

REVENUE: No revenue impact
FISCAL: Fiscal statement issued

Action: Do Pass
Vote: 10 - 0 - 0
Yeas: Dembrow, Harker, Huffman, Komp, Maurer, Roblan, Sprenger, Thatcher, VanOrman, Gelser
Nays: 0
Exc.: 0
Prepared By: Kevin T. Christiansen, Administrator
Meeting Dates: 5/6, 5/18

WHAT THE MEASURE DOES: Authorizes Department of Education to require fingerprints of any person hired by a school district or private school. Authorizes department to determine whether applicant knowingly made a false statement as to prior convictions. Requires Superintendent of Public Instruction to inform school district or private school if applicant was convicted of specified crimes or knowingly made false statement regarding a criminal conviction. Provides that, if an applicant has been convicted of specified crimes, school district may not employ applicant and private school may choose not to employ applicant. Permits school districts and private schools to hire person who knowingly made a false statement on a criminal conviction form, provided it is not a crime listed in ORS 342.143(3). Declares an emergency; effective upon passage.

ISSUES DISCUSSED:

- Potential confidentiality issues
- Parties affected by the measure
- Information provided to the Law Enforcement Data System
- School districts conducting criminal records checks

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: The Department of Education is authorized to require fingerprints of school employees and contractors other than those required to submit fingerprints to the Teacher Standards and Practices Commission. Senate Bill 46A leaves intact the department's discretion to require fingerprints but extends its authority to include school employees, regardless of whether the employee has direct, unsupervised contact with children. Contractors who have direct, unsupervised contact with students would also fall under the department's authority to be fingerprinted.