

# Staff Report

**TO:** Board of Directors

**FROM:** Naomi Schmitt, Director of Human Resources

**DATE:** April 26, 2023

**SUBJECT:** Live Scan Enrollment

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## *HUMAN RESOURCES*

### **RECOMMENDATION:**

Adopt Resolution No. 2023-18 - Live Scan Enrollment.

### **BACKGROUND:**

Currently, the District utilizes a third party to conduct background checks as part of the pre-employment process. The process can take up to a month due to court closures and delays in the system.

Live Scan is an automated service used for criminal history background checks that can be used as a condition of employment. Live Scan is a digital fingerprint submission transmitted electronically to the California Department of Justice (DOJ). Live Scan is faster and much more accurate and will allow us to make informed hiring decisions quickly and efficiently.

In addition, Live Scan will notify the District of subsequent arrests for California only.

To more efficiently process background checks for new employees, District staff recommends utilizing the Live Scan process.

### **BUDGETARY IMPACT:**

The 2023 Annual Budget includes sufficient funds to pay for Live Scan fees for this year and additional budget modification is not required.

Attachments: (1)

- Attachment A: Resolution 2023-18 -Live Scan Enrollment



**RESOLUTION NO. 2023-18**  
**OF THE BOARD OF DIRECTORS OF THE NEVADA IRRIGATION DISTRICT**

**LIVE SCAN ENROLLMENT**

**WHEREAS**, Penal Code Sections 11105(b)(11) and 13300(b)(11) authorize cities, counties, districts and joint powers authorities to access state and local summary criminal history information for employment, licensing or certification purposes; and

**WHEREAS**, Penal Code Section 11105(b)(11) authorizes cities, counties, districts and joint powers authorities to access federal level criminal history information by transmitting fingerprint images and related information to the Department of Justice to be transmitted to the Federal Bureau of Investigation; and

**WHEREAS**, Penal Code Sections 11105(b)(11) and 13300(b)(11) require that there be a requirement or exclusion from employment, licensing, or certification based on specific criminal conduct on the part of the subject of the record; and

**WHEREAS**, Penal Code Sections 11105(b)(11) and 13300(b)(11) require the city council, board of supervisors, governing body of a city, county or district or joint powers authority to specifically authorize access to summary criminal history information for employment, licensing, or certification purposes.

**NOW, THEREFORE, BE IT RESOLVED**, that Nevada Irrigation District is hereby authorized to access state and federal level summary criminal history information for the employment purposes of all District positions (including volunteers and contract employees) and may not disseminate the information to a private entity; and

**BE IT FURTHER RESOLVED** that the District shall not consider a person who has been convicted of a violent or serious felony or misdemeanor eligible for employment (including volunteers and contract employees if applicable).

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**PASSED AND ADOPTED** by the Board of Directors of the Nevada Irrigation District at a regular meeting held on the 26th day of April, 2023 by the following vote:

<b>AYES:</b>	Directors:
<b>NOES:</b>	Directors:
<b>ABSENT:</b>	Directors:
<b>ABSTAINS:</b>	Directors:

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President of the Board of Directors

**Attest:**

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Secretary to the Board of Directors