

**Human Resources**

1 **AP 7126 APPLICANT BACKGROUND CHECKS**

2 **References:**

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

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

7 Where a background investigation is performed by an external, contracted third party, the  
8 Vice President of Human Resources or designee shall make a clear and conspicuous  
9 disclosure to the applicant on a separate form before the report is procured. The applicant  
10 shall be provided an option to receive or not receive the report. If the applicant is not  
11 hired, or the District takes other action that adversely affects any applicant based in whole  
12 or in part upon the third-party report, the Vice President of Human Resources or designee  
13 shall provide oral, written, or electronic notice of:

- 14 • the adverse action to the applicant;
- 15 • the name, address, and telephone number of the third-party agency that furnished  
16 the report;
- 17 • the applicant's right to obtain a free copy of the report; and
- 18 • the applicant's right to dispute the accuracy or completeness of any of the  
19 information in the report.

20 Also see AP 7337 titled Fingerprinting

21 Office of Primary Responsibility: Vice President, Human Resources

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**Date Approved: December 10, 2008**  
**Date Revised: July 1, 2010**  
**Date Reviewed: May 15, 2019**