

HUMAN RESOURCES

AP 7127 RESTRICTIONS GOVERNING THE EMPLOYMENT OF APPLICANTS WITH CRIMINAL RECORDS

References:

Education Code Sections 87405-87406, 87009-87011, and 88022

The Palomar Community College District shall not employ an applicant for any position under any of the following circumstances:

- There is a conviction of any sex offense or controlled substance offense, which prohibits employment under Education Code Sections 87405 and 88022. An applicant may be employed under the exceptions in Education Code Sections 87405 and 88022.
- There is a conviction of a felony or of any crime involving moral turpitude, including but not limited to criminal acts involving intentional dishonesty for the purpose of personal gain, within the previous five years. Moral turpitude includes, but is not limited to, offenses that are substantially related to the position for which the applicant is applying.
- There is a conviction of a felony or of any crime involving moral turpitude more than five years ago, unless there is substantial evidence presented that the person has been rehabilitated. The burden of proof is on the applicant, and the decision of the Governing Board is final.
- There is a conviction of any felony involving physical violence toward another.
- There is a conviction of any misdemeanor involving physical violence toward another within the previous five years.
- There is a conviction of any misdemeanor involving physical violence against another more than five years ago, unless there is substantial evidence presented that the person has been rehabilitated. The burden of proof is on the applicant, and the decision of the Governing Board is final.
- For positions requiring operation of District vehicles, there is one or more convictions for driving under the influence of alcohol or a controlled substance within the previous five years.
- There is a conviction of any crime that involves treason against the United States.

Also see AP 7126 titled Applicant Background Checks, and AP 7337 titled Fingerprinting.

Office of Primary Responsibility: Human Resource Services

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(Replaces former Palomar Policy 112)