21.0546.02000

Sixty-seventh
Legislative Assembly
of North Dakota

SENATE BILL NO. 2186

Introduced by

Senators Bakke, Patten

Representatives Hager, Roers Jones, Schauer

1   A BILL for an Act to amend and reenact subdivision y of subsection 2 of section 12-60-24,

2   subdivision f of subsection 1 of section 15.1-06-06, and subdivision e of subsection 1 of section

3   15.1-06-06.1 of the North Dakota Century Code, relating to verification of criminal history

4   background checks for public and nonpublic school employees.

5   **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

6   **SECTION 1. AMENDMENT.** Subdivision y of subsection 2 of section 12-60-24 of the North

7   Dakota Century Code is amended and reenacted as follows:

8   y.   (1)   The board of a school district, for a final applicant seeking employment with

9   the district or otherwise providing services to the district, ~~if that individual~~

10   ~~has unsupervised contact with students,~~ provided the board is responsible

11   for paying the costs associated with obtaining a criminal history record

12   check;

13   (2)   The board of a multidistrict special education unit, for a final applicant

14   seeking employment with the unit or otherwise providing services to the unit,

15   ~~if that individual has unsupervised contact with students,~~ provided the board

16   is responsible for paying the costs associated with obtaining a criminal

17   history record check;

18   (3)   The board of an area career and technology center, for a final applicant

19   seeking employment with the center or otherwise providing services to the

20   center, ~~if that individual has unsupervised contact with students,~~ provided

21   the board is responsible for paying the costs associated with obtaining a

22   criminal history record check;

23   (4)   The board of a regional education association, for a final applicant seeking

24   employment with the association or otherwise providing services to the

1   association if that individual has unsupervised contact with students,

2   provided the board is responsible for paying the costs associated with

3   obtaining a criminal history record check; and

4   (5)   The superintendent of public instruction in the case of a nonpublic school or

5   a state school with a superintendent appointed by or reporting to the

6   superintendent of public instruction, for a final applicant seeking

7   employment with the school or otherwise providing services to the school, if

8   that individual has unsupervised contact with students, provided the board is

9   responsible for paying the costs associated with obtaining a criminal history

10   record check.

11   (6)   For purposes of this subdivision, "unsupervised contact" with students

12   means being in proximity to one or more students, on school grounds or at

13   school functions, outside the presence of an individual who has been

14   subject to a criminal history record check.

15   **SECTION 2. AMENDMENT.** Subdivision f of subsection 1 of section 15.1-06-06 of the North

16   Dakota Century Code is amended and reenacted as follows:

17   f.   All individuals hired after June 30, 2011, and having unsupervised contact with

18   students and employed at the school, have:

19   (1)   Undergone a criminal history background check requested by the employing

20   school district; or

21   (2)   Undergone a criminal history background check in order to be licensed by

22   the education standards and practices board or by any other state licensing

23   board; and

24   **SECTION 3. AMENDMENT.** Subdivision e of subsection 1 of section 15.1-06-06.1 of the

25   North Dakota Century Code is amended and reenacted as follows:

26   e.   All individuals hired after June 30, 2011, and having unsupervised contact with

27   students and employed at the school, have:

28   (1)   Undergone a criminal history background check requested on behalf of the

29   employing school; or

1   (2)   Undergone a criminal history background check in order to be licensed by

2   the education standards and practices board or by any other state licensing

3   board.