

## **CITRUS COMMUNITY COLLEGE DISTRICT HUMAN RESOURCES**

### **AP 7110 Fingerprinting**

References: Education Code Sections 87009,87010, 87011, 87013 87405, 88022 and 88024; Penal Code Section 11077.1

#### **General Provisions**

All applicants shall be required to disclose any criminal conviction as part of the application process. If an applicant lists a conviction, the Office of Human Resources will evaluate the conviction and determine if the applicant should be disqualified from the hiring process. A plea of guilty or a finding of guilt by a court in a trial without a jury is deemed to be a conviction, including convictions for controlled substances and sex offenses as defined under Education Code Section 87010 and 87011, irrespective of a subsequent order under the provisions of Penal Code Section 1203.4.

No person may be employed who has been convicted of any sex offense as defined under Education Code Section 87010 or any controlled substance offense as defined under Education Code Section 87011 absent evidence of rehabilitation for at least five years or the person has received a certificate of rehabilitation and pardon pursuant to Title 6 of Part 3 of the Penal Code or if the accusation or information against the person has been released from all disabilities and penalties resulting from the offense pursuant to Section 1203.4 of the Penal Code.

In determining whether an applicant should be disqualified from the hiring process or dismissed from employment based on the results of fingerprints, the District shall consider the nature and gravity of the offense, the time that has elapsed since the date of the offense, the nature of the position sought or held and any other factors that reasonably relate to the person's fitness for the specific position.

All new employees of the District, including those hired as academic temporary employees or professional experts are required, within 10 days of employment, to have fingerprints taken by a District authorized Live Scan provider.

The electronic fingerprints shall be forwarded to the Department of Justice or any other required government agency to ascertain if the employee has any record of previous convictions.

The Department of Justice, or other reporting agency, will forward its findings to the Office of Human Resources. The District will contract with the Department of Justice to receive subsequent conviction reports. The Office of Human Resources will evaluate all such reports and where a conviction is indicated, determine if the offense for which the employee was convicted is cause to disqualify the employee from continued employment.

In the event that a newly hired person fails to disclose any conviction on his/her application, and it is later discovered through the fingerprinting process that the employee has a conviction that is cause to disqualify the individual from employment, it shall be deemed that the employee has not been legally employed and will be immediately released.

The District may require volunteers, interns, substitutes, and student employees to submit to fingerprinting by a District authorized Live Scan provider as set forth above.

Board Approved	05/04/10
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