



TEXAS FACILITIES COMMISSION CRIMINAL BACKGROUND CHECKS AND APPLICATION GUIDELINES

It is the policy of the Texas Facilities Commission (“TFC”) that all contractor employees and subcontractors that will complete any work on-site at a state-owned property may be subject to a criminal background check. Any expense associated with such criminal background check shall be borne by the contractor. Contractor employees and subcontracts who work in case-sensitive areas will be required to submit to a criminal history background check. If requested by TFC, a complete criminal background check shall be completed before any employee performs services at the site. Criminal background checks must be performed by the Texas Department of Public Safety (“DPS”) and must be on the form provided here by TFC.

I. CRIMINAL HISTORY CRITERIA.

Employers should use the following criminal history criteria when hiring employees to perform work for TFC. Any employee failing to meet the minimum standard will be denied. If special circumstances exist, please contact the TFC representative for clarification.

A conviction or deferred adjudication for one of the following offenses will result in the **permanent disqualification** of a person from eligibility to provide contractual services with TFC:

- (i) any act causing death as defined in Texas Penal Code, and
- (ii) any felony or misdemeanor involving arson, burglary, breach of computer security, credit card abuse, counterfeiting, forgery, kidnapping, robbery, stalking, terroristic threat, theft, and any sexual offense designated as a felony in Texas Penal Code.

Additionally, anyone who has a current duty to register as a sex offender, is under indictment, or is a fugitive from justice is disqualified.

For individuals who have a conviction or deferred adjudication for felonies not enumerated above, ten (10) years must have passed from the time of disposition or discharge of probation in order for that person to be eligible to provide contractual services with TFC.

For individuals who have a misdemeanor conviction or deferred adjudication for misdemeanors not enumerated above, five (5) years must have passed from the time of disposition or discharge of probation in order for that person to be eligible to provide contractual services with TFC.

II. CRIMINAL BACKGROUND PROCESS.

DPS has entered into an exclusive contract with Identogo Centers, formerly L-1 Enrollment Services, operated by MorphoTrust USA. Identogo by MorphoTrust is the exclusive live scan fingerprinting provider for DPS. All TFC contractors that are subject to TFC criminal background check requirements must create an account with Identogo in accordance with the Identogo Account Application and requirements attached hereto as “Attachment A.” Thereafter, all contractor employees and subcontractors must follow the registration procedures attached hereto as “Attachment B” including using the *Texas Facilities Commission In State Application (“F.A.S.T. Pass”)* attached hereto as “Attachment C.” All necessary instructions and information to schedule a fingerprint appointment is included in Attachment B. In addition, the only F.A.S.T. Pass accepted by DPS for a TFC criminal background check is the form attached hereto, therefore, if an individual does not use the form in Attachment C, he or she may be required to repeat the process at the expense of contractor.

Additionally, all Attachments and instructions can be found on the Identogo website at <http://www.identogo.com> and clicking on the State of Texas. Links on that page include one for online scheduling and a list for the state-wide fingerprinting locations.

III. CRIMINAL HISTORY ERROR RESOLUTION.

The Error Resolution Unit (“ER”) is responsible for updating and evaluating possible errors in criminal history records. Potential errors are reported to ER by law enforcement, judicial agencies, as well as private citizens.

If an applicant needs to request that a criminal history record be updated or corrected, the applicant will need to supply certified documents to the ER. Required forms and additional information to assist your applicant in retrieving the proper documentation to submit their requests to the ER can be found at:

http://www.txdps.state.tx.us/administration/crime_records/pages/errorresolution.htm.

IV. TFC CONTACTS.

For any questions involving the TFC criminal background check process, please contact the following:

Tommy Oates, Deputy Executive Director

Office: 512-463-3057

Cell: 512-378-3376

Email: tommy.oates@tfc.state.tx.us

Marlena Schoenfeld, Risk Management Specialist

Office: 512-463-7148

Cell: 512-828-1996

Email: Marlena.schoenfeld@tfc.state.tx.us



Account Application

Firm Name: _____

Agency ID/ORI: _____

Address: _____

City/State/Zip: _____

Contact Person: _____

Email Address: _____
(for monthly statement delivery)

Telephone: _____ Fax: _____

Average Monthly Volume Estimate (# of applicants): _____

Deposit Amount: _____

Authorized Signature

Date

Please remit draw account payments to:

**Enrollment Services Division
Finance Department
6840 Carothers Parkway, Suite 650
Franklin, TN 37067**

**Phone: (877) 512-6962
Fax: (615) 871-0845**



Texas Escrow Account Requirements

Your firm has recently indicated an interest in establishing an account for fingerprinting services with our company. Due to the large number of applicants that our firm processes on a monthly basis, we are not able to extend credit terms for fingerprinting services. However, for those facilities that desire a centralized means of managing the fees accompanied with the fingerprinting requirements, we offer the option of establishing an escrow account.

