

Beaverton School District 48J

Code: GCDA/GDDA
Adopted: 5/04/09
Orig. Code(s): GCDA/GDDA

Criminal Records Checks/Fingerprinting

In a continuing effort to further ensure the safety and welfare of students and staff, the District shall require criminal records checks and fingerprinting of all newly hired full time and part-time employees. ~~employees and criminal records checks of others having direct, unsupervised contact with students as required by law.~~ 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 for personal communication or touch.

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

- ~~1. All individuals applying for initial issuance of a license as a teacher, administrator, personnel specialist or school nurse;~~
- ~~2. All individuals applying for reinstatement of a license as a teacher, administrator or personnel specialist whose license has lapsed for at least three years;~~
- ~~3. All individuals registering with the Teacher Standards and Practices Commission (TSPC) for student teaching, practicum or internship as a teacher, administrator or personnel specialist;~~
- ~~4. All individuals newly hired and those currently employed by the district not requiring licensure as a teacher, administrator, personnel specialist or school nurse, whether employed part-time or full-time;~~
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~~ Oregon Department of Education (ODE), Child Care Division;
3. An individual who is an employee or volunteer of a public charter school.
4. 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;
5. All adult volunteers and students ~~(juvenile records are closed)~~ working with younger students at another level or with disabled students with disabilities.

6. Students working with younger students at another grade level will be cross checked with juvenile offender records.

~~The superintendent or designee shall identify the positions requiring nationwide criminal records checks and fingerprinting. Such criteria as job descriptions, district contracts and the likelihood for unsupervised personal communication or touch with students will be used. A list of these positions will be maintained in the District Office and available to the public upon request.~~

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, at the District's discretion, be allowed to recertify with the Oregon Department of Education ODE. The district's use of criminal history must be relevant to the specific requirements of the position, services or employment.

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

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

END OF POLICY

Legal Reference(s):

[ORS 181.555](#)
[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).