

Date: (Filing No. S-)

EDUCATION AND CULTURAL AFFAIRS

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**STATE OF MAINE
SENATE
128TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to S.P. 438, L.D. 1286, Bill, “An Act To Require Background Checks for All School Employees”

Amend the bill by striking out the title and substituting the following:

'An Act To Facilitate Compliance by School Employees with Criminal History Record Check and Fingerprinting Requirements'

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

'Sec. 1. 20-A MRSA §13026 is enacted to read:

§13026. Compliance with criminal history record check and fingerprinting requirements

1. List of school administrative unit employees. Beginning January 1, 2018, and quarterly thereafter, a school administrative unit shall submit to the department a list of the names of all employees subject to certification, approval or authorization and indicate for each person included on the list the date on which the person most recently commenced employment with the school administrative unit.

2. Notification of noncompliance. Upon receipt of a list from a school administrative unit pursuant to subsection 1, the department shall determine for each person included on the list whether the person has complied with all applicable criminal history record check and fingerprinting requirements of section 6103 and rules adopted by the state board. If the department determines that the person has failed to comply with any such applicable requirement, the department shall immediately notify the school administrative unit of the person's failure to comply.

Sec. 2. Appropriations and allocations. The following appropriations and allocations are made.

**EDUCATION, DEPARTMENT OF
Learning Systems Team Z081**

COMMITTEE AMENDMENT

1 Initiative: Provides ongoing funds for 90% of the cost to local school administrative units
2 to submit the names of all employees subject to certification, approval or authorization
3 along with the date that each employee began working for the school administrative unit.

4	GENERAL FUND	2017-18	2018-19
5	All Other	\$13,244	\$13,508
6			
7	GENERAL FUND TOTAL	<u>\$13,244</u>	<u>\$13,508</u>
8			

9 **SUMMARY**

10 This amendment changes the title, replaces the bill and requires, beginning January 1,
11 2018, a school administrative unit to submit quarterly to the Department of Education a
12 list of the names of all employees and the date on which each person most recently
13 commenced employment. Upon receipt of the list, the department is required to
14 determine for each person included on the list whether the person has complied with all
15 applicable criminal history record check and fingerprinting requirements. If any person
16 has failed to comply with any applicable requirement, the department is required to
17 immediately notify the school administrative unit of that person's failure to comply.

18 This amendment also provides ongoing funds for 90% of the cost to school
19 administrative units to comply with the bill as amended by this amendment.

20 **FISCAL NOTE REQUIRED**

21 **(See attached)**