

Applicants for positions may be subject to background or reference checks.

Where a background investigation is performed by a third party, the human resources vice president or their designee 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 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, human resources recruiter 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.

The district utilizes the California Department of Justice (DOJ) for applicant background checks. This automated service for criminal-history background checks is required as a condition of employment. The Live Scan System (digitally scanned fingerprints) submission provides the quickest way to submit and process background checks (see AP 7337 Fingerprinting). The DOJ will report on conviction results in the state of California. Criminal background checks automatically report all past criminal convictions in a person's history, unless restricted by contract or law.

When an offer of employment is made, the Human Resources Department shall notify the final candidate that it is conditional upon successful completion of the DOJ background check.

Child Development Center

The California Health and Safety Code requires a background check of all applicants, employees, and volunteers (under certain conditions) of community-care facilities who have contact with clients. If the California Department of Social Services finds that the individual has been convicted of a crime other than a minor traffic violation, the individual cannot work or be present in any community-care facility unless they receive a criminal-record exemption from the Community Care Licensing Division, Caregiver Background Check Bureau (CBCB). In addition, all applicants are required to undergo the Child Abuse Central Index name check.

MiraCosta Community College District

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Effective Date: 8/9/11, 10/6/22

Periodic Review: ---

References: Civil Code §§47, 1785.16, 1785.20, 1786.16 et seq.
15 U.S. Code Sections 1681 et seq. (Fair Credit Reporting Act)

CCLC Update: ---

Steering: VPHR / N/A

When an individual receives a criminal-record clearance, they may work or volunteer in a licensed facility.

Nursing Faculty

Background checks are required by facilities that place nursing faculty in clinical work, and thus are completed at the time of hire.

Also see BP/AP 7120 Recruitment and Hiring as well as AP 7337 Fingerprinting.