

HUMAN RESOURCES

**AP 7126 APPLICANT BACKGROUND CHECKS**

**References:**

- Civil Code Sections 47, 1785.16, 1785.20, and 1786.16 et seq.;
- Penal Code Sections 11075-11081;
- U.S. Code Sections 1681 et seq. (Fair Credit Reporting Act)

Where a background investigation is mandated by law or required by an outside agency and is performed by a third party, the Vice President for Human Resources or designee 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 the report. If the applicant is not hired, or the District takes other action that adversely effects any applicant based in whole or in part upon the third-party report, the Vice-President for Human Resources or designee shall provide 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

Also see AP 7337 titled Fingerprinting.

Office of Primary Responsibility: Human Resource Services