

## Personnel

### CRIMINAL OFFENDER RECORD INFORMATION

SP 4126.00

State law requires that local agencies obtain, maintain and properly dispose of information regarding the criminal convictions of employees. To ensure that this information is handled in accordance with state regulations, the County Superintendent requires that only designated employees with the appropriate security clearance have access to confidential criminal-history records of other employees.

The overall responsibility for the administration of employees' fingerprint and resulting criminal-history information rests with the Human Resources department.

Employees of the Human Resources are required:

1. To read and abide by this policy.
  2. To be fingerprinted himself/herself and have a clearance check completed.
  3. To have on file a signed copy of the attached Employee Statement Form (which is itself a part of this policy) acknowledging an understanding of the laws prohibiting misuse of CORI.
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- A. Record Security: Any questions regarding the release, security and privacy of Criminal Offender Record Information (CORI) are to be resolved by the Director of Human Resources or designee.
  - B. Record Storage: CORI shall be under lock and key and accessible only to the Director of Human Resources or designee who is committed to protect CORI from unauthorized access, use or disclosure.
  - C. Record Dissemination: CORI shall be used only for the purpose for which it was requested.
  - D. Record Destruction: CORI shall be destroyed after employment determination has been made, and copies of same will be destroyed in such a way that the employee's name can no longer be identified.
  - E. Record Reproduction: CORI may not be reproduced for dissemination.
  - F. Penalties: Misuse of CORI is a criminal offense. Violation of this policy regarding CORI may result in suspension, dismissal, and/or Criminal or Civil prosecution.

#### *Legal Reference:*

#### CALIFORNIA ADMINISTRATIVE CODE

*702(c) The California Department of Justice shall conduct audits of authorized persons or agencies using criminal offender record information to ensure compliance with the State regulations. 703(c) Record checks shall be conducted on all personnel hired after July 1, 1975, who have access to criminal offender record information.*

*708(a) When criminal offender record information is destroyed, the destruction shall be carried out to the extent that the identity of the subject can no longer reasonably be ascertained. When criminal offender record information is destroyed outside of the*

*authorized agency, a person designated by the agency shall witness the destruction.*

**GOVERNMENT CODE**

*6200 Custodial officers; theft, destruction, alteration, falsification.*

**PENAL CODE:**

*11105 State summary criminal history information: maintenance; furnishing to authorized persons; fingerprints on file without criminal history; fees*

*11140 Definitions*

*11141 Employee of justice department furnishing record or information to unauthorized person; violation*

*11142 Authorized person furnishing record or information to unauthorized person; violation*

*11143 Unauthorized person receiving record or information; violation*

*11144 Dissemination of statistical or research information from a record.*

*13300 Furnishing to authorized persons; fingerprints on file without criminal history; fees*

*13301 "Record;" "a person authorized by law to receive a record" defined*

*13302 Furnishing to unauthorized person by employee of local agency*

*13303 Furnishing to unauthorized person by authorized person*

*13304 Receipt, purchase or possession by unauthorized person*

*13305 Statistical data, data for apprehension of purported criminal, and data in public records; authorized use*

**MENDOCINO COUNTY OFFICE OF EDUCATION**

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**Date Adopted:** 03/31/1997

**Date Revised:** 09/15/2003