

Criminal Records Checks/Fingerprinting

In a continuing effort to further ensure the safety and welfare of students and staff, the ESD shall require criminal records checks and fingerprinting of all newly hired full-time and part-time employees. Others having direct, unsupervised contact with students shall also have criminal records checks 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 ESD 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.

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

The ESD shall not begin the employment of an individual or terms of an ESD contractor before the return and disposition of criminal records check and/or fingerprinting. The service of a volunteer may begin on a probationary basis pending the return and disposition of a criminal records check.

The superintendent shall develop administrative regulations as necessary to meet the requirements of law.

END OF POLICY

Legal Reference(s):

[ORS 181.525](#)
[ORS 181.555](#)
[ORS 183.413 to -183.470](#)
[ORS 326.603](#)
[ORS 326.607](#)

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

[OAR 414-061-0010](#)
[OAR 581-021-0500](#)
[OAR 581-022-1730](#)
[OAR 584-036-0062](#)

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

Cross Reference(s):

ICC - Volunteers