

## **Criminal Records Checks/Fingerprinting**

In a continuing effort to further ensure the safety and welfare of students and staff, the district shall require criminal history records checks and fingerprinting of all newly hired full-time and part-time employees and 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 school 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 Employment Department.
3. An individual who is an employee of a public charter school.

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 will not be employed or contracted with by the district.

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 checks and/or fingerprinting. Individuals refusing consent for a criminal history records check and/or fingerprinting shall be terminated from employment or contract status immediately. Fingerprint collection shall not take place prior to acceptance of an offer of employment or contract.

All those subject to criminal history records checks and fingerprinting shall be notified in writing. Notice will include a statement that all offers of employment are contingent upon the results of such checks and that any resulting action taken by the district may be appealed to the Oregon Department of Education.

The superintendent shall notify individuals in writing who have made a false statement as to conviction of a crime or have been convicted of crimes prohibiting employment in the district. Notification will include a statement of termination.

Criminal history record checks and fingerprinting fees shall be paid by the individual. Employees may request fees be withheld from the paycheck. Such fees may be deducted only upon the request of the individual.

The superintendent shall implement a procedure which ensures the integrity of the fingerprint collection and prevent any possible compromise of the process. The superintendent will develop administrative regulations.

END OF POLICY

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**Legal Reference(s):**

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

[ORS 336.631](#)  
[ORS 338.115](#)  
[ORS 342.127](#)  
[ORS 342.143](#)  
[ORS 342.223](#) to-342.232

[OAR 414-061-0010](#)  
[OAR 581-021-0500](#)  
[OAR 581-022-1730](#)  
[OAR 584-036-0062](#)  
SB 46 (2009)