
Requirements

1. Any individual newly hired, whether full-time or part-time, and not requiring licensure under ORS 342.223, shall submit to a criminal records check and fingerprinting.
2. Individuals applying for reinstatement of a license with the Teacher Standards and Practices Commission (TSPC) that has lapsed for more than three years shall be required to undergo a criminal records check and fingerprinting with TSPC.

Requirements, including applicable fees and the process for the collection and submission of fingerprints, etc., will generally be met by the individual as a part of the licensing process and in accordance with rules established by TSPC.

3. Any individual registering with TSPC for student teaching, practicum or internship as a teacher, administrator or personnel specialist shall be required to submit to a criminal records check and fingerprinting with TSPC.
4. Any individual hired as or by a contractor, whether full-time or part-time, into a position having direct, unsupervised contact with students as determined by the district shall be required to submit to a criminal records check and fingerprinting. The Superintendent, or designee, will identify contractors who are subject to such requirements.
5. Any community college faculty member providing instruction at the site of an early childhood education program, a school site as part of an early childhood program or at a grade K through 12 school site during the regular school day, shall be required to undergo a criminal records check and fingerprinting.
6. An individual who is an employee of a public charter school not requiring licensure under ORS 342.223 shall be required to undergo a criminal records check and fingerprinting.
7. Any person authorized by the district for volunteer service into a position having direct, unsupervised contact with students will be required to undergo a criminal records check.

Notification

1. The district will provide the following notification to individuals subject to criminal records checks and/or fingerprinting:
 - a. Such criminal records and/or fingerprinting are required by law and/or Board policy;
 - b. Any action resulting from such checks completed by the Oregon Department of Education (ODE) that impact employment, contract or volunteering may be appealed as a contested case to ODE;
 - c. All employment or contract offers or the ability to volunteer are contingent upon the results of such checks;
 - d. A refusal to consent to criminal records checks and/or fingerprinting shall result in immediate termination of employment, contract status, or the ability to volunteer in the district.

2. An individual determined to have knowingly made a false statement as to the conviction of any crime on district employment applications, contracts or ODE forms (written or electronic) may result in immediate termination from employment or contract status;
3. An individual determined to have been convicted of a crime that would prohibit employment or contract status will be immediately terminated from employment or contract status;
4. A volunteer candidate who knowingly made a false statement or has a conviction of the crimes listed in ORS 342.143, or the substantial equivalent of any of those crimes if the conviction occurred in another jurisdiction or in Oregon under a different statutory name or number will result in immediate termination from the ability to volunteer in the district. The district will remove the volunteer from any position allowing direct, unsupervised contact with students.
5. The district will provide notice described above through such means as, employment applications, contracts or volunteer application materials.

Processing / Reporting Procedures

1. Immediately following an offer and acceptance of employment, an individual subject to criminal records checks and/or fingerprinting shall complete the appropriate forms authorizing such checks and report to an authorized fingerprinter as directed by the district. The district shall send such authorization, any collection of fingerprint information, and the request to ODE pursuant to law.
2. Fingerprints may be collected by one of the following:
 - a. Employing district staff; or
 - b. Contracted agent of ODE or TSPC.
3. The authorized fingerprinter will obtain the necessary identification and fingerprinting and notify ODE of the results. ODE will then review and notify the district of said results as well as the identity of any individual it believes has knowingly made a false statement as to conviction of a crime, or has a conviction of a crime prohibiting employment or contract.
4. A copy of the fingerprinting results will be kept by the district.

Fees

1. Fees associated with fingerprinting for individuals applying for employment with the district and not requiring licensure, including contractors and their employees shall be paid by the individual.
2. Fees associated with required fingerprinting shall be paid for by the individual. The district will collect the fingerprinting fee after the individual begins working.
3. Individuals may request that the amount of the fee be withheld from the employee's paycheck, including a periodic payroll deduction rather than a lump sum payment, in accordance with Oregon law. The district may withhold such fees only upon the request of the individual.

Termination of Employment or Withdrawal of Employment / Contract Offer / Volunteer Status

1. A subject individual required to submit to criminal records checks and/or fingerprinting in accordance with law and/or Board policy will be terminated from employment or contract status, or withdrawal of offer of employment or contract will be made by the district upon:

- a. Refusal to consent to a criminal records check and/or fingerprinting; or
 - b. Notification from the Superintendent of Public Instruction that the employee has a conviction of any crimes listed in ORS 342.143, or the substantial equivalent of any of those crimes if the conviction occurred in another jurisdiction or in Oregon under a different statutory name or number.
2. A subject individual may be terminated from employment or contract status upon notification from the Superintendent of Public Instruction that the employee has knowingly made a false statement as to the conviction of any crime.
 3. Employment termination shall remove the individual from any district policies, collective bargaining provisions regarding dismissal procedures and the provisions of Accountability for Schools for the 21st Century Law.
 4. A volunteer who refuses to submit to a criminal background check in accordance with law and/or Board policy will be denied such ability to volunteer in the district.
 5. If the district has been notified by the Superintendent of Public Instruction that a volunteer knowingly made a false statement or has a conviction for any crimes listed in ORS 342.143, or the substantial equivalent of any of those crimes if the conviction occurred in another jurisdiction or in Oregon under a different statutory name or number, the individual will be denied the ability to volunteer.

Appeals

All appeals regarding a determination which prevents his/her employment or eligibility to contract with the district will be directed to the Oregon Superintendent of Public Instruction as a contested case under ORS 183.413-183.470.

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