

## **Criminal Records Checks/Fingerprinting**

In order to provide for maximum safety and welfare of students and employees, the district shall require criminal records checks and fingerprinting of all newly hired full time and part time employees. Others including those individuals contracting with the district and their employees who have direct, unsupervised contact with students shall also have criminal records check and fingerprinting as required by law.

Direct, unsupervised contact means contact with students that provides the person opportunity and probability for personal communication or touch.

In addition to the newly hired employees, such checks shall be required of the following:

1. All district contractors and/or their employees, whether employed part-time or full-time;
2. All contractors and/or their employees who provide early childhood special education or early intervention services in accordance with rules established by the Oregon Department of Education, Child Care Division;
3. Any community college faculty member providing instruction at the site of an early childhood education program or at a school site as part of an early childhood program;
4. An individual who is an employee of a public charter school.

The district shall begin the employment of an individual or terms of a district contractor on a probationary basis pending the return and disposition of such criminal records checks and/or fingerprinting.

The service of a volunteer may begin on a probationary basis pending the return and disposition of a criminal records check.

An individual who has failed to disclose the presence of criminal convictions that would not otherwise prevent his/her employment with the district as provided by law may be employed or contracted with by the district. The district's use of criminal history must be relevant to the specific requirements of the position, services, or employment.

Employees shall be responsible for all costs associated with criminal records check and fingerprinting.

Employees not requiring licensure may request that the required fees be withheld from the employee's paycheck. Such fees may be deducted only upon the request of the individual.

The superintendent is directed to develop administrative regulations to meet the requirements of applicable Oregon Revised Statutes and Oregon Administrative Rules.

END OF POLICY

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**Legal Reference(s):**

[ORS 181A.180](#)  
[ORS 181A.230](#)  
[ORS 326.603](#)  
[ORS 326.607](#)

[ORS 332.107](#)  
[ORS 336.631](#)  
[ORS 342.143](#)  
[ORS 342.223](#)

[OAR 414-061-0010 to -0030](#)  
[OAR 581-021-0500](#)  
[OAR 581-022-2430](#)  
[OAR 584-050-0012](#)

Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e, et. seq. (2012).

**Cross Reference(s):**

EEACA - School Bus Driver Examination and Training  
IICC - Volunteers