



Administrative Procedure

Chapter 7 – Human Resources

AP 7337 - FINGERPRINTING

The Executive Human Resources Officer will designate one or more employees to receive, store, disseminate and destroy criminal records furnished by the California Department of Justice and to serve as the contact for the California Department of Justice for related issues. Any such employee must be confirmed by the California Department of Justice as required by law and pursuant to California Department of Justice procedures. The Executive Human Resources Officer, or designee will notify the California Department of Justice when a designated employee no longer serves in that capacity.

The Executive Human Resources Officer will ensure that criminal history record information is destroyed once the District's business need for the information is fulfilled.

Applicable Positions/Volunteers

All positions, regardless of job classification, are subject to the fingerprinting requirement, including classified and academic employees, academic administrators, management, executive management, short-term (NANC) employees and substitutes. All volunteers are also subject to the requirements of this procedure.

Time to Complete Requirements

Classified and academic employees shall fulfill the requirements of this procedure within ten (10) days after a conditional offer of employment is extended to the applicant.

Applicants, employees and volunteers associated with any District-operated Child Development Center or other child care facility shall complete the requirements of this procedure before their initial presence in the Child Development Center or child care facility, and shall not be allowed to be present in any Child Development Center or child care facility before such time as these requirements are met.

Live Scan Technology

The District uses Live Scan technology to implement its fingerprinting requirement. All applicants, employees and volunteers who need to be fingerprinted in accordance with this procedure will be provided instructions on how to complete the Live Scan process with the District's College Police, free of charge. An applicant may complete the Live Scan process with a different service provider licensed by the California Department of Justice at their own expense. The District does not accept paper/ink fingerprinting cards. Only the Live Scan process is compliant with this procedure.

Impact of Reported Criminal Charges and Convictions

When, in response to the submission of Live Scan fingerprints, the California Department of Justice provides adverse information to the District regarding a criminal charge or conviction potentially impacting the District's ability to employ a person, the District shall promptly make a preliminary decision whether to revoke an offer or seek termination of employment, as the case may be, and do all of the following:

1. Provide written notice of the preliminary decision, a copy of the conviction history report, and notice of the right to respond within five (5) days; when the notice is mailed within California, two (2) days shall be added; and when mailed outside of California, five (5) days shall be added to the time within which the person must respond.
2. Notify the respective Cabinet member (where applicable) of the preliminary decision for further discussion and feedback.
3. If the applicant or employee notifies the District in writing within the first five (5) days, plus any additional time added for mailing, that they are disputing the accuracy and taking steps to gather evidence, the person shall be afforded an additional five (5) days to provide their final response.
4. The District shall consider the response, if any, specifically including evidence of rehabilitation or mitigation before making a final decision, which shall be promptly communicated in writing to the applicant or employee. If no response is received within the time specified, the District will proceed to make a final decision and provide notice to the employee or applicant.

Unless required by law or relevant to the role Live Scan fingerprint results documenting a criminal charge or conviction does not necessarily exclude a candidate from employment.

Exceptions

This procedure shall not apply to short-term guest lecturers and paid speakers. Any other exceptions must be approved by the Chancellor.

Collective Bargaining

With regard to persons already employed with the District at the time adverse information is received, the District will adhere to any applicable Collective Bargaining Agreement (CBA), and any conflict will be resolved in favor of the terms of the CBA to the extent allowed by California law. Notwithstanding any CBA, the District shall not employ any person who is not eligible for employment under California law due to a past conviction or criminal history.

References:

Education Code Sections 87013 and 88024;
Health and Safety Code Section 1596.871;
Penal Code Sections 11102.2 and 11077.1

Approved: 6/11/26

(This is a new procedure)