Statement of Rights and Information

Please read before giving consent to the Criminal History Record Check

New York State law now requires that employees, volunteers, interns and consultants of programs certified by The Office For People with Developmental Disabilities (OPWDD) and The Office of Mental Health (OMH) who are in a position that would allow for "regular and substantial unsupervised or unrestricted physical contact with people receiving services" from Schenectady ARC must consent to a criminal history record check before assuming the full responsibilities of his or her position. The law defines persons subject to this requirement as "any person whose work assignment is at a certified site at least some of the time that persons are receiving services." Since almost all of our work locations are certified sites, almost all new Schenectady ARC employees are subject to this requirement.

This check is a multi step process. First, the individual must give consent to the criminal history record check and submitting fingerprints to OPWDD and/or OMH (we will arrange this if we offer you a position here). The fingerprints will then be forwarded to the New York State Division of Criminal Justice Services, which will check against its data base for any convictions or pending charges. The information from that search will be forwarded to OPWDD and/or OMH, and, if there are any findings, to both you and to Schenectady ARC. The confidentiality of this information is mandated by law, and only authorized persons at Schenectady ARC will have access to this information.

The law requires that if there is a conviction for certain crimes, that Schenectady ARC must decline your application. If there are convictions for other crimes, OPWDD may direct that we decline your application, or we may decide to decline your application. If the criminal history record check indicates convictions or pending charges that you did not disclose to us, we will decline your application on the ground that you were not truthful in your application.

You should be aware that you have the following rights:

1. You may withdraw your application for employment, or to be a volunteer, at any time, without prejudice, regardless of whether your criminal history record information has been reviewed.

2. You will be advised if the criminal history record check associates any convictions or pending charges with your fingerprints and personal information: if, for any reason, you believe this information is not accurate, you have the right to obtain review, and seek correction of, your criminal history record information under regulations established by the New York State Division of Criminal Justice Services.

If you have any questions about any of this information, please speak with a representative of our Human Resources Department.