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State Reaches Settlement with Private Healthcare College Over Alleged Violations of Fair Chance Act

Settlement requires American Career College to take a range of corrective actions to protect the rights of future job applicants

SACRAMENTO – The California Civil Rights Department (CRD) today announced reaching a settlement with American Career College, a private healthcare college with multiple campuses in Southern California, over alleged violations of California's Fair Chance Act. The Fair Chance Act aims to reduce barriers to employment that can prevent people with past arrests or convictions from successfully reintegrating into their communities. As a result of the settlement, American Career College will compensate an individual job applicant and take a range of corrective actions to protect the rights of future applicants.

"We all deserve a fair chance to make a living and to give back to our communities," said **CRD Director Kevin Kish**. "That's why California law has protections in place to help people reintegrate and get back to work. This settlement will require American Career College to do its part as an employer to ensure every applicant has an equal opportunity to find work."

Job Applicant Unlawfully Rejected

In 2023, CRD received an individual complaint against American Career College alleging that the college unlawfully revoked a job offer for a part-time instructor position at the school's Ontario campus in San Bernardino County. The applicant said that they initially received a conditional job offer after several rounds of interviews, but that the college took it back based on criminal history information that the college was prohibited from considering under California law. American Career College also allegedly failed to take into consideration evidence provided by the applicant challenging the accuracy of the criminal history information used to disqualify them— in violation of key protections under the Fair Chance Act.

Everyone Deserves A Fair Chance

In passing the Fair Chance Act, the Legislature recognized that “employment is essential to helping formerly incarcerated people support themselves and their families” and reduces the likelihood of an individual reoffending. The law generally prohibits employers with five or more employees from asking about a job applicant’s conviction history before making a conditional job offer, requires specific procedures for considering an applicant’s criminal history after a conditional job offer, limits the types of convictions or arrests that employers can consider, and only allows employers to disqualify someone based on convictions that have a direct and adverse relationship with the duties of the job.

Investigation Leads to Settlement

After investigating, CRD determined that American Career College likely violated the Fair Chance Act and provided the parties an opportunity to resolve the allegations through mediation. As a result of the settlement, the college, without admitting liability, will:

- Modify its employment policies and practices to ensure they comply with the Fair Chance Act, including a commitment to not consider convictions that have been dismissed.
- Submit to monitoring for two years of all job offers that it revokes based in whole or in part on an individual’s criminal history.
- Provide training on the Fair Chance Act to any staff with a role in hiring.
- Pay \$63,500 in compensation to the applicant for lost wages and other harms.

If you or someone you know has experienced employment discrimination, CRD may be able to assist you through its [complaint process](#). The department also [provides general information and factsheets online](#) about civil rights protections, including [easy-to-use resources on the Fair Chance Act](#) for employers and job applicants.

The settlement announced today was secured by Senior Associate Chief Counsel Mamta Ahluwalia and Senior Staff Counsel Soyeon Oum.

A copy of the settlement is available [here](#).

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The California Civil Rights Department (CRD) is the state agency charged with enforcing California’s civil rights laws. CRD’s mission is to protect the people of California from unlawful discrimination in employment, housing, public accommodations, and state-funded programs and activities, and from hate violence and human trafficking. For more information, visit civildrights.ca.gov.

