

# Enrolled House Bill 2992

Sponsored by Representatives NOBLE, DOHERTY, PILUSO; Representatives ALONSO LEON, BARRETO, BYNUM, EVANS, HEARD, MCKEOWN, MCLAIN, MEEK, OLSON, PARRISH, RESCHKE, SOLLMAN, VIAL, Senators GELSER, KNOPP

CHAPTER .....

## AN ACT

Relating to criminal records checks for schools; creating new provisions; amending ORS 326.607; and prescribing an effective date.

**Be It Enacted by the People of the State of Oregon:**

**SECTION 1.** ORS 326.607 is amended to read:

**326.607. (1)(a) If a school district or public charter school allows volunteers to have direct, unsupervised contact with school children, the school district board or public charter school governing body must adopt and implement a policy that requires those volunteers to undergo a background check.**

**(b) If a private school allows volunteers to have direct, unsupervised contact with school children, the governing body of the private school may adopt and implement a policy that requires those volunteers to undergo a background check.**

~~[(1)]~~ **(2)** Upon request from a school district, a private school or a public charter school or a school district, private school or public charter school contractor and with consent from the individual, the Department of Education may conduct:

**(a)** An Oregon criminal records check using the Law Enforcement Data System for screening an individual who is a volunteer for the school district, private school or public charter school and who has direct, unsupervised contact with school children, or for screening applicants for employment.

**(b) A state or nationwide criminal records check under ORS 181A.195 for screening an individual who is a volunteer for the school district, private school or public charter school and who has direct, unsupervised contact with school children, or for screening applicants for employment.**

~~[(2)]~~ **(3)** The department may charge the requesting school district, private school, public charter school or school district, private school or public charter school contractor a fee not to exceed:

**(a) \$5 for each request made under subsection [(1)] (2) of this section for an Oregon criminal records check using the Law Enforcement Data System.**

**(b) The fee established by rule under ORS 181A.195 for each request made under subsection (2) of this section for a state or national criminal records check under ORS 181A.195.**

**SECTION 2. (1) The amendments to ORS 326.607 by section 1 of this 2017 Act become operative on January 1, 2018.**

**(2) A school district board, a public charter school governing body or the governing board of a private school may take any action before the operative date specified in subsection (1)**

of this section that is necessary for the board or governing body to exercise, or and after the operative date specified in subsection (1) of this section, all of the duties, functions and powers conferred on the board or governing body by the amendments to ORS 326.607 by section 1 of this 2017 Act.

**SECTION 3.** This 2017 Act takes effect on the 91st day after the date on which the 2017 regular session of the Seventy-ninth Legislative Assembly adjourns sine die.

**Passed by House July 5, 2017**

.....  
Timothy G. Sekerak, Chief Clerk of House

.....  
Tina Kotek, Speaker of House

**Passed by Senate July 6, 2017**

.....  
Peter Courtney, President of Senate

**Received by Governor:**

.....M.,....., 2017

**Approved:**

.....M.,....., 2017

.....  
Kate Brown, Governor

**Filed in Office of Secretary of State:**

.....M.,....., 2017

.....  
Dennis Richardson, Secretary of State