



QUICK REFERENCE GUIDE

SEXUAL CONDUCT REQUIREMENTS AND BEST PRACTICES FOR: Contractors, Agents and Volunteers

Navigating legal and training requirements for school contractors, agents and volunteers as it relates to preventing sexual abuse can be complex. This guide is intended to clarify legal obligations and best practices for education providers.

Oregon law defines contractors, agents and volunteers as those providing a service to or volunteering for an education provider who may have direct, unsupervised contact with students. [OAR 581-021-0510\(3\)](#) further defines direct, unsupervised contact with students as “contact with students that provides the person opportunity and probability for personal communication or touch when not under direct supervision”.

It is up to you, the educational provider, to determine for each contractor, agent and volunteer if they meet this definition.



Requirements for contractors, agents and volunteers who **MAY HAVE** direct, unsupervised contact with students:

- Follow all [background check](#) requirements (an all-encompassing term for different checks). Our Quick Reference Guide on Background Checks is a great resource to help with those requirements.
- [ORS 339.400\(2\)](#) requires you to provide certain information to these individuals. PACE has a brochure specifically designed to address these requirements in [English](#) and [Spanish](#). As a best practice we would encourage the use of an acknowledgment form ([English](#)) ([Spanish](#)).
- Additionally, [ORS 339.400\(3\)](#) requires that each year you make available for these individuals the same training on sexual conduct that your staff takes. PACE has a contract with Vector Solutions that would meet this requirement. ([English](#)) ([Spanish](#)).

Best Practices for contractors, agents and volunteers who the education provider determines **WILL NOT** have any direct, unsupervised contact with students:

Statutorily, nothing is required. However, you must put “guardrails” in place to ensure that these individuals **do not have** unsupervised contact with students. Otherwise, you will have to complete all of the requirements above. You should consider:

- How to ensure physical barriers are in place to prevent them from having contact with students
- How to ensure no contact with students when arriving or leaving the school
- Establish and enforce a schedule that ensures no contact with students

As a best practice you should consider putting other controls and processes in place to help reduce the likelihood of grooming behaviors and other sexual misconduct. Those controls may include adopting some or all of the same practices you do for those who have unsupervised contact with students, such as

- Completing some level of criminal records checks on these individuals (you need to follow your policy for your volunteers)
- Conducting the ODE/TSPC verification process
- Provide them with the informational brochure and have them acknowledge it
- Make training available to them

Note: *The legal definitions of contractor and volunteer may not cover every person on your campus. Always err on the side of caution and follow district policies.*

Additional Useful Quick Reference Guides

- [Protect Yourself](#)
- [Sexual Conduct Law Update](#)