

A bill for an act
relating to education; requiring school boards to seek information from
prospective employees and the Board of Teaching about disciplinary actions
against the employees; amending Minnesota Statutes 2006, section 123B.03, by
adding a subdivision.

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

Section 1. Minnesota Statutes 2006, section 123B.03, is amended by adding a
subdivision to read:

**Subd. 1a. Requiring information about disciplinary actions taken against
prospective employees.** At the time a school hiring authority conducts a criminal history
background check on an individual offered employment as a teacher at the school, and
consistent with section 13.43, the school hiring authority also must use the Web site
provided by the department's educator licensing division to determine whether an asterisk
appears in proximity with other licensure information. An asterisk indicates that the
individual has had disciplinary action taken against his or her teaching license relating
to sexual misconduct with a student. Sexual misconduct is defined as sexual contact or
attempted sexual contact between a teacher and a student, which may include physical
contact or verbal, written, or pictorial interactions. When an asterisk appears, the school
hiring authority must contact the state Board of Teaching before it hires the individual
to determine the substance of the disciplinary actions taken against that individual. In
addition, the school hiring authority, as part of the employment application, must require
the individual to provide information about all current and previous disciplinary actions
in Minnesota and elsewhere taken against the individual's teaching license as a result of
sexual misconduct with a student and, notwithstanding other law to the contrary, indicate

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2.1 to the individual that intentionally submitting false or incomplete information is a ground
2.2 for dismissal.

2.3 **EFFECTIVE DATE.** This section is effective the day following final enactment
2.4 and applies to any disciplinary action taken against a teacher after July 1, 2008.