

RESOLUTION NO. 2010-10

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
DIAMOND SPRINGS - EL DORADO FIRE PROTECTION DISTRICT
ESTABLISHING AUTHORIZATION FOR SUMMARY CRIMINAL HISTORY
INFORMATION FOR EMPLOYMENT, LICENSING, OR CERTIFICATION**

WHEREAS, Penal Code Sections 11105(b)(11), 11105.2 and 13300(b)(11) authorize districts to access state and local summary criminal history information for employment, licensing, or certification purposes; and

WHEREAS, Penal Code Section 11105(b)(11) authorizes districts 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 the criminal history information to be used to implement a statute that contains requirements for, or exclusions from, employment, certification, or licensing based upon specific criminal conduct; and

WHEREAS, Penal Code Sections 11105(b)(11) and 13300(b)(11) require the governing board of a district, the Board of Directors, to specifically authorize access to summary criminal history information for employment, licensing, or certification purposes.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Diamond Springs - El Dorado Fire Protection District ("District") hereby authorizes District officers or officials to access state, local, and federal level summary criminal history information for employment, licensing, and certification of emergency medical technicians, including but not limited to 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, certification, or licensing as an emergency medical technician, including as a volunteer or contract employee; except that such conviction may be disregarded if it is determined that mitigating circumstances exist, or that the conviction is not related to the employment, certification, or license in question.

PASSED, APPROVED AND ADOPTED this tenth day of February 2010, at a regular meeting of the District Board of Directors at Diamond Springs, California, on a motion by Director _____, seconded by Director _____, and duly carried with the following roll call votes:

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AYES:

NOES:

ABSENT:

ABSTAIN:

Dated: February 4, 2010

Robert Larsen, President
Board of Directors

ATTEST:

Caroline Falconer, Board Secretary

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

William D. Ross, District Counsel

Todd Cunningham, Fire Chief