AP 7126 Applicant Background Investigations, Reference Checks, and Criminal History Reports

Reference Checks

Reference checks will be done on all prospective employees of the District, prior to an offer of employment regarding, but not limited to: education, prior employment and personal references. If it is determined that the prospective employee will not be hired, the applicant will be notified in a timely manner.

Applicants for academic, athletic, or administrative positions, including volunteer positions in athletics, who meet the minimum qualifications for the position, shall disclose whether they have been subject to a final administrative decision or final judicial decision, issued within the last seven years from the date of submission of the application, determining that the applicant committed sexual harassment. The District will permit applicants to disclose if they have filed an appeal with the previous employer or, if applicable, with the United States Department of Education. Applicants for such positions shall sign a Release of Information form authorizing the District to request and receive information from the applicant's previous employers concerning any substantiated allegations of misconduct, in order to permit the District to evaluate the released information with respect to the criteria for a potential job placement. The District shall make a reasonable attempt to obtain this information about a finalist applicant prior to making a final hiring decision.

Criminal History Reports

Criminal history reports will be obtained for prospective employees after a conditional job offer has been made. The District will comply with all state and federal laws and the California Community College Chancellor's Office guidance as it relates to the consideration of information contained within the criminal history reports.

Background Investigations

All background investigations for prospective candidates for sworn officer positions in the District police department are performed by the District's police department and/or by outside, independent, licensed investigators, and includes investigation of, but not limited to, criminal history, drug/alcohol use, driving history, credit and financial information, alcohol abuse, moral character, employment information, character references, medical, dental and psychological records and education. Background investigations for prospective sworn officer candidates in the District police department

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also include investigating whether the applicant has had sustained findings related to moral turpitude, harassment, discrimination, retaliation, abuse of authority or power, excessive use of force, or other misconduct incompatible with the role of a sworn officer. The cost of any background check will be the responsibility of the District. The prospective employee will be required to sign a Release of Information form, authorizing the investigation.

Where a background investigation is performed by a third party, the Human Resources Office shall make a clear and conspicuous disclosure to the applicant on a separate form before the report is procured. The applicant shall be provided an option to receive or not receive a copy of the report. If the applicant is not hired, or the District takes other action that adversely affects any applicant based in whole or in part upon the third-party report, the Chief Human Resources Officer shall provide oral, written, or electronic notice of:

- the adverse action to the applicant;
- the name, address, and telephone number of the third party agency that furnished the report;
- the applicant's right to obtain a free copy of the report; and
- the applicant's right to dispute the accuracy or completeness of any of the information in the report.

References: 15 U.S. Code Sections 1681 et seq. (Fair Credit Reporting Act);
Civil Code Sections 47, 1785.16, 1785.20, and 1786.16 et seq.;
Education Code Sections 67459 and 87604.5

Approved: 3/6/12

Revised: 5/16/23, 6/12/25, 11/17/26