, as well as a separate written notification, that the prospective employee has been denied clearance for employment. The covered school will not receive a copy of the denial letter that was sent directly to the prospective employee. A final denial of clearance for employment may be appealed by the prospective employee to the Executive Coordinator for the Office of Teaching. Instructions on how to file an appeal will be provided to the prospective employee with the final denial letter.

Denial of Clearance for Certification: Applicants for certification who have issues in their criminal history background and who may potentially be denied clearance for certification will be provided with information on their due process rights. Such individuals may not be denied clearance for certification without following the due process steps set forth in Part 83 of the Department's Regulations.

Submission of Additional Information: At any time during the process, an individual has the right to submit any information, in writing, that may be relevant to the consideration of his or her application for clearance, including, information in regard to good conduct and rehabilitation.

Subsequent Arrests: If an individual is arrested subsequent to providing their fingerprints to OSPRA, notice of the subsequent arrest will be made to OSPRA by DCJS. OSPRA is obligated to notify the school district, charter school, BOCES, or other covered school, of the name of the arresting agency, the date of the arrest, and the court of jurisdiction.

Change of Name or Mailing Address: Education Law § 3006(3)(d) requires certificate holders to notify the Department of any change of name or mailing address within thirty days of such change. In addition, it is highly recommended by OSPRA that everyone keep their mailing address updated in TEACH to ensure you receive any important correspondence from us.

Destruction of Fingerprints: The FBI will destroy the fingerprints once its criminal background check is completed. DCJS will retain the fingerprints following its criminal background check as part of its "Search and Retain" services, until the Department requests that the fingerprints be destroyed. If an individual was fingerprinted for employment purposes, leaves that employment and is not reemployed within 12 months at a public school, charter school or BOCES, OSPRA will request that DCJS destroy his or her fingerprints. Such individuals also have the right to request that his or her fingerprints be destroyed prior to the end of the twelve-month period. An individual who seeks employment in a school after his or her fingerprints have been destroyed will need to be fingerprinted again. Individuals who are fingerprinted for certification purposes may not have their fingerprints destroyed for the period of time that their certification is valid.

INDIVIDUALS WHO WERE FINGERPRINTED BY THE NYCDOE

Individuals who were previously fingerprinted for employment with the New York City Department of Education (NYCDOE) after July 1, 1990 may not have to be fingerprinted again. Chapter 380 of the Laws of 2001 authorizes the NYCBOE to share the results of such background checks with OSPRA for the purpose of clearance for employment and certification. Applicants must complete an **Authorization to Forward Criminal History Record Information from the City School District of the City of New York to the New York State Education Department** (OSPRA 104) form and submit it to the NYC DOE Division of Human Capital, HR Connect Fingerprinting Unit using the NYC DOE's HR Connect Web Portal. Instructions on how to submit the form using the portal are at the bottom of the form in Section 4. The NYCDOE will forward the results of your criminal history background check to OSPRA for review. No fee is due to OSPRA for this service, but applicants should understand that the 104 process takes much longer than getting fingerprinted again.

REVIEW OF CRIMINAL HISTORY

An applicant has the right to obtain a copy of their criminal history for review from the New York State Division of Criminal Justice Services (DCJS) and/or the Federal Bureau of Investigation (FBI) at the addresses listed below. An individual has the right to make a written challenge to the accuracy or completeness of any entry on their criminal history record. Challenges must be addressed directly to DCJS and/or the FBI. OSPRA does not have the authority to obtain reviews and seek corrections of individual criminal history information maintained by DCJS and the FBI.

NYS Division of Criminal Justice Services

Records Review Unit
80 South Swan St., 5th Floor
Albany, NY 12210

Website: <https://www.criminaljustice.ny.gov>

Federal Bureau of Investigation

Criminal Justice Information Services (CJIS) Division
1000 Custer Hollow Road
Clarksburg, WV 26306

Website: <https://www.fbi.gov/about-us/cjis/background-checks>

SUBSEQUENT APPLICATIONS FOR CERTIFICATION AND CLEARANCES FOR EMPLOYMENT

Once an individual has been fingerprinted and entered into the OSPRA fingerprinting database (TEACH), he or she does not have to be fingerprinted again for future employment in a school district, charter school, or BOCES in New York State, or additional certification applications, as long as the fingerprint records have not been destroyed. For additional clearances for employment, a prospective employer will need to submit a **Clearance for Employment Request** electronically through the New York State Education Department's TEACH system. All subsequent clearance determinations will follow the procedures as detailed in the above paragraphs.

OSPRA FORMS and WEBSITE

OSPRA created a comprehensive website to provide information and assistance about the fingerprinting process. The website address is: <https://www.nysed.gov/educator-integrity>. It contains the relevant laws and regulations, the most recent OSPRA forms, frequently asked questions (FAQs), special information for individuals who were previously fingerprinted by the New York City Board of Education (NYCBOE), a chart describing who must be fingerprinted, and other critical information and updates.

ADDITIONAL QUESTIONS OR CONCERNS

Please visit our fingerprinting webpage at <https://www.nysed.gov/educator-integrity/fingerprinting> and if you still have questions or need assistance, contact the Office of School Personnel Review and Accountability (OSPRA) at the telephone number or email address on the first page of this form.