To establish an escrow account with our company, you must submit a deposit check payable to MorphoTrust USA at the address listed below. This check should include the following information:

- Name of facility
- ORI Number (if applicable)
- Account Number
- Contact Person
- Phone number (including area code)

The deposit check should be the amount necessary to cover one month's fingerprinting services. When an employee is scheduled for an appointment, the proper fees are reserved to cover the cost of that applicant's fingerprints. After the applicant has completed their fingerprinting appointment, the reserved fees are deducted from your account. A detailed list of those applicants fingerprinted and charged to your account will be mailed at the beginning of each month.

It will be the responsibility of each facility to ensure that there is always a positive balance in your escrow account and that the account number is listed on each check. Failure to maintain a positive balance may result in applicants not being able to schedule appointments for fingerprinting until the account is returned to a positive balance. Because many facilities have very similar names, failure to include the account number on each check may result in your facility not receiving credit for the check amount.

We appreciate your interest in our escrow account system. If your facility has any additional questions, please call 888-467-2080.

Please remit draw account payments to:

**Enrollment Services Division
Finance Department
6840 Carothers Parkway, Suite 650
Franklin, TN 37067**

**Phone: (877) 512-6962
Fax: (615) 871-0845**

Registering for Fingerprinting is fast and easy.

Customers have two easy ways to register for fingerprinting with Identogo by MorphoTrust USA.

On-line Registration

Available 24 hours a day, 7 days a week.

1. Go to www.identogo.com
2. Click on the "Texas" map.
3. Enter required information (including ORI) and provide payment information, if necessary.

Call Center Registration

Available Monday-Friday, 8am – 5pm EST.

1. Call (888) 467-2080 and speak to one of our experienced, friendly operators.
2. Operators will collect required information to register you for fingerprinting
3. Be sure to have your ORI number and payment information handy when calling.

You're ready to go.

IdentoGO[®]

By MorphoTrust USA



Attachment C
IN STATE APPLICANT
Texas Facilities Commission

This document is your FAST Fingerprint Pass for a state and national criminal history record check. Please schedule a fingerprint appointment by visiting http://www.identogo.com or by calling 1-888-467-2080. When scheduling an appointment you will be prompted by Identogo for the following additional personal data: Date of Birth, Sex, Race, Ethnicity, Skin Tone, Height, Weight, Eye Color, Hair Color, Place of Birth and Home Address. During your Fingerprint appointment you will also be prompted for Social Security Number and Driver License Number. Requested data is required by the Texas Department of Public Safety to process your background check. These data elements have been omitted from this document in order to better protect the security of your personal information.

You may pay for FAST services online with a credit card or onsite with a check or money order only. Your fingerprints will be submitted to the Texas Department of Public Safety and the Federal Bureau of Investigation.

- 1. Logon to http://www.identogo.com
2. Select: Texas
3. Select: Online Scheduling
4. Select: English or Espanol
5. Enter: First and Last Name
6. Select: All Others
7. Select: Option A - Electronic Submission
8. Select: Yes, I have a FAST Fingerprint Pass
9. Enter: TX923605Z
10. Follow the prompts to enter requested information.
11. Bring this completed form with you to your appointment.

Section One: Qualified Entity Information

ORI#: TX923605Z Original TCN: (If resubmission for rejected fingerprints)
Agency/Entity/Organization Name: Texas Facilities Commission

Section Two: Applicant Name (To be completed by applicant)

Last: (Please print) First: (Please print) Middle: (Please print)

Section Three: Waiver Information (To be completed and signed by applicant)

I certify that all information I provided in relation to this criminal history record check is true and accurate. I authorize the Texas Department of Public Safety (DPS) to access Texas and Federal criminal history record information that pertains to me and disseminate that information to the designated Authorized Agency or Qualified Entity with which I am or am seeking to be employed or to serve as a volunteer, through the DPS Fingerprint-based Applicant Clearinghouse of Texas and as authorized by Texas Government Code Chapter 411 and any other applicable state or federal statute or policy.

I authorize the Texas Department of Public Safety to submit my fingerprints and other application information to the FBI for the purpose of comparing the submitted information to available records in order to identify other information that may be pertinent to the application. I authorize the FBI to disclose potentially pertinent information to the DPS during the processing of this application and for as long hereafter as may be relevant to the activity for which this application is being submitted. I understand that the FBI may also retain my fingerprints and other applicant information in the FBI's permanent collection of fingerprints and related information, where all such data will be subject to comparisons against other submissions received by the FBI and to further disseminations by the FBI as may be authorized under the Federal Privacy Act (5USC 552a(b)). I understand I am entitled to obtain a copy of any criminal history record check and challenge the accuracy and completeness of the information before a final determination is made by the Qualified Entity. I also understand the Qualified Entity may deny me access to children, the elderly, or individuals with disabilities until the criminal history record check is completed.

Signature: Date:

Section Four: Service Center Information (To be completed by FAST Enrollment Agent)

Date Prints Taken Amount Charged For Service: \$39.70
Paid by: Check Money Order Visa MasterCard Billing Acct
TCN:

I HAVE COMPARED THE GOVERNMENT-ISSUED IDENTIFICATION PRESENTED BY THE APPLICANT AND ATTEST THAT TO MY BEST DETERMINATION; I HAVE FINGERPRINTED THE SAME PERSON.

E.A. Name: (Please print) E.A. Signature: