

SAFETY

Certification of Criminal History Information

SUBMISSION BY CONTRACTOR OR SUBCONTRACTOR

Certifying Affidavit submitted to:

School District: Coldspring-Oakhurst CISD

Mailing Address : PO Box 39
Coldspring, TX 77331

Project/Agreement: _____

The undersigned representative, on behalf of the contracting firm identified below, swears and affirms to **Coldspring-Oakhurst Consolidated Independent School District** (the "District") the following (please check the option that applies).

- ☐ Such firm has ensured that all employees of the contracting or subcontracting firm who:
1. have or will have continuing duties related to the contracted services, and
 2. have or will have direct contact with students (substantial opportunity for verbal or physical interaction with students that is not supervised by a certified educator or other professional District employee) have submitted all information necessary for the LEE Fast Pass process, but such firm does not have access to the results of the criminal history search.
- ☐ If the public work involves an existing "instructional facility," as defined by Texas Education Code 46.001, such firm certifies that
1. the public work area contains sanitary facilities and is separated from all areas used by students by a secure barrier fence that is not less than six feet in height; and
 2. that the contractor has adopted a policy prohibiting employees, including subcontractor employees, from interacting with students or entering areas used by students, informs employees of the policy, and enforces the policy at the public work area. Such firm further certifies that it has an ongoing responsibility to make a reasonable effort to ensure that the aforementioned conditions/precautions continue to exist throughout the time that the contracted services are provided.
- ☐ No employees, including the undersigned, have or will have direct contact with students, as defined by Texas Administrative Code 153.1101(7).

The undersigned firm swears and covenants that no present or future employee of the contracting firm, no present or future independent contractor, and no present or future employee or independent contractor of any subcontractor of the contracting firm, will provide services to the Project on a continuing basis that involve direct contact with students unless and until such employee's or independent contractor's national criminal history record information has been received, reviewed, and verified by District, as required herein. In the event of an emergency, an employee or independent contractor who has not been previously certified may only provide services that involve direct contact with students if such employee is escorted by a District employee.

The undersigned firm swears and covenants that, upon receipt of information, directly or indirectly, that any employee or independent contractor of the contracting firm has been convicted of an offense identified in Section 22.085 of the Texas Education Code or prohibited by District policy, the contracting firm will immediately remove or cause the removal of such employee from the Project or scope of the Agreement and notify the District.

Authorized Signature

Date

Printed Name

Title

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If applicable, the undersigned agrees that its use of the District's DPS LEE Pass account/number to obtain criminal history information in no way creates any agency relationship between the District and the undersigned or its employees.

_____, being duly sworn, affirms and certifies that he/she is the _____ (position) of _____ (contracting firm), and that all statements and acknowledgements contained herein are true and correct, and that he/she has the authority to bind such firm to the covenants set out above.

Noncompliance or misrepresentation regarding the certification may be grounds for contract termination.

Authorized Signature

Date

Printed Name

Title