

Personnel-Series 4000

4400 THE MERIT SYSTEM

4500 MISCELLANEOUS PROVISIONS

4520 EMPLOYMENT REQUIREMENTS

4520.4 Criminal Records Check

- A. Each classified person offered employment shall submit to a criminal records check in accordance with established procedures and legal requirements. No person can begin employment until clearance from the State Department of Justice has been received by the County Education Office. This requirement applies to all probationary, permanent, substitute and temporary employees.
- B. The Human Resources Office will provide the required finger print card and information on where impressions can be prepared or processed by an electronic fingerprinting system. The criminal records check will include a personal description of the person and other identification as required. The cost of submitting a criminal records check shall be paid by the applicant, unless otherwise authorized.
- C. The Human Resources Office shall submit fingerprint information to the Department of Justice and will receive criminal record reports of classified persons employed or offered employment with the County Education Office. At the discretion of the Department of Justice, it may forward copies of the fingerprint or electronic transmission to other bureaus of investigation it may deem necessary in order to verify any record of previous arrests.
- D. The Director, Human Resources shall receive the criminal record reports. If it is determined that a conviction of a violent or serious felony or other conviction preventing employment has occurred, the Director, Human Resources shall notify the applicant that he/she cannot be employed.
- E. When the Department of Justice notifies the County Education Office by telephone that a current temporary, substitute, or probationary employee has been convicted of a violent or serious felony, that employee shall immediately be placed on leave without pay. When the County Education office receives written notification, the employee shall be terminated automatically and without regard to any procedure for termination. If notification is received on a permanent employee, the Director, Human Resources shall recommend to the County Superintendent or designee whether or not the person should be retained in employment.
- F. All criminal record reports are confidential and are to be handled by designated employees in accordance with procedures established by the Human Resource Division. Any employee who divulges information contained therein to an unauthorized person is subject to disciplinary action.

Reference:

Education Code Sections 44010-44011, 45122.1, 45125-45126
and 45260-45261; Penal Code Sections 667.5 and 1192.7

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