B-Engrossed

House Bill 2992

Ordered by the House June 30
Including House Amendments dated April 12 and June 30

Sponsored by Representatives NOBLE, DOHERTY, PILUSO; Representatives BARRETO, HEARD, MCLAIN, OLSON, PARRISH, VIAL, Senators GELSER, KNOPP

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Requires school district board and public charter school governing body to adopt and implement policy that requires volunteers to undergo [*criminal records*] **background** check if district or school allows volunteers to have direct, unsupervised contact with school children. Allows governing body of private school to adopt and implement policy that requires volunteers to undergo [*criminal records*] **background** check if school allows volunteers to have direct, unsupervised contact with school children.
Takes effect on 91st day following adjournment sine die.

1   **A BILL FOR AN ACT**

2   Relating to criminal records checks for schools; creating new provisions; amending ORS 326.607; and

3   prescribing an effective date.

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

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

6   326.607. **(1)(a) If a school district or public charter school allows volunteers to have direct,**

7   **unsupervised contact with school children, the school district board or public charter school**

8   **governing body must adopt and implement a policy that requires those volunteers to undergo**

9   **a background check.**

10   **(b) If a private school allows volunteers to have direct, unsupervised contact with school**

11   **children, the governing body of the private school may adopt and implement a policy that**

12   **requires those volunteers to undergo a background check.**

13   [*(1)*] **(2)** Upon request from a school district, a private school or a public charter school or a

14   school district, private school or public charter school contractor and with consent from the indi-

15   vidual, the Department of Education may conduct**:**

16   **(a) An Oregon criminal records check using the Law Enforcement Data System for screening**

17   **an individual who is a volunteer for the school district, private school or public charter school and**

18   **who has direct, unsupervised contact with school children, or for screening applicants for employ-**

19   **ment.**

20   **(b) A state or nationwide criminal records check under ORS 181A.195 for screening an**

21   **individual who is a volunteer for the school district, private school or public charter school**

22   **and who has direct, unsupervised contact with school children, or for screening applicants**

23   **for employment.**

24   [*(2)*] **(3)** The department may charge the requesting school district, private school, public charter

25   school or school district, private school or public charter school contractor a fee not to exceed**:**

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.
New sections are in **boldfaced** type.

LC 3958

(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.**

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