

Introduced by

Representatives Grosz, Kasper, Tieman

1 A BILL for an Act to amend and reenact section 15-38-18.2 of the North Dakota Century Code
2 or in the alternative to amend and reenact section 15.1-13-14 of the North Dakota Century
3 Code, relating to background checks for teacher licensure applicants.

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

5 **SECTION 1. AMENDMENT.** If House Bill No. 1045 does not become effective, section
6 15-38-18.2 of the 1999 Supplement to the North Dakota Century Code is amended and
7 reenacted as follows:

8 **15-38-18.2. Education standards and practices board - Initial licensure of**
9 **teachers - Application fee - Background - Provisional teaching certificates.** The education
10 standards and practices board may charge an application fee established by the board by rule.
11 The education standards and practices board shall check, or cause to be checked, the
12 background of each applicant for initial licensure as a teacher. The board shall require each
13 applicant for licensure to file a complete set of the applicant's fingerprints, taken by a law
14 enforcement officer or a designee of a law enforcement officer, and all other information
15 necessary to complete a state and nationwide criminal history check with the bureau of criminal
16 investigation for state processing and filing with the federal bureau of investigation for federal
17 processing. All costs associated with the background check and with obtaining and processing
18 the fingerprints are the responsibility of the applicant. Criminal history records provided to the
19 board pursuant to this section are confidential and closed to the public and may only be used by
20 the board for determining an applicant's eligibility for licensure and obtaining documentation to
21 support a denial of licensure. The board may adopt by rule, procedures for issuing forty-day
22 provisional teaching certificates to applicants for initial licensure pending completion of the
23 background check. A provisional teaching certificate may be renewed upon approval of the
24 board. An applicant for a provisional teaching certificate may be charged a fee established by

1 the board by rule, but no fee may be imposed for the renewal of a provisional teaching
2 certificate.

3 **SECTION 2. AMENDMENT.** Section 15.1-13-14 of the North Dakota Century Code as
4 created by House Bill No. 1045, as approved by the fifty-seventh legislative assembly, is
5 amended and reenacted as follows:

6 **15.1-13-14. Initial licensure of teachers - Background check.** The board shall
7 check, or cause to be checked, the background of each applicant for initial licensure as a
8 teacher. The board shall require each applicant for licensure to file a complete set of the
9 applicant's fingerprints, taken by a law enforcement officer or a designee of a law enforcement
10 officer, and all other information necessary to complete a statewide and nationwide criminal
11 history check with the bureau of criminal investigation for state processing and filing with the
12 federal bureau of investigation for federal processing. All costs associated with the background
13 check and with obtaining and processing the fingerprints are the responsibility of the applicant.
14 Criminal history records provided to the board pursuant to this section are confidential and
15 closed to the public and may only be used by the board for determining an applicant's eligibility
16 for licensure and obtaining documentation to support a denial of licensure.