



SDSU Research Foundation Live Scan Fingerprinting Procedures

Since you will be working with or near children, the elderly or individuals with disabilities, you are required to undergo fingerprinting. You may **NOT** begin working with/near children, the elderly, or individuals with disabilities until your fingerprint results have cleared with the SDSURF Human Resources Department.

In this packet you will find the form titled "Request for Live Scan Service". You must complete the middle section of this form and submit it to the Live Scan location of your choice. The Live Scan location will then complete the bottom portion of the form and give you a copy after the fingerprinting has been completed. Please save this form until we have received confirmation from your supervisor that you have been cleared to begin working. When clearance is received from Department of Justice, we will send an email to your supervisor advising that you are have clearance and are eligible to begin working. SDSU Research Foundation Human Resources does **NOT** require a copy of this form.

For a full list of available locations, please visit the State of California Department of Justice's website at:

<http://ag.ca.gov/fingerprints/publications/contact.php#countylist>

Also included in this packet is the form titled "Employee/Volunteer Agreement for Conduct When Working with or Near Children, Youth, the Disabled & Elderly". Please read, complete and have your supervisor sign and date and have them return this form to the SDSURF Human Resources Department as soon as possible.

If you should have any questions or concerns in regards to this process, please feel free to contact the SDSU Research Foundation Human Resources Department at (619) 594-4139 or stop by our office at the following address:

**SDSU Research Foundation
Gateway Center, 4th Floor
5250 Campanile Dr.
San Diego, CA 92182-1945**

Code of Conduct for Working/Interacting with Children, Minors, Disabled Individuals & the Elderly

The following is a list of behaviors and conduct that is unacceptable and inappropriate for employees and volunteers, specifically when interacting with children, minors, disabled individuals and the elderly:

- Verbal abuse, such as the use of malicious, derogatory remarks, insults, epithets, threats, intimidation, shouting (yelling in an aggressive or threatening manner) or abusive language;
- *Physical abuse/violence, punishment, discipline (e.g. use of physical force, striking, spanking, shaking, squeezing, slapping), threatening physical harm, whether used for behavior management or not;
- Emotional abuse, such as inflicting cruelty, bullying, name-calling, swearing, shaming, using belittling, harsh words and humiliation;
- Neglect, such as failing to provide basic needs, appropriate medical care, access to restrooms, or access to food and water;
- Sexual abuse, molestation, physical interaction involving intimate touch (e.g. tickling, wrestling, massages, caressing, kissing, patting on bottom)

*In the case of actual violence, imminent violence, or threat of imminent violence, employees and volunteers should obtain emergency assistance by immediately contacting law enforcement by dialing 9-1-1 or SDSU University Police at 619-594-1991.

SDSURF will promptly and thoroughly investigate all reports of volunteers and/or employees engaging in inappropriate conduct and may place those individuals on Administrative Leave of Absence pending results of the investigation. Anyone found to be responsible for engaging in unacceptable and inappropriate conduct, will be subject to disciplinary action up to including immediate termination of employment and/or immediate dismissal of volunteer assignment.

Code of Ethics

Those acting on behalf of SDSURF have a general duty to conduct themselves in a manner that will maintain and strengthen the public's trust and confidence in the organization. Employees and/or volunteers shall not act in any manner incompatible with their obligation to SDSURF. With regard to professional conduct, employees/volunteers have the right and responsibility to:

- Conduct business in adherence with high ethical standards.
- Maintain integrity through an ongoing dedication to honesty and responsibility.
- Act in a professional, reliable and dependable manner.
- Treat others with impartiality.
- Communicate honestly and openly and avoid misrepresentation.
- Exhibit respect, courtesy and fairness toward others.
- Use organizational resources only for SDSURF purposes.
- Observe and comply with laws and regulations affecting SDSURF and its operations.
- Conduct business in a manner that will avoid potential or actual conflicts of interest. (See Conflict of Interest Policy)
- Respect the value and dignity of all individuals.

- Follow the decisions of management. Staff are encouraged to express their positions and management may incorporate some, none or all of staff's recommendations. Management is to demonstrate leadership in applying ethical business practices.
- Refrain from doing anything at work that might bring discredit to SDSURF and the department/project/agency.
- Treat SDSURF's property, information and other resources responsibly including maintaining confidentiality where appropriate.
- Carefully consider the public perception of his/her personal and professional actions, the effect his/her actions could have the reputation of SDSURF, its projects/agencies/departments, and San Diego State University.

