

# FINGERPRINT-BASED CRIMINAL HISTORY VERIFICATION FOR EMPLOYEES

Please make copy for your own records.

Return the original to:

Pupil Transportation and Fingerprinting Unit  
Oregon Department of Education  
255 Capitol Street NE  
Salem, OR 97310

ODE USE ONLY

The person whose name appears below is an employee, has been offered employment, or has been assigned to a contractor for the school district or private school.

Certain employees and contractors are subject by law to fingerprinting and criminal record checks (ref. ORS 326.603, OAR 581-021-0510, OAR 581-021-0511, OAR 581-045-0584, and OAR 581-045-0586).

School district/contracted applicants may appeal a determination prohibiting employment as a contested case under ORS 183.413 to 183.470.

The applicant is entitled to inspect and challenge the accuracy of their Oregon criminal record through the Oregon State Police procedures by contacting Oregon State Police directly under ORS 181A.230(3) and OAR 257-10-0035.

Your fingerprints will be used to check the criminal history records of the FBI. You have the opportunity to complete or challenge the accuracy of the information contained in the FBI identification record. The procedure for obtaining a change, correction, or updating an FBI identification record are set forth in Title 28, CFR, 16.34. You can find additional information on the FBI website at <https://www.fbi.gov/about-us/cjis/background-checks>

Information is subject to the Privacy Act of 1974 (PL 93-579).

Employee of: <input type="checkbox"/> District <input type="checkbox"/> Contractor <input type="checkbox"/> Charter School <input type="checkbox"/> Private School <input type="checkbox"/> Private Alternative Ed				
School District/Private School/Private Career School		Position Held or Applied For		Date
Address		City	State	Zip
Signature of Authorized School Official		Name of Authorized School Official (Print or type)		Phone
Name (Last)	(First)	(Full Middle)	Date of Birth	Sex M F X
Mailing Address		City	State	Zip
List Other Names Previously Used			Home Phone	
Email Address				
<b>WARNING: Knowingly falsifying statements to any question below may result in your termination of employment without regard to school district policy, collective bargaining agreements or fair dismissal appeals law. It is not a defense that you did not intend to make a false statement regarding criminal history. The following are included as criminal convictions:</b>  judgments entered by a court; guilty pleas; "no contest" pleas; situations regarding suspended sentences, delayed entry of judgment or any equivalent according to the laws of any jurisdiction.  Convictions of misdemeanor or felony crimes DO NOT automatically drop off your record after a period of time. If you believe a crime has been removed from your record and you are mistaken, it will result in a finding that you knowingly made a false statement.  I have read and understand the above warning. _____ (initials)				
1. Have you EVER been convicted of ANY crimes listed under 1 on the reverse side of this form? Yes No If yes, was the crime in Oregon or a similar crime in another state? _____				
2. A crime includes a felony or misdemeanor. Have you EVER been convicted of ANY other crime NOT included in the list under question 1, this includes major traffic violations (including DUII, etc)? Yes No				
Applicant's Signature			Date	
<b>OREGON DEPARTMENT OF EDUCATION USE ONLY</b>				
	Yes	No	Date	Initials
Final approval	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/> Not a subject individual to be fingerprinted <input type="checkbox"/> Did not complete fingerprinting process <input type="checkbox"/> FBI processed by name and date of birth				

Subject individuals who have been convicted of any of the crimes listed in ORS 342.143, (listed below under crimes relating to question 1), or the substantial equivalent of any of those crimes if the conviction occurred in another jurisdiction or in Oregon under a different statutory name or number, shall be refused continued employment or have employment terminated upon notification from the Superintendent of Public Instruction.

