



NDSBA
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SB 2186
Testimony of Amy De Kok
Senate Education
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Chairman Schaible and members of the Senate Education committee, my name is Amy De Kok. I am in-house legal counsel for the North Dakota School Boards Association. NDSBA represents all 178 North Dakota public school districts and their boards. I am here today in opposition to SB 2186.

NDSBA and its member districts recognize the important job our districts and their staff have in serving the children of our state. We all take that job very seriously. This includes our districts making every effort to hire and retain quality staff that only have the best interests of the students at heart. Currently, ND law requires that all individuals employed by a school district and having any unsupervised contact with children undergo a criminal history background check. This requirement is found in NDCC 15.1-06-06 regarding approval of public schools. The purpose of this requirement is clear: the safety of the vulnerable population of students our districts serve.

Most school districts adopt hiring policies containing a procedure for requesting and adjudicating criminal history checks. Again, all employees anticipated to have any amount of unsupervised contact with students are required by law to undergo a criminal history background check. In addition, most districts have a policy requiring all volunteers who may have any unsupervised contact with children to undergo criminal history background check. In addition, other positions have criminal history background requirements in place, such as bus drivers. This is all to say that school districts in North Dakota take the safety of their students extremely seriously and go above and beyond the requirements in law to ensure they are only allowing safe people in their buildings and around students. For these reasons, NDSBA believes SB 2186 is unnecessary.

In addition, if passed, SB 2186 would require school districts to obtain a criminal history background check on any individual employed by the district, regardless of position and regardless of whether they have any contact with students. These checks are run through BCI and cost the district approximately \$40 each. SB 2186 would greatly expand a district's legal and financial obligation without any corresponding funding source. In other words, districts will be forced to further stretch their tight budgets to adhere to this requirement.

Finally, having a blanket requirement that any and all persons hired and employed by a school district, regardless of position or job duties, undergo a criminal history background check could deter qualified candidates from positions districts already have trouble filling.

NDSBA asks the committee to issue a do not pass recommendation on SB 2186. I would be happy to answer any questions the committee may have.