

EMPLOYMENT MISCONDUCT DISCLOSURE REQUIREMENTS AND FAQs

Starting January 1, 2025, all final candidates who have accepted a conditional offer of employment must complete an Employment Misconduct Disclosure

Signed into law in fall 2024, [Senate Bill \(SB\) 791](#) requires all University of California locations to ask the following of all final candidates for staff positions, including student employees, who accept a conditional offer of employment:

1. Require applicants to disclose any final administrative or judicial decisions issued within the last seven years from the date of submission of an employment application determining that the applicant committed sexual harassment.
2. Permit applicants to disclose if they have filed an appeal with the previous employer, administrative agency, or court, if applicable.

[Assembly Bill \(AB\) 810](#) was also signed into law in fall 2024 and expands SB 791 with the following requirements for specific positions including Athletic Head Coach, Athletic Assistant Coach, Athletic Trainer, or Supervising Athletic Trainer positions, and volunteers in an athletic department:

1. Require the final candidate to sign a release form that authorizes the release of information by the applicant's previous employers to UC Santa Barbara concerning any allegations of misconduct, as defined in the statute.
2. Make a reasonable attempt, using the signed release form, to obtain information from the previous employer concerning any allegations of misconduct. This authorization will permit UC Santa Barbara to request the release of information, which will then be evaluated to determine the candidate's ability to perform the job duties of the position.

To ensure compliance with the above legislation, the required [Employment Misconduct Disclosure Form](#) will be completed initially using a Qualtrics survey available on the Human Resources website, on the [Forms](#) page; and later electronically using Truescreen effective 4/1/25. Links to the Employment Misconduct Disclosure Form (sample only) and, if required for completion, the Authorization of Information Release are provided below and are available on the Human Resources website, on the [Forms](#) page

- [Employment Misconduct Disclosure Form – SAMPLE](#)
- [Authorization of Information Release](#)

For additional information, review the Frequently Asked Questions below or reach out to backgroundcheck@hr.ucsb.edu.

What is SB 791 and who does it apply to?

[Senate Bill \(SB\) 791](#) requires the final candidate who accepts a conditional offer of employment to disclose any final administrative or judicial decisions issued within the last seven years from the date of submission of an employment application determining that the applicant committed sexual harassment. It permits applicants to disclose if they have filed an appeal with the previous employer, administrative agency, or court, if applicable.

This requirement applies to final candidates who accept a conditional offer of employment into SMG, MSP, PSS, represented and non-represented staff positions, student employee positions, and volunteers in an athletic department.

If you have questions related to faculty and academic appointees, please contact Academic Personnel for guidance.

What is AB 810 and who does it apply to?

[Assembly Bill \(AB\) 810](#) expands SB 791 with the following requirements for Athletic Head Coach, Athletic Assistant Coach, Athletic Trainer, or Supervising Athletic Trainer positions, and volunteers in an athletic department. It also applies to tenure-track/tenured faculty appointments.

It requires the final candidate who accepts a conditional offer of employment to sign a release form that authorizes the release of information by the applicant's previous employers to the UC location concerning any allegations of misconduct, as defined in the statute. The University shall make a reasonable attempt, using the signed release form, to obtain information from the previous employer concerning any allegations of misconduct. This authorization permits the UC location to request the release of information, which will then be evaluated to determine the candidate's ability to perform the job duties of the position.

How is employment misconduct defined?

"Misconduct" means any violation of the policies or laws governing conduct at the applicant's previous place of employment, including, but not limited to, violations of policies or laws prohibiting sexual harassment, sexual assault, or other forms of harassment, discrimination, dishonesty, or unethical conduct, as defined by the employer. For reference, below are UC's policies addressing some forms of misconduct:

[UC Sexual Violence and Sexual Harassment Policy](#)

[UC Anti-Discrimination Policy](#)

[Abusive Conduct in the Workplace](#)

How is the employment misconduct disclosure completed?

For new **staff hires** with a start date of 1/1/25 through 3/31/25, we must ask them to complete the temporary required [Employment Misconduct Disclosure Form at this link](#). This form can also be found on the Human Resources website, on the [Forms](#) page. Departments should provide final candidates who accepted a conditional offer of employment with the [Link](#), and ask that they confirm with the department when the form has been submitted.

Final candidates who have accepted a job offer must sign an [Authorization of Information Release](#) if either of the following applies, and then email the completed form to backgroundcheck@hr.ucsb.edu:

- They disclose any final administrative or judicial decision(s) determining that they committed misconduct; received notice of any allegations or are currently the subject of any administrative or disciplinary proceedings involving misconduct; have left a position after receiving notice of allegations or while under investigation in an administrative or disciplinary proceeding involving misconduct; or have filed an appeal of a finding of misconduct with a previous employer. Locations may use the signed release form, if needed, to obtain information from previous employers.

- They accepted a conditional offer of employment for Athletic Head Coach, Athletic Assistant Coach, Athletic Trainer, Supervising Athletic Trainer staff positions, or as a Volunteer in an athletic department.