

IN THE SENATE

SENATE BILL NO. 1019

BY EDUCATION COMMITTEE

AN ACT

1 RELATING TO THE STATE BOARD OF EDUCATION; AMENDING SECTION 33-130, IDAHO
2 CODE, TO REVISE PROVISIONS RELATING TO FEES FOR UNDERGOING A CRIMINAL
3 HISTORY CHECK AND TO MAKE TECHNICAL CORRECTIONS.
4

5 Be It Enacted by the Legislature of the State of Idaho:

6 SECTION 1. That Section 33-130, Idaho Code, be, and the same is hereby
7 amended to read as follows:

8 33-130. CRIMINAL HISTORY CHECKS FOR SCHOOL DISTRICT EMPLOYEES OR AP-
9 PPLICANTS FOR CERTIFICATES OR INDIVIDUALS HAVING CONTACT WITH STUDENTS --
10 STATEWIDE LIST OF SUBSTITUTE TEACHERS. (1) The department of education,
11 through the cooperation of the Idaho state police, shall establish a system
12 to obtain a criminal history check on individuals to include, but is not
13 limited to, certificated and noncertificated employees, all applicants for
14 certificates pursuant to chapter 12, title 33, Idaho Code, substitute staff,
15 individuals involved in other types of student training such as practicums
16 and internships, and on all individuals who have unsupervised contact with
17 students in a K-12 setting. The criminal history check shall be based on a
18 completed ten (10) finger fingerprint card or scan and shall include, at a
19 minimum, the following state and national databases:

- 20 (1a) Idaho bureau of criminal identification;
21 (2b) Federal bureau of investigation (FBI) criminal history check; and
22 (3c) Statewide sex offender register.

23 (2) The state department of education shall charge all such individu-
24 als an administrative fee of forty eleven dollars (\$4011.00) ~~for~~ plus such
25 additional fees necessary to cover the cost of undergoing a criminal his-
26 tory check pursuant to subsection (1) (a) through (c) of this section. The
27 total fee shall be sufficient to cover costs charged by the federal bureau
28 of investigation, the state police and the state department of education. A
29 record of all background checks shall be maintained at the state department
30 of education in a data bank for all employees of a school district with a copy
31 going to the applicant upon request.

32 (3) The state department of education shall maintain a statewide list
33 of substitute teachers. The term "substitute teacher" shall have the mean-
34 ing as provided in section 33-512(15), Idaho Code.

35 (4) The Idaho state police and the department of education shall im-
36 plement a joint exercise of powers agreement pursuant to sections 67-2328
37 through 67-2333, Idaho Code, necessary to implement the provisions of this
38 section.