

# Chapter 7 - Human Resources

## AP 7126 Applicant Background Checks

### References:

Civil Code Sections 47, 1785.16, 1785.20, and 1786.16 et seq.;

**15 U.S. Code Sections 1681 et seq. (Fair Credit Reporting Act) (Federal)**

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

Where a background investigation is performed by a third party, the ~~Chief~~ **Vice President,** Human Resources ~~Officer~~ 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 College takes other action that adversely ~~e~~affects any applicant based in whole or in part upon the third-party report, the ~~Chief~~ **Vice President,** Human Resources ~~Officer~~ or designee shall provide oral, 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.

Reviewed: May 14, 2013

Reviewed: December 6, 2014

Reviewed: June 9, 2015

Reviewed: August 17, 2016