Prohibited Harassment

SDSURF is committed to providing a work environment that is free of illicit harassment based on any protected characteristics. As a result, SDSURF maintains a strict policy prohibiting sexual harassment and harassment against employees, applicants for employment, individuals providing services in the workplace pursuant to a contract, unpaid interns or volunteers based on any legally-recognized basis, including, but not limited to, their actual or perceived race (including traits historically associated with race, such as hair texture and protective hairstyles), religious creed, color, national origin, ancestry, physical or mental disability, medical condition, genetic information, marital status (including registered domestic partnership status), sex and gender (including pregnancy, childbirth, lactation and related medical conditions), gender identity and gender expression (including transgender individuals who are transitioning, have transitioned, or are perceived to be transitioning to the gender with which they identify), age (40 or over), sexual orientation, Civil Air Patrol status, military and veteran status, immigration status or any other consideration protected by federal, state or local law.

Best Practices for Safely Working/Interacting with Minors

As an SDSURF employee or volunteer, it is our duty to prevent harm towards minors in our care. The following are behavioral guidelines for employees and volunteers while interacting with minors:

- Avoid being alone with a single minor where you cannot be observed by staff or other adults
- In sensitive situations and in case of injury, involve another employee or volunteer, adult, or parent
- Establish clear boundaries with minors, i.e. stating what are or are not appropriate conversation topics
- Treat all minors equitably, i.e. fairly and consistently. Avoid showing favoritism
- Follow appropriate professional attire guidelines and avoid provocative or revealing attire
- Do not have off-hours contact with minors. Separate your private life from your work or volunteer activities
- Do not swear or tell off-color jokes
- Do not smoke or drink alcohol in the presence of minors
- Do not share sexually explicit literature, magazines, books, music, or videos
- Do not discuss your own or minor's sex life or activities
- Do not discuss your personal life with minors
- Do not transport minors in your private vehicle without explicit program permission
- Do not release minors to anyone other than the authorized parent/guardian or person authorized to act on behalf of the parent/guardian with written permission on file

- Communicate to your project lead, manager or director all situations that may be questionable of a possible breach of these guidelines and/or best practices. If you believe someone has perpetrated abuse or neglect, immediately report such violation to Child Protective Services, law enforcement or SDSU University Police at 619-594-1991.

Identification of and Reporting Child Abuse and Neglect

It is important that individuals working with and around children be able to know what constitutes child abuse or child neglect and know how to identify potential signs. Child Abuse and/or Child Neglect Can Be Any of the Following:

- A physical injury inflicted on a child by another person other than by accidental means.
- The sexual abuse, assault, or exploitation of a child.
- The negligent treatment or maltreatment of a child by a person responsible for the child's welfare under circumstances indicating harm or threatened harm to the child's health or welfare. This is whether the harm or threatened harm is from acts or omissions on the part of the responsible person.
- The willful harming or endangerment of the person or health of a child, any cruel or inhumane corporal punishment or any injury resulting in a traumatic condition.

If you are concerned about a child's safety, neglect or believe they are being abused, contact the Child Abuse Hotline for more information or to report suspected child abuse at 1-858-560-2191.

Depending on your position, you may be required to complete Mandated Reporter Training, which provides training on the California Child Abuse & Neglect Reporting Act.

Best Practices for Safely Working/Interacting with Elderly and Disabled Individuals

Employees and volunteers are expected to provide safe and ethical support to elderly and disabled individuals and to follow these behavioral guidelines:

- Act with respect for individual and civil rights to freedom of expression, self-determination, and decision making
- Respect the adults right to keep personal information confidential
- Provide support and services in a safe and competent manner with care and skill
- Act with integrity, honesty, transparency and respect
- Promptly take steps to raise and act on concerns about matters that might have an impact on the quality and safety of support provided to the disabled individual/elderly person
- Maintain clear and appropriate professional boundaries (e.g., do not borrow, lend or combine finances; do not accept gifts, services or compensation from elderly/disabled individual or their families)
- Avoid imposing personal values/preferences on others
- Do not transport disabled or elderly individuals in your private vehicle without explicit program permission. Do not bring disabled/elderly individuals to your home or allow non-employees/non-volunteers to enter disabled/elderly individuals home.

