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**AB-922 University of California: employees, volunteers, and contractors: background checks.** (2025-2026)

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Date Published: 07/09/2025 09:00 PM

AMENDED IN SENATE JULY 09, 2025

AMENDED IN ASSEMBLY MAY 19, 2025

AMENDED IN ASSEMBLY MAY 01, 2025

CALIFORNIA LEGISLATURE— 2025–2026 REGULAR SESSION

**ASSEMBLY BILL**

**NO. 922**

**Introduced by Assembly Member Hoover**

**February 19, 2025**

An act to add Section 92612.3 to the Education Code, relating to the University of California.

**LEGISLATIVE COUNSEL'S DIGEST**

AB 922, as amended, Hoover. University of California: employees, volunteers, and contractors: background checks.

**Existing**

*(1) Existing law* requires a fingerprint-based criminal history information check that is required pursuant to any statute to be requested from the Department of Justice. When a government agency or other entity requests such a criminal history check for purposes of employment, licensing, or certification, existing law requires the Department of Justice to disseminate specified information in response to the request, including information regarding convictions and arrests for which the applicant is presently awaiting trial.

The California Constitution provides that the University of California constitutes a public trust administered by the Regents of the University of California, a corporation in the form of a board, with full powers of organization and government, subject to legislative control only for specified purposes, including, among others, as may be necessary to ensure the security of its funds.

This bill would expressly authorize the University of California to require background checks, to be completed by the Department of Justice as specified, during the final stages of the recruitment process for prospective staff employees, contractors, and volunteers.

*(2) Existing law requires the Department of Justice to provide subsequent state or federal arrest or disposition notification to authorized entities to assist in, among other things, fulfilling employment, licensing, or certification duties. Existing law requires an*

entity, other than a law enforcement agency, as defined, to enter into a contract with the Department of Justice in order to receive notification of subsequent state or federal arrests or dispositions for licensing, employment, or certification purposes.

*This bill would require the University of California to immediately notify the Department of Justice to terminate the notification for an individual who is no longer in a position that permits such notification. The bill would require the University of California to verify, at least every 6 months, that each individual whose notification has not been terminated remains in a position with the University of California. The bill would require the University of California to immediately inform the Department of Justice if it receives an arrest notification for an unknown individual or for an individual whose notification requests have been terminated.*

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

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## THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

### SECTION 1. The Legislature finds and declares all of the following:

(a) The California Constitution provides that the University of California constitutes a public trust administered by the Regents of the University of California, a corporation in the form of a board, with full powers of organization and government, subject to legislative control only for specified purposes, including, among others, as may be necessary to ensure the security of its funds.

(b) The University of California is committed to providing a safe and secure environment for the university ~~community~~; *community*, protecting its property and ~~assets~~; *assets*, and upholding the reputation and integrity of the University of California.

(c) To support these efforts and to minimize the risk to the University of California, a criminal background check is required for positions that the University of California has determined to be Critical Positions after the candidate has received a conditional offer of employment. The University of California uses information received from criminal background checks only to determine eligibility for employment.

(d) This act does not change the University of California's existing background check policies and practices. The United States Department of Justice approved its last extension of the grace period of the State Employee applicant type that the University of California is qualified to use for criminal background checks, which will no longer be available after January 1, 2027. Therefore, to enable the University of California to continue receiving criminal conviction history from the United States Department of Justice, there must be express statutory authorization to do so.

(e) This act authorizes the University of California to continue current practices requiring criminal background checks for University of California-determined Critical Positions, as defined in its Personnel Policies for Staff Members, to be completed by the United States Department of Justice during the final stages of the recruitment process for prospective staff employees, contractors, and volunteers. The University of California defines Critical Positions as staff positions that have sensitive administrative, programmatic, or managerial duties and responsibilities that could potentially cause human, ~~financial~~ *financial*, or property ~~loss~~ *loss*, or other significant risk to the University of California.

### SEC. 2. Section 92612.3 is added to the Education Code, immediately following Section 92612.2, to read:

**92612.3.** (a) The University of California may require background checks, to be completed by the Department of Justice pursuant to subdivision (b), during the final stages of the recruitment process for a prospective staff employee, contractor, or volunteer.

(b) (1) The University of California shall submit to the Department of Justice fingerprint images of a prospective staff employee, contractor, or volunteer, that the University of California obtains pursuant to subdivision (a), and related information required by the Department of Justice, for purposes of a state and federal level criminal history background check in accordance with subdivision (u) of Section 11105 of the Penal Code.

(2) The Department of Justice shall provide a state or federal response, or both if applicable, to the University of California pursuant to subdivision (p) of Section 11105 of the Penal Code.

*(c) (1) When the University of California knows that the individual for whom the notification service is requested is no longer in a position for which it is permitted, the University of California shall notify the Department of Justice immediately to terminate the notification for that individual. The department shall terminate notification for the individual upon receipt.*

*(2) The University of California shall, not less than every six months, verify that each individual for whom the notification has not been terminated, is still in a position with the University of California.*

*(3) If the University of California receives subsequent arrest notification for an individual unknown to it, or for whom the University of California terminated the service, the University of California shall immediately inform the department that the individual is unknown to it or that the University of California terminated the notification requests for that individual.*

~~(e)~~

(d) This section does not authorize hiring practices that are inconsistent with the requirements of Section 12952 of the Government Code.