

# Jefferson County Education Service District

Code: **GCDA/GDDA**  
Adopted: 5/07/08; 11/30/09; 12/4/13

## **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 Employment Department;
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 education 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 will not 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, volunteer service or terms of an ESD contractor on a probationary basis pending the return and disposition of criminal records checks and/or fingerprinting.

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

END OF POLICY

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### **Legal Reference(s):**

[ORS 181.539\(5\)\(d\)](#)  
[ORS 181.555](#)  
[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 581-022-1730](#)  
[OAR 584-036-0062](#)

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

R10/24/13 | PH