### **CRIMES RELATING TO QUESTION 1 OREGON LAWS**

163.095	Aggravated Murder	167.062	Sadomasochistic Abuse or Sexual Conduct in Live Show
163.107	Murder in the First Degree	167.075	Exhibiting an Obscene Performance to a Minor
163.115	Murder in the Second Degree	167.080	Displaying Obscene Materials to Minors
163.185	Assault in the First Degree	167.090	Publicly Displaying Nudity or Sex for Advertising Purposes
163.235	Kidnapping in the First Degree	475.808	Unlawful manufacture of hydrocodone within 1,000 feet of school
163.355	Rape in the Third Degree	475.810	Unlawful delivery of hydrocodone
163.365	Rape in the Second Degree	475.812	Unlawful delivery of hydrocodone within 1,000 feet of school
163.375	Rape in the First Degree	475.818	Unlawful manufacture of methadone within 1,000 feet of school
163.385	Sodomy in the Third Degree	475.820	Unlawful delivery of methadone
163.395	Sodomy in the Second Degree	475.822	Unlawful delivery of methadone within 1,000 feet of school
163.405	Sodomy in the First Degree	475.828	Unlawful manufacture of oxycodone within 1,000 feet of school
163.408	Unlawful Sex Penetration in the Second Degree	475.830	Unlawful delivery of oxycodone
163.411	Unlawful Sex Penetration in the First Degree	475.832	Unlawful delivery of oxycodone within 1,000 feet of school
163.415	Sexual Abuse in the Third Degree	475.848	Unlawful Manufacture of Heroin within 1,000 Feet of School
163.425	Sexual Abuse in the Second Degree	475.852	Unlawful Delivery of Heroin within 1,000 Feet of School
163.427	Sexual Abuse in the First Degree	475.868	Unlawful Manufacture of 3, 4-Methylenedioxymethamphetamine within 1,000 Feet of School
163.432	Online Sexual Corruption of a Child in the Second Degree	475.872	Unlawful Delivery of 3, 4-Methylenedioxymethamphetamine within 1,000 Feet of School
163.433	Online Sexual Corruption of a Child in the First Degree	475.878	Unlawful Manufacture of Cocaine within 1,000 Feet of School
163.435	Contributing to the Sexual Delinquency of a Minor	475.880	Unlawful Delivery of Cocaine
163.445	Sexual Misconduct	475.882	Unlawful Delivery of Cocaine within 1,000 Feet of School
163.465	Public Indecency	475.888	Unlawful Manufacture of Methamphetamine within 1,000 Feet of School
163.515	Bigamy	475.890	Unlawful Delivery of Methamphetamine
163.525	Incest	475.892	Unlawful Delivery of Methamphetamine within 1,000 Feet of School
163.547	Child Neglect in the First Degree	475.904	Unlawful Manufacture or Delivery of Controlled Substance within 1,000 Feet of School
163.575	Endangering the Welfare of a Minor	475.906	Penalties for Distribution to Minors
163.670	Using Child in Display of Sexually Explicit Conduct	161.405	Attempt to Commit Any of the Above-Listed Crimes
163.675	Sale of Exhibition of Visual Reproduction of Sexual Conduct by Child		
163.680	Paying for Viewing Sexual Conduct Involving a Child		
163.684	Encouraging Child Sex Abuse in the First Degree		
163.686	Encouraging Child Sex Abuse in the Second Degree		
163.687	Encouraging Child Sex Abuse in the Third Degree		
163.688	Possession of Materials Depicting Sexually Explicit Conduct of a Child in the First Degree		
163.689	Possession of Materials Depicting Sexually Explicit Conduct of a Child in the Second Degree		
164.325	Arson in the First Degree		
164.415	Robbery in the First Degree		
166.005	Treason		
166.087	Abuse of Corpse in the First Degree		
167.007	Prostitution		
167.008	Commercial Sexual Solicitation		
167.012	Promoting Prostitution		
167.017	Compelling Prostitution		
167.057	Luring a Minor		

## PRIVACY ACT STATEMENT

**Authority:** The FBI's acquisition, preservation, and exchange of fingerprints and associated information is generally authorized under 28 U.S.C. 534. Depending on the nature of your application, supplemental authorities include Federal statutes, State statutes pursuant to Pub. L. 92-544, Presidential Executive Orders, and federal regulations. Providing your fingerprints and associated information is voluntary; however, failure to do so may affect completion or approval of your application.

**Principal Purpose:** Certain determinations, such as employment, licensing, and security clearances, may be predicated on fingerprint-based background checks. Your fingerprints and associated information/biometrics may be provided to the employing, investigating, or otherwise responsible agency, and/or the FBI for the purpose of comparing your fingerprints to other fingerprints in the FBI's Next Generation Identification (NGI) system or its successor systems (including civil, criminal, and latent fingerprint repositories) or other available records of the employing, investigating, or otherwise responsible agency. The FBI may retain your fingerprints and associated information/biometrics in NGI after the completion of this application and, while retained, your fingerprints may continue to be compared against other fingerprints submitted to or retained by NGI.

**Routine Uses:** During the processing of this application and for as long thereafter as your fingerprints and associated information/biometrics are retained in NGI, your information may be disclosed pursuant to your consent, and may be disclosed without your consent as permitted by the Privacy Act of 1974 and all applicable Routine Uses as may be published at any time in the Federal Register, including the Routine Uses for the NGI system and the FBI's Blanket Routine Uses. Routine uses include, but are not limited to, disclosures to: employing, governmental or authorized non-governmental agencies responsible for employment, contracting, licensing, security clearances, and other suitability determinations; local, state, tribal, or federal law enforcement agencies; criminal justice agencies; and agencies responsible for national security or public safety.

### ***Applicant Notification and FBI Record Access and Amendment***

*Your fingerprints will be used to check the criminal history records of the FBI. You have the opportunity to complete or challenge the accuracy of the information contained in the FBI identification record. The procedure for obtaining a change, correction, or updating an FBI identification record are set forth in Title 28, CFR, 16.34. You can find additional information on the FBI website at <https://www.fbi.gov/about-us/cjis/background-checks>*