

**SENATE  
STATE OF MINNESOTA  
NINETY-FIRST SESSION**

**S.F. No. 3437**

(SENATE AUTHORS: CHAMBERLAIN, Clausen and Hoffman)

DATE	D-PG	OFFICIAL STATUS
02/20/2020	4851	Introduction and first reading Referred to E-12 Finance and Policy

1.1 A bill for an act

1.2 relating to education; allowing a preliminary license during a pending background

1.3 check; amending Minnesota Statutes 2019 Supplement, section 122A.18,

1.4 subdivision 8.

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

1.6 Section 1. Minnesota Statutes 2019 Supplement, section 122A.18, subdivision 8, is

1.7 amended to read:

1.8 Subd. 8. **Background checks.** (a) The Professional Educator Licensing and Standards

1.9 Board and the Board of School Administrators must obtain a criminal history background

1.10 check on all first-time teaching applicants for licenses under their jurisdiction. Applicants

1.11 must include with their licensure applications:

1.12 (1) an executed criminal history consent form, including fingerprints; and

1.13 (2) payment to conduct the background check. The Professional Educator Licensing and

1.14 Standards Board must deposit payments received under this subdivision in an account in

1.15 the special revenue fund. Amounts in the account are annually appropriated to the

1.16 Professional Educator Licensing and Standards Board to pay for the costs of background

1.17 checks on applicants for licensure.

1.18 (b) The background check for all first-time teaching applicants for licenses must include

1.19 a review of information from the Bureau of Criminal Apprehension, including criminal

1.20 history data as defined in section 13.87, and must also include a review of the national

1.21 criminal records repository. The superintendent of the Bureau of Criminal Apprehension

1.22 is authorized to exchange fingerprints with the Federal Bureau of Investigation for purposes

2.1 of the criminal history check. The superintendent shall recover the cost to the bureau of a  
2.2 background check through the fee charged to the applicant under paragraph (a).

2.3 (c) The Professional Educator Licensing and Standards Board must contract with the  
2.4 commissioner of human services to conduct background checks and obtain background  
2.5 check data required under this chapter.

2.6 (d) The Professional Educator Licensing and Standards Board and Board of School  
2.7 Administrators may issue a preliminary license to an applicant while the background check  
2.8 is pending if the applicant can demonstrate that the applicant meets other license eligibility  
2.9 requirements and the hiring authority has completed a background check under section  
2.10 123B.03 that meets the requirements of paragraph (b).