

Bill as Introduced

HB 1286 – AS INTRODUCED

2010 SESSION

10-2016

04/03

HOUSE BILL

1286

AN ACT

allowing nonpublic schools to obtain criminal history records checks on employees and volunteers.

SPONSORS:

Rep. Stevens, Carr 4; Rep. Charron, Rock 7

COMMITTEE:

Education

ANALYSIS

This bill permits nonpublic schools to submit criminal history records checks through the division of state police.

This bill is a request of the department of safety.

Explanation:

Matter added to current law appears in *bold italics*.

Matter removed from current law appears [~~in brackets and struck through.~~]

Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Ten

AN ACT allowing nonpublic schools to obtain criminal history records checks on employees and volunteers.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 School Employee and Volunteer Background Investigations. Amend RSA 189:13-a to read as
2 follows:

3 189:13-a School Employee and Volunteer [~~Background Investigations~~] ***Criminal History***
4 ***Records Check.***

5 I. The employing school administrative unit, school district, or chartered public school shall
6 complete a [~~background investigation and a~~] criminal history records check on every selected
7 applicant for employment in any position in the school administrative unit, school district, or
8 chartered public school prior to a final offer of employment. ***A nonpublic school approved by the***
9 ***New Hampshire state board of education may submit criminal history records checks on***
10 ***applicants for employment pursuant to this section.*** A school administrative unit, school
11 district, [or] chartered public school, ***or participating nonpublic school*** may extend a conditional
12 offer of employment to a selected applicant [~~after completing a background investigation~~], with a
13 final offer of employment subject to a successfully completed criminal history records check. No
14 selected applicant may be extended a [~~conditional~~] ***final*** offer of employment unless the school
15 administrative unit, school district, [or] chartered public school, ***or participating nonpublic***
16 ***school*** has [~~initiated~~] ***completed*** a criminal history records check. The school administrative unit,
17 school district, [or] chartered public school, ***or participating nonpublic school*** shall not be held
18 liable in any lawsuit alleging that the extension of a conditional or final offer of employment to an
19 applicant, or the acceptance of volunteer services from a designated volunteer, with a criminal
20 history was in any way negligent or deficient, if the school administrative unit, school district, [or]
21 chartered public school, ***or participating nonpublic school*** fulfilled the requirements of this
22 section.

23 II. The selected applicant for employment or designated volunteer with a school
24 administrative unit, school district, [or] chartered public school, ***or participating nonpublic***
25 ***school*** shall submit to the employer a notarized criminal history records release form, as provided by
26 the division of state police, which authorizes the release of information regarding the presence or
27 absence of any record of convictions of the applicant of felonies or of the crimes listed in paragraph V.
28 The applicant shall submit with the release form a complete set of fingerprints taken by a qualified
29 law enforcement agency or an authorized employee of the school administrative unit, school district,
30 [or] chartered public school, ***or participating nonpublic school***. In the event that the first set of

1 fingerprints is invalid due to insufficient pattern and a second set of fingerprints is necessary in
2 order to complete the criminal history records check, the conditional offer of employment shall
3 remain in effect. If, after 2 attempts, a set of fingerprints is invalid due to insufficient pattern, the
4 school administrative unit, school district, ~~[or]~~ chartered public school, **or participating nonpublic**
5 **school** may, in lieu of the criminal history records check, accept police clearances from every city,
6 town, or county where an applicant has lived during the past 5 years.

7 III. The school administrative unit, school district, ~~[or]~~ chartered public school, **or**
8 **participating nonpublic school** shall submit the criminal history records release form to the New
9 Hampshire state police which shall conduct a criminal history records check through its records and
10 through the Federal Bureau of Investigation. ~~[Upon completion of the background investigation,]~~
11 The state police shall examine the list of crimes constituting grounds for non-approval of
12 employment, or non-acceptance of volunteer services in that school administrative unit, school
13 district, ~~[or]~~ chartered public school, **or participating nonpublic school**, and shall report the
14 presence or absence of any such crime to the school administrative unit, school district, ~~[or]~~ chartered
15 public school, **or participating nonpublic school**. Under no circumstances shall the criminal
16 records be released to the school administrative unit, school district, ~~[or]~~ chartered public school, **or**
17 **participating nonpublic school**. The school administrative unit, school district, ~~[or]~~ chartered
18 public school, **or participating nonpublic school** shall maintain the confidentiality of all criminal
19 history records information received pursuant to this paragraph. If the criminal history records
20 information indicates no criminal record, the school administrative unit, school district, ~~[or]~~
21 chartered public school, **or participating nonpublic school** shall destroy the information received
22 immediately following its review of the information. If the criminal history records information
23 indicates that the applicant has been convicted of a felony or of a crime listed in paragraph V, the
24 school administrative unit, school district, ~~[or]~~ chartered public school, **or participating nonpublic**
25 **school** shall review the information for a hiring decision, and the division of state police shall notify
26 the department of education of any such convictions. The school administrative unit, school district,
27 ~~[or]~~ chartered public school, **or participating nonpublic school** shall destroy any criminal history
28 record information that indicates a criminal record within 30 days of receiving such information.

29 IV. The school administrative unit, school district, ~~[or charter]~~ **chartered public school, or**
30 **participating nonpublic school** may require the selected applicant for employment or designated
31 volunteer to pay the actual costs of the ~~[background investigation and a]~~ criminal history records
32 check.