Identification of and Reporting Abuse of Elders (60 years and older) and Dependent Adults (18-59 who are disabled)

The following is a list of common abuse and/or may be possible warning signs that abuse might be occurring to an older or disabled adult:

- Physical: e.g. hitting, kicking, burning, dragging, over or under medicating
- Sexual Abuse: e.g. unwanted sexual contact, sexual exploitation, forced viewing of pornography
- Abandonment, such as desertion or willful forsaking by anyone having responsibility for care
- Isolation, such as preventing the individual from receiving mail, telephone calls, visitors
- Financial, such as theft, misuse of funds or property, extortion, duress, fraud
- Neglect, such as failure to provide food, clothing, shelter, or health care for an individual under one’s care when the means to do so are available.
- Self-neglect, such as failure to provide food, clothing, shelter, or health care for oneself.
- Mental suffering to include verbal assaults, threats, causing fear.

If you observe some of these occurring with an older or disabled adult, consider alerting the County Adult Protective Services at 1-833-401-0832.

Depending on your position, you may be required to complete Mandated Reporter Training, which provides training on the requirement to report suspected abuse or neglect.

Confirmation of Understanding

I have read the SDSU Research Foundation Employee/Volunteer Agreement for Conduct when working with or near children/minors; disabled individuals and the elderly and I agree to abide by the Code of Conduct and Best Practices.

I UNDERSTAND VIOLATIONS OF THE SDSU RESEARCH FOUNDATION CODE OF CONDUCT MAY RESULT IN DISCIPLINARY ACTION UP TO AND INCLUDING IMMEDIATE TERMINATION AND/OR DISMISSAL OF VOLUNTEER ASSIGNMENT.

Employee / Volunteer Signature

Print Employee / Volunteer Name

Date

Name of Project/Agency or Department

SDSU Research Foundation, Human Resources
5250 Campanile Drive, San Diego CA 92182-1945
sdsurfhr@sdsu.edu
foundation.sdsu.edu



REQUEST FOR LIVE SCAN SERVICE

Applicant Submission

ORI (Code assigned by DOJ)

Authorized Applicant Type

Type of License/Certification/Permit OR Working Title (Maximum 30 characters - if assigned by DOJ, use exact title assigned)

Contributing Agency Information:

Agency Authorized to Receive Criminal Record Information

Mail Code (five-digit code assigned by DOJ)

Street Address or P.O. Box

Contact Name (mandatory for all school submissions)

City State ZIP Code

Contact Telephone Number

Applicant Information:

Last Name First Name Middle Initial Suffix

Other Name: (AKA or Alias)

Last Name First Name Suffix

Sex Male Female

Date of Birth Driver's License Number

Height Weight Eye Color Hair Color Billing Number (Agency Billing Number)

Place of Birth (State or Country) Social Security Number Misc. Number (Other Identification Number)

Home Address Street Address or P.O. Box City State ZIP Code

I have received and read the included Privacy Notice, Privacy Act Statement, and Applicant's Privacy Rights.

Applicant Signature

Date

Your Number: OCA Number (Agency Identifying Number)

Level of Service: DOJ FBI

(If the Level of Service indicates FBI, the fingerprints will be used to check the criminal history record information of the FBI.)

If re-submission, list original ATI number: Original ATI Number
(Must provide proof of rejection)

Employer (Additional response for agencies specified by statute):

Employer Name

+1(619) 594-4139

Street Address or P.O. Box Telephone Number (optional)

City State ZIP Code Mail Code (five digit code assigned by DOJ)

Live Scan Transaction Completed By:

Name of Operator Date

Transmitting Agency LSID ATI Number Amount Collected/Billed



REQUEST FOR LIVE SCAN SERVICE

Privacy Notice

As Required by Civil Code § 1798.17

Collection and Use of Personal Information. The California Justice Information Services (CJIS) Division in the Department of Justice (DOJ) collects the information requested on this form as authorized by Business and Professions Code sections 4600-4621, 7574-7574.16, 26050-26059, 11340-11346, and 22440-22449; Penal Code sections 11100-11112, and 11077.1; Health and Safety Code sections 1522, 1416.20-1416.50, 1569.10-1569.24, 1596.80-1596.879, 1725-1742, and 18050-18055; Family Code sections 8700-87200, 8800-8823, and 8900-8925; Financial Code sections 1300-1301, 22100-22112, 17200-17215, and 28122-28124; Education Code sections 44330-44355; Welfare and Institutions Code sections 9710-9719.5, 14043-14045, 4684-4689.8, and 16500-16523.1; and other various state statutes and regulations. The CJIS Division uses this information to process requests of authorized entities that want to obtain information as to the existence and content of a record of state or federal convictions to help determine suitability for employment, or volunteer work with children, elderly, or disabled; or for adoption or purposes of a license, certification, or permit. In addition, any personal information collected by state agencies is subject to the limitations in the Information Practices Act and state policy. The DOJ's general privacy policy is available at <http://oag.ca.gov/privacy-policy>.

