

Fifty-seventh
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1225

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

1 be charged a fee established by the board by rule, but no fee may be imposed for the renewal
2 of a provisional teaching 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 properly trained designee of a
10 law enforcement officer, and all other information necessary to complete a statewide and
11 nationwide criminal history check with the bureau of criminal investigation for state processing
12 and filing with the federal bureau of investigation for federal processing. All costs associated
13 with the background check and with obtaining and processing the fingerprints are the
14 responsibility of the applicant. Criminal history records provided to the board pursuant to this
15 section are confidential and closed to the public and may only be used by the board for
16 determining an applicant's eligibility for licensure and obtaining documentation to support a
17 denial of licensure.