

Weighing Test Worksheet

For Oregon Administrative Rules effective 01/01/2010

Subject individual: _____ Position: _____

When making a fitness determination, the AD shall consider any of the following factors if an SI has potentially disqualifying crimes or conditions as disclosed by the SI, or which is otherwise known:

- (1) Circumstances regarding the nature of potentially disqualifying crimes and conditions including but not limited to:
 - (a) The details of incidents leading to the charges of potentially disqualifying crimes or resulting in potentially disqualifying conditions.
 - (b) Age of the SI at time of the potentially disqualifying crimes or conditions.
 - (c) Facts that support the convictions or potentially disqualifying conditions.
 - (d) Passage of time since commission of the potentially disqualifying crimes or conditions.
 - (e) Consideration of state or federal laws, regulations or rules covering the position, facility, employer, or QE regarding the potentially disqualifying crimes or conditions.

This form is a tool for documenting and completed a weighing test. If a subject individual has potentially disqualifying crimes or conditions, a weighing test must be completed AND documented in detail.

Subject Individual:

Position:

- (2)** Other factors when available including but not limited to:
- (a)** Other information related to criminal activity including charges, arrests, pending indictments and convictions. Other behavior involving contact with law enforcement may also be reviewed if information is relevant to other criminal records or shows a pattern relevant to criminal history.
 - (b)** Periods of incarceration.
 - (c)** Status of and compliance with parole, post-prison supervision or probation.
 - (d)** Evidence of alcohol or drug issues directly related to criminal activity or potentially disqualifying conditions.
 - (e)** Evidence of other treatment or rehabilitation related to criminal activity or potentially disqualifying conditions.
 - (f)** Likelihood of repetition of criminal behavior or behaviors leading to potentially disqualifying conditions, including, but not limited to, patterns of criminal activity or behavior.

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Subject Individual:

Position:

(g) Changes in circumstances subsequent to the criminal activity or disqualifying conditions including but not limited to:

(A) History of high school, college or other education related accomplishments.

(B) Work history (*employee or volunteer*).

(C) History regarding licensure, certification or training for licensure or certification.

(D) Written recommendations from current or past employers, including department client employers.

(h) Indication of the SI's cooperation, honesty or the making of a false statement during the criminal records check process, including acknowledgment and acceptance of responsibility of criminal activity and potentially disqualifying conditions.

(3) The AD shall consider the relevancy of the SI's criminal activity or potentially disqualifying conditions to the paid or volunteer position, or to the environment in which the SI will reside, work or visit.

AD Signature: _____

Date: _____

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