

Personnel

Maintenance of Criminal Offender Records

All information received from the Department of Justice is confidential. (Education Code [44830.1](#), [45125](#))

The Superintendent shall designate an employee as record custodian of all confidential fingerprint and criminal record history who shall be responsible for the administration of the information. Any questions regarding Criminal Offender Record Information shall be resolved by the record custodian.

Criminal Offender Record Information shall be accessible only to the record custodian and shall be kept in a locked file separate from other files. The contents of these records shall not be disclosed and shall not be reproduced. (Education Code [44830.1](#), [45125](#))

The record custodian shall be fingerprinted and processed through the California Department of Justice. He/she shall sign an Employee Statement Form, acknowledging an understanding of the laws regarding Criminal Offender Record Information.

These records shall be used only for the purpose for which they were requested.

Upon a hiring determination, the records shall be destroyed to the extent that the identity of the individual can no longer be reasonably ascertained. (Education Code [44830.1](#), [45125](#); 11 CCR [708](#))

Violation of this administrative regulation may result in suspension, dismissal and/or criminal or civil prosecution.

The record custodian shall ensure that the district complies with destruction, storage, dissemination, auditing, backgrounding and training requirements as set forth in 11 CCR 700-[708](#) and the rules regarding use and security of these records as set forth in Penal Code [11077](#). (Education Code [44830.1](#), [45125](#))

Legal Reference:

EDUCATION CODE

[44332](#) Temporary certificate

[44332.6](#) Criminal record check, county board of education

[44346.1](#) Applicants for credential, conviction of a violent or serious felony

[44830.1](#) Certificated employees, conviction of a violent or serious felony

[44830.2](#) Interagency agreements

[45122.1](#) Classified employees, conviction of a violent or serious felony

[45125](#) Use of personal identification cards to ascertain conviction of crime

[45125.01](#) Interagency agreements

[45125.5](#) Automated records check

[45126](#) Duty of Department of Justice to furnish information

PENAL CODE

[667.5](#) Prior prison terms, enhancement of prison terms

[1192.7](#) Plea bargaining limitation

[11075-11081](#) Criminal record dissemination

[11105](#) State criminal history information; furnishing to authorized persons

[11105.3](#) Record of conviction involving sex crimes, drug crimes or crimes of violence; availability to employer for applicants for positions with supervisory or disciplinary power over minors

[11140-11144](#) Furnishing of state criminal history information

[13300-13305](#) Local summary criminal history information

CODE OF REGULATIONS, TITLE 11

700-[708](#) Criminal offender record information