33 V. Any person who has been convicted of any violation or attempted violation of RSA 630:1;
34 630:1-a; 630:1-b; 630:2; 632-A:2; 632-A:3; 632-A:4; 633:1; 639:2; 639:3; 645:1, II or III; 645:2; 649-A:3;
35 649-A:3-a; 649-A:3-b; 649-B:3; or 649-B:4; or any violation or any attempted violation of RSA 650:2
36 where the act involves a child in material deemed obscene; in this state, or under any statute
37 prohibiting the same conduct in another state, territory, or possession of the United States, shall not

1 be hired by a school administrative unit, school district, [Ø] chartered public school, *or*
2 *participating nonpublic school*. By decision of the appropriate governing body, a school
3 administrative unit, school district, [Ø] chartered public school, *or participating nonpublic*
4 *school* may deny a selected applicant a final offer of employment if such person has been convicted
5 of any felony in addition to those listed above. The governing body may adopt a policy stating that
6 any person who has been convicted of any felony, or any of a list of felonies, shall not be hired.

7 VI. This section applies to any employee, selected applicant for employment, designated
8 volunteer, or volunteer organization which contracts with a school administrative unit, school
9 district, [Ø] chartered public school, *or participating nonpublic school* to provide services,
10 including but not limited to cafeteria workers, school bus drivers, custodial personnel, or any other
11 service where the contractor or employees of the contractor provide services directly to students of
12 the district [Ø], chartered public school, *or participating nonpublic school*. The cost for
13 [~~background investigations, including~~] criminal history records checks[.] for employees or selected
14 applicants for employment with such contractors shall be borne by the contractor.

15 VII. The school administrative unit, school district, [Ø] chartered public school, *or*
16 *participating nonpublic school* shall not be required to complete a [~~background investigation or~~
17 a] criminal history records check on volunteers, provided that the governing body of a school
18 administrative unit, school district, [Ø] chartered public school, *or participating nonpublic*
19 *school* shall adopt a policy designating certain categories of volunteers as “designated volunteers”
20 who may be required to undergo a [~~background investigation and a~~] criminal history records check.

21 VIII. A school administrative unit, school district, chartered public school, *participating*
22 *nonpublic school*, or school official acting pursuant to a policy establishing procedures for certain
23 volunteers shall be immune from civil or criminal liability, provided the school administrative unit,
24 school district, chartered public school, *participating nonpublic school*, or school official has in
25 good faith acted in accordance with said policy. Nothing in this paragraph shall be deemed to grant
26 immunity to any person for that person’s reckless or wanton conduct.

27 IX.(a) *Substitute teachers, student teachers, student interns, and other educational*
28 *staff shall apply for a criminal history records check at the employing school*
29 *administrative unit, school district, chartered public school, or participating nonpublic*
30 *school. The division of state police shall complete the criminal history records check and,*
31 *upon completion, shall issue a letter to the applicant. The letter shall be valid for 15 days*
32 *from the date of issue and shall constitute satisfactory proof of compliance with this*
33 *section.*

34 (b) *Student teachers and student interns shall submit a criminal history*
35 *records check upon enrollment in a teacher preparation program, but shall not be required*
36 *to submit additional criminal history records checks if the student teacher or student*
37 *intern maintains continuous enrollment in the teacher preparation program.*

1 (c) *In addition to the criminal history records check fee, substitute teachers,*
2 *student teachers, student interns, and other educational staff shall pay an additional fee*
3 *of \$25 to the division of state police to offset the additional administrative costs under this*
4 *paragraph.*

5 X. *Violations of this section shall be jointly investigated by the state police and the*
6 *department of education. Information obtained through such investigations shall remain*
7 *confidential and shall not be subject to RSA 91-A.*

8 2 One-Year Certificate of Eligibility. Amend RSA 189:39-b, I(b) to read as follows:

9 (b) Is subject to a [~~background investigation~~] *criminal history records check* pursuant
10 to RSA 189:13-a.

11 3 Effective Date. This act shall take effect 60 days after its passage.

HB 1286 - AS AMENDED BY THE HOUSE

10Feb2010... 0396h
24Mar2010... 0899h

2010 SESSION

10-2016
04/03

HOUSE BILL **1286**

AN ACT requiring nonpublic schools and public academies to obtain a criminal history records check on employees and volunteers.

SPONSORS: Rep. Stevens, Carr 4; Rep. Charron, Rock 7

COMMITTEE: Education

AMENDED ANALYSIS

This bill requires nonpublic schools and public academies to submit a criminal history records check through the division of state police.

This bill is a request of the department of safety.

Explanation: Matter added to current law appears in ***bold italics***.
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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Ten

AN ACT requiring nonpublic schools and public academies to obtain a criminal history records check on employees and volunteers.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 School Employee and Volunteer Background Investigations. Amend RSA 189:13-a to read as
2 follows:

3 189:13-a School Employee and Volunteer [~~Background Investigations~~] **Criminal History**
4 **Records Check.**

5 I. The employing school administrative unit, school district, or chartered public school shall
6 complete a [~~background investigation and a~~] criminal history records check on every selected
7 applicant for employment in any position in the school administrative unit, school district, or
8 chartered public school prior to a final offer of employment. **A nonpublic school or public**
9 **academy approved by the New Hampshire state board of education shall submit a criminal**
10 **history records check on applicants for employment pursuant to this section.** A school
11 administrative unit, school district, [~~or~~] chartered public school, **nonpublic school, or public**
12 **academy** may extend a conditional offer of employment to a selected applicant [~~after