

HOUSE No. 377

The Commonwealth of Massachusetts

PRESENTED BY:

Sean Garballey

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relating to national fingerprint checks for school employees.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Sean Garballey</i>	<i>23rd Middlesex</i>
<i>Marjorie C. Decker</i>	<i>25th Middlesex</i>
<i>Keiko M. Orrall</i>	<i>12th Bristol</i>
<i>Mary S. Keefe</i>	<i>15th Worcester</i>
<i>Elizabeth A. Poirier</i>	<i>14th Bristol</i>

HOUSE No. 377

By Mr. Garballey of Arlington, a petition (accompanied by bill, House, No. 377) of Sean Garballey and others relative to national fingerprint-based criminal background checks for certifying and recertifying certain school employees. Education.

The Commonwealth of Massachusetts

**In the One Hundred and Eighty-Ninth General Court
(2015-2016)**

An Act relating to national fingerprint checks for school employees.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Section 1. Section 38R of chapter 71 of the General Laws, as most recently amended by
2 chapter 77, section 7 of the Acts of 2013, is hereby amended by adding to the end thereof the
3 following:

4 The board of elementary and secondary education (board), in consultation with the
5 department of criminal justice information services, shall at least every other year conduct a
6 review of the implementation of the national fingerprint- based criminal background check, to
7 consider reducing the regulatory burden and associated costs imposed upon school districts and
8 the fees paid by school employees. Pursuant to such review, the board shall consider initiating a
9 requirement that a teacher and other certified employees pursuant to section 38G as a condition
10 of initial certification and, as necessary, recertification shall be subject to a national fingerprint-
11 based criminal background check, which shall be provided to a school district, upon its request,
12 that is seeking to hire said employee. The board shall file a report, within I year of the passage of

13 this act, with the joint chairs of the committee on education, on the requirement linking the
14 national fingerprint-based criminal background check to certification together with a draft of any
15 legislation that may be necessary. The board shall at least every other year, commencing 1 year
16 after the passage of this act, file a report and recommendations with the joint chairs of the
17 committee on education, on its review concerning reducing the regulatory burden and associated
18 costs due to the implementation of the national fingerprint-based criminal background check.