#### CPE Form 40c - Background Investigation

### SECTION 1/FINGERPRINT BACKGROUND WAIVER - COMPLETE ALL FIELDS

APPLICANT'S <u>LAST</u> NAME (PRINT LEGIBLY)	APPLICANT'S <u>FIRST</u> NAME		
As an applicant who is the subject of a national fingerprint-based	criminal history record check for a noncriminal justice purpose (such		

as for employment), you have certain rights which are discussed below. All notices must be provided to you in writing. These obligations are pursuant to the Privacy Act of 1974, Title 5, United States Code (U.S.C.) Section 552a, and Title 28 Code of Federal Regulations (CFR), 50.12, among other authorities.

1. You must be notified by the Commission on Postsecondary Education (CPE) that your fingerprints will be used to check the criminal history records of the FBI and the State of Nevada.

2. 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.

3. 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 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.

4. 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.

5. 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 FBI criminal history record. The procedures for obtaining a change, correction, or update of your FBI criminal history record as set forth at, 28 CFR 16.34 provides for the proper procedure to do so.

6. 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/identityhistory-summary-checks and https://www.edo.cjis.gov.

7. 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 by submitting a request via https://www.edo.cjis.gov. 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.)

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

9. I hereby authorize Commission on Postsecondary Education to submit a set of my fingerprints to the Nevada Department Public Safety, Records Bureau for the purpose of accessing and reviewing State of Nevada and FBI criminal history records that may pertain to me.

10. I hereby release from liability and promise to hold harmless under any and all causes of legal action, the State of Nevada, its officer(s), agent(s) and/or employee(s) who conducted my criminal history records search and provided information to the submitting agency for any statement(s), omission(s), or infringement(s) upon my current legal rights. I further release and promise to hold harmless and covenant not to sue any persons, firms, institutions or agencies providing such information to the State of Nevada on the basis of their disclosures. I have signed this release voluntarily and of my own free will.

A reproduction of this authorization for release of information by photocopy, facsimile or similar process, shall for all purposes be as valid as the original.

In consideration for processing my application I, the undersigned,	whose name and signature voluntarily appears below; do hereby
and irrevocably agree to the above.	

SIGNATURE OF APPLICANT	DATE SIGNED	
	Applicant:	
10a Form ravised $06/00/2020$	Initial Date	Page 1 of 2

.....

# SECTION 1/FINGERPRINT BACKGROUND WAIVER CONTINUED – <u>COMPLETE ALL FIELDS</u>

APPLICANT'	S <u>LAST</u> NAME ( <i>PRINT LEGIBLY</i> )		APPLICANT'S <u>FIRST</u> NAM	E	
APPLICANT'	S ADDRESS		APPLICANT'S CITY/STATI	E/ZIP	
APPLICANT'	S E-MAIL ADDRESS			APPLICANT'S HOME OR CE	LL PHONE #
LIST <u>ALL</u> FEL	ONY OR CRIMES OF MORAL TURPITUDE	CONVICTIONS. U	SE ADDTIONAL PAPER IF N	EEDED. IF NONE, WRITE NON	E IN YEAR FIELD.
YEAR	CITY/STATE	CONVICTED OF			SENTENCE

#### **SECTION 2/SCHOOL INFORMATION**

NAME OF SCHOOL	PRINTED NAME OF SCHOOL OFFICIAL			SCHOOL OFFICIAL'S POSTION		
			╞	SCHOOL O	FFICIALS PHON	E NUMBER
Applicant is being fingerprinted under NRS 394.465 ( INSTRUCTIONAL ADMINISTRATIVE		CHOOL DIRECTOR	PE	RSONNEL	OFFICER	COUNSELOR
ADMISSION REPRESENTATIVE FINAL	NCIAL AID OFFICER	SOLICITOR	CANV	ASSER	SURVEYOR	AGENT
I certify that I have reviewed the information on this f	orm as provided by the	applicant.				
SIGNATURE OF <u>SCHOOL OFFICIAL</u> /DATE SIGNED	1					

## SECTION 3/CPE INFORMATION

Commission on Postsecondary Education	SIGNATURE OF CPE STAFF	
1860 E. Sahara		NV920410Z
Las Vegas NV 89104		880236
702-486-7330		NRS 394.465
www.cpe.nv.gov		1413 334.403

### SECTION 4/ENTITY TAKING FINGERPRINTS (Do not process without CPE staff signature and stamp)

STAMP/SIGNATURE OF ENTITY TAKING AND SUBMITTING FINGERPRINTS	DATE
	TCN #

Return completed form to CPE by mail or email to <a href="mailto:sbeckett@detr.nv.gov">sbeckett@detr.nv.gov</a>

Date	Page 2 of 2
	Date