Providing Personal Information. All the personal information requested in the form must be provided. Failure to provide all the necessary information will result in delays and/or the rejection of your request.

Access to Your Information. You may review the records maintained by the CJIS Division in the DOJ that contain your personal information, as permitted by the Information Practices Act. See below for contact information.

Possible Disclosure of Personal Information. In order to process applications pertaining to Live Scan service to help determine the suitability of a person applying for a license, employment, or a volunteer position working with children, the elderly, or the disabled, we may need to share the information you give us with authorized applicant agencies.

The information you provide may also be disclosed in the following circumstances:

- With other persons or agencies where necessary to perform their legal duties, and their use of your information is compatible and complies with state law, such as for investigations or for licensing, certification, or regulatory purposes.
- To another government agency as required by state or federal law.

Contact Information. For questions about this notice or access to your records, you may contact the Associate Governmental Program Analyst at the DOJ's Keeper of Records at (916) 210-3310, by email at keeperofrecords@doj.ca.gov, or by mail at:

Department of Justice
Bureau of Criminal Information & Analysis
Keeper of Records
P.O. Box 903417
Sacramento, CA 94203-4170



REQUEST FOR LIVE SCAN SERVICE

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.



REQUEST FOR LIVE SCAN SERVICE

Noncriminal Justice Applicant's Privacy Rights

As an applicant who is the subject of a national fingerprint-based criminal history record check for a noncriminal justice purpose (such as an application for employment or a license, an immigration or naturalization matter, security clearance, or adoption), you have certain rights which are discussed below.

- You must be provided written notification¹ that your fingerprints will be used to check the criminal history records of the FBI.
- You must be provided, and acknowledge receipt of, an adequate Privacy Act Statement when you submit your fingerprints and associated personal information. This Privacy Act Statement should explain the authority for collecting your information and how your information will be used, retained, and shared.²
- If you have a criminal history record, the officials making a determination of your suitability for the employment, license, or other benefit must provide you the opportunity to complete or challenge the accuracy of the information in the record.
- The officials must advise you that the procedures for obtaining a change, correction, or update of your criminal history record are set forth at Title 28, Code of Federal Regulations (CFR), Section 16.34.
- If you have a criminal history record, you should be afforded a reasonable amount of time to correct or complete the record (or decline to do so) before the officials deny you the employment, license, or other benefit based on information in the criminal history record.³

You have the right to expect that officials receiving the results of the criminal history record check will use it only for authorized purposes and will not retain or disseminate it in violation of federal statute, regulation or executive order, or rule, procedure or standard established by the National Crime Prevention and Privacy Compact Council.⁴

If agency policy permits, the officials may provide you with a copy of your FBI criminal history record for review and possible challenge. If agency policy does not permit it to provide you a copy of the record, you may obtain a copy of the record by submitting fingerprints and a fee to the FBI. Information regarding this process may be obtained at <https://www.fbi.gov/services/cjis/identity-history-summary-checks>.

If you decide to challenge the accuracy or completeness of your FBI criminal history record, you should send your challenge to the agency that contributed the questioned information to the FBI. Alternatively, you may send your challenge directly to the FBI. The FBI will then forward your challenge to the agency that contributed the questioned information and request the agency to verify or correct the challenged entry. Upon receipt of an official communication from that agency, the FBI will make any necessary changes/corrections to your record in accordance with the information supplied by that agency. (See 28 CFR 16.30 through 16.34.) *You can find additional information on the FBI website at <https://www.fbi.gov/about-us/cjis/background-checks>.*

¹ Written notification includes electronic notification, but excludes oral notification

² <https://www.fbi.gov/services/cjis/compact-council/privacy-act-statement>

³ See 28 CFR 50.12(b)

⁴ See U.S.C. 552a(b); 28 U.S.C. 534(b); 34 U.S.C. § 40316 (formerly cited as 42 U.S.C. § 14616), Article IV(c)