

**BP 7126 APPLICANT BACKGROUND INVESTIGATIONS AND
REFERENCE CHECKS**

References:

Civil Code Sections 47, 1785.16, 1785.20, and 1786.16 et seq.;
Penal Code Sections 11075-11081;
Fair Credit Reporting Act (Federal)

All applicants for positions in the District's police department will be subject to background checks to determine suitability for employment in a law enforcement agency. Such checks will vary based upon the position being filled, as may be required by state law or regulation, and may include a thorough and intrusive background investigation.

Reference checks will be performed on all prospective employees prior to an offer of employment.

Procedures for performing background investigations and reference checks will be developed in accordance with applicable statutes.

Date Adopted: November 18, 2008

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REFERENCE CHECKS**

References:

Civil Code Sections 47, 1785.16, 1785.20, and 1786.16 et seq.;
Penal Code Sections 11075-11081, 12021(c), 13510(c);
Fair Credit Reporting Act (Federal)
Government Code 1029, 1031, and 1031.5
U.S. Code Title 18, Section 922(d) (9)
Commission Regulations 1018, 1002

BACKGROUND INVESTIGATIONS

All background investigations for prospective employees in the District police department are performed by the District's police department and/or 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. 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 Department of Diversity and Human Resources 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 Director of Diversity and Human Resources 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.

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 discrepancies are found between information provided by the prospective employee and information found during the reference check, the Department of Diversity and Human Resources, or the hiring manager, will contact the prospective employee to discuss the situation and the prospective employee will be given an opportunity to explain the discrepancy. Each instance will be reviewed on a case-by-case basis. If it is determined that the prospective employee will not be hired the employee will be notified as soon as practicable.

Office of Primary Responsibility: Vice Chancellor, Diversity and Human Resources

Administrative Approval: April 13, 2009