

**District Policy Manual
Natomas Unified School District**

Exhibit (1) 4312.5 Criminal Record Check

Status: NEW

Original Adoption Date: 06/25/2025

Last Revised Date: 06/25/2025

**SAMPLE EMPLOYEE STATEMENT FORM
USE OF CRIMINAL JUSTICE INFORMATION**

As an employee/volunteer of Natomas Unified School District, you may have access to confidential criminal record information which is controlled by state and federal statutes. Misuse of such information may adversely affect the individual's civil rights and violate constitutional rights of privacy. Penal Code 502 prescribes the penalties relating to computer crimes. Penal Code 11105 and 13300 identify who has access to criminal history information and under what circumstances it may be disseminated. Penal Code 11140-11144 and 13301-13305 prescribe penalties for misuse of criminal history information. Government Code 6200 prescribes felony penalties for misuse of public records. Penal Code 11142 and 13300 state:

"Any person authorized by law to receive a record or information obtained from a record who knowingly furnishes the record or information to a person not authorized by law to receive the record or information is guilty of a misdemeanor."

Civil Code 1798.53, Invasion of Privacy, states:

"Any person who intentionally discloses information, not otherwise public, which they know or should reasonably know was obtained from personal or confidential information maintained by a state agency or from records within a system of records maintained by a federal government agency, shall be subject to a civil action, for invasion of privacy, by the individual."

CIVIL, CRIMINAL, AND ADMINISTRATIVE PENALTIES:

- Penal Code 11141: DOJ furnishing to unauthorized person (misdemeanor)
- Penal Code 11142: Authorized person furnishing to other (misdemeanor)
- Penal Code 11143: Unauthorized person in possession (misdemeanor)

- California Constitution, Article I, Section 1 (Right to Privacy)
- Civil Code 1798.53, Invasion of Privacy
- Title 18 USC 641, 1030, 1951, and 1952

Any employee who is responsible for such misuse may be subject to immediate dismissal. Violations of this law may result in criminal and/or civil action.

I HAVE READ THE ABOVE AND UNDERSTAND THE POLICY REGARDING MISUSE OF CRIMINAL RECORD INFORMATION.

Signature _____ Date _____

Printed Name _____ Title _____

Name of District _____

PLEASE NOTE: Do not return this form to the DOJ. Your Custodian of Records should maintain these forms.

06/25/2025

Policy Reference Disclaimer:

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State

11 CCR 701-708
 11 CCR 720-724
 11 CCR 994-994.15
 Ed. Code 44010
 Ed. Code 44011
 Ed. Code 44332-44332.6
 Ed. Code 44346.1
 Ed. Code 44830.1
 Ed. Code 44830.2

Ed. Code 44836

Ed. Code 44932
 Ed. Code 45122.1
 Ed. Code 45125
 Ed. Code 45125.01
 Ed. Code 45125.5
 Ed. Code 45126
 Ed. Code 49024
 Gov. Code 12954
 H&S Code 11350
 H&S Code 11377

Pen. Code 11075-11081
 Pen. Code 11102.2
 Pen. Code 11105
 Pen. Code 11105.2
 Pen. Code 11105.3
 Pen. Code 11140-11144
 Pen. Code 1192.7
 Pen. Code 1203.4
 Pen. Code 1203.425
 Pen. Code 13300-13305
 Pen. Code 667.5

Management Resources

Court Decision

Website
 Website
 Website

Description

Criminal offender record information
 Incomplete criminal history information
 Certification of individuals who take fingerprint impressions
 Sex offense; definitions
 Controlled substance offense
 Temporary certificate of clearance
 Applicants for credential; conviction of a violent or serious felony
 Criminal record summary; certificated employees
 Certificated employees; interagency agreement for sharing criminal record information
 Employment of certificated persons convicted of sex offense or controlled substance offense
 Grounds for dismissal of permanent employees
 Classified employees; conviction of a violent or serious felony
 Use of personal identification cards to ascertain conviction of crime
 Interagency agreements for criminal record information
 Automated records check
 Duty of Department of Justice to furnish information
 Activity Supervisor Clearance Certificate
 Employment discrimination; cannabis use
 Offenses Involving Controlled Substances Formerly Classified as Narcotics
 Offenses Involving Controlled Substances Formerly Classified as Restricted
 Dangerous Drugs
 Criminal record dissemination
 Maintenance of criminal offender records; custodian of records
 Access to criminal history information
 Subsequent arrest notification
 Record of conviction involving sex crimes, drug crimes or crimes of violence
 Furnishing of state criminal history information
 Plea bargaining limitation
 Dismissal of conviction
 Conviction relief
 Local summary criminal history information
 Prior prison terms; enhancement of prison terms

Description

Central Valley Chapter of the 7th Step Foundation Inc. v. Evelle J. Younger (1989)
 214 Cal. App. 3d 145
 CSBA District and County Office of Education Legal Services
 Office of the Attorney General, Department of Justice, Background Checks
 CSBA

Cross References**Code**

1240
 1240
 1340
 1340
 2120
 3515.3
 3515.3
 3542
 3580
 3580
 4112
 4112.2
 4112.2
 4112.6
 4112.9
 4112.9
 4116

Description

Volunteer Assistance
 Volunteer Assistance
 Access To District Records
 Access To District Records
 Superintendent Recruitment And Selection
 District Police/Security Department
 District Police/Security Department
 School Bus Drivers
 District Records
 District Records
 Appointment And Conditions Of Employment
 Certification
 Certification
 Personnel Files
 Employee Notifications
 Employee Notifications
 Probationary/Permanent Status

4116	Probationary/Permanent Status
4118	Dismissal/Suspension/Disciplinary Action
4118	Dismissal/Suspension/Disciplinary Action
4119.23	Unauthorized Release Of Confidential/Privileged Information
4121	Temporary/Substitute Personnel
4121	Temporary/Substitute Personnel
4127	Temporary Athletic Team Coaches
4127	Temporary Athletic Team Coaches
4200	Classified Personnel
4200	Classified Personnel
4212	Appointment And Conditions Of Employment
4212.6	Personnel Files
4212.9	Employee Notifications
4212.9	Employee Notifications
4218	Dismissal/Suspension/Disciplinary Action
4218	Dismissal/Suspension/Disciplinary Action
4218.1	Dismissal/Suspension/Disciplinary Action (Merit System)
4219.23	Unauthorized Release Of Confidential/Privileged Information
4227	Temporary Athletic Team Coaches
4227	Temporary Athletic Team Coaches
4312.6	Personnel Files
4312.9	Employee Notifications
4312.9	Employee Notifications
4319.23	Unauthorized Release Of Confidential/Privileged Information
4327	Temporary Athletic Team Coaches
4327	Temporary Athletic Team Coaches
5148	Child Care And Development
5148	Child Care And Development
5148.2	Before/After School Programs
5148.2	Before/After School Programs
5148.3	Preschool/Early Childhood Education
5148.3	Preschool/Early Childhood Education
6145	Extracurricular And Cocurricular Activities
6145	Extracurricular And Cocurricular Activities
9011	Disclosure Of Confidential/Privileged Information