

**SENATE  
STATE OF MINNESOTA  
SECOND SPECIAL SESSION**

**S.F. No. 19**

(SENATE AUTHORS: NELSON)

DATE  
07/13/2020

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Introduction and first reading  
Referred to Rules and Administration

OFFICIAL STATUS

1.1 A bill for an act  
1.2 relating to education; modifying background check requirements for teacher  
1.3 licensure; 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~~ may contract with  
2.4 the commissioner of human services to conduct background checks and obtain background  
2.5 check data required under this chapter.