

Perrydale School District 21J

Code: GCDA/GDDA
Adopted: 9/11/06
Revised/Readopted: 4/09/07; 10/19/15; 6/07/16;
12/18/17; 10/15/18

Criminal Records Checks and Fingerprinting

All newly hired full-time and part-time employees not requiring licensure shall be required to submit to a nationwide criminal records check and fingerprinting. Individuals contracting with the district and their employees, who have direct, unsupervised contact with students, shall also be required to submit to a nationwide criminal records check and fingerprinting.

“Direct, unsupervised contact with students” means contact with students that provides the person opportunity and probability for personal communication or touch when not under direct supervision.

The district may require an Oregon criminal history check for individuals considered for volunteer service for the district who have direct, unsupervised contact with students.

The district shall require a nationwide criminal records check based on fingerprinting for a volunteer with direct, unsupervised contact with students in the following positions:

1. Head coach;
2. Assistant coach;
3. Overnight chaperone.

The district shall not begin the employment of an individual or terms of a district contractor before the return and disposition of such criminal records check and/or fingerprinting.

The service of a volunteer will not begin before the return and disposition of a criminal records check or a nationwide criminal records check.

A subject individual who has been convicted of any crimes prohibiting employment or contract will be terminated and/or will not be employed or contracted. A subject individual who fails to disclose the presence of criminal convictions that would not otherwise prohibit employment or contract with the district as provided by law will not be employed or contracted with, by the district. A subject individual who knowingly made a false statement as to the conviction of any crime will not be employed or contracted with by the district.

A subject individual who knowingly made a false statement or has been convicted of a crime listed in ORS 342.143 will result in immediate termination from the ability to volunteer in the district.

The district’s use of criminal history must be relevant to the specific requirements of the position, services or employment.

Criminal records checks and fingerprinting fees as required by the Teacher Standards and Practices Commission shall be paid by the individual. Fees as required for all other individuals subject to such checks and/or fingerprinting shall be paid by the district. The district shall pay for fees associated with

fingerprinting for volunteers who have direct, unsupervised contact with students. 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 identity of a subject individual requiring fingerprinting will be provided by the district to the authorized fingerprinter for verification.

A subject individual shall be subject to fingerprinting only after acceptance of an offer of employment or contract.

The superintendent is directed to develop administrative regulations to meet the requirements of law.

Appeals

A subject individual may appeal a determination that prevents employment or eligibility to contract with the district to the Superintendent of Public Instruction as a contested case and will be notified of such in writing by ODE.

A volunteer required to submit to a fingerprint-based criminal records check may appeal a determination that prevents the ability to volunteer with the district to the Superintendent of Public Instruction as a contested case, if the results of the background check were provided by ODE or ODE’s vendor and will be notified of such in writing by ODE.

END OF POLICY

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 - 0030](#)
[OAR 581-021-0500](#)

[OAR 581-021-0502](#)
[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):

ICC - Volunteers