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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. 2935

03/10/2014 Authored by Faust

The bill was read for the first time and referred to the Committee on Education Policy

1.1 A bill for an act
1.2 relating to education; modifying certain teacher background check requirements;
1.3 amending Minnesota Statutes 2012, section 123B.03, subdivision 1a.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. Minnesota Statutes 2012, section 123B.03, subdivision 1a, is amended to
1.6 read:

1.7 Subd. 1a. **Investigation of disciplinary actions taken against prospective**
1.8 **teachers.** (a) At the time a school board or other hiring authority conducts the criminal
1.9 history background check required under subdivision 1 on an individual offered
1.10 employment as a teacher, the school board or other hiring authority must contact (1) the
1.11 Board of Teaching to determine whether the board has taken disciplinary action against the
1.12 teacher or has received reports under section 122A.20, subdivision 2, regarding the teacher
1.13 and (2) the Department of Education to determine whether any reports of maltreatment of
1.14 a child have been filed against the teacher under section 626.556, subdivision 11. The
1.15 Board of Teaching and the Department of Education must respond within two business
1.16 days to the school board or hiring authority's request. The school board or other hiring
1.17 authority must obtain access to data that are public under section 13.41, subdivision 5,
1.18 from the Board of Teaching and the Department of Education that relate to the substance
1.19 of the disciplinary action. ~~In addition,~~ or report of maltreatment. If the Board of Teaching
1.20 or the Department of Education has relevant public data, it must transmit that data to the
1.21 school board or hiring authority within five business days.

1.22 (b) The school board or other hiring authority must require the individual to provide
1.23 information in the employment application regarding all current and previous disciplinary
1.24 actions in Minnesota and other states taken against the individual, including against the

2.1 individual's teaching license and indicate to the applicant that intentionally submitting
2.2 false or incomplete information is a ground for dismissal.

2.3 ~~(b)~~ (c) For purposes of this subdivision, "disciplinary action" does not include an
2.4 action based on court-ordered child support or maintenance payment arrearages under
2.5 section 214.101 or delinquent state taxes under section 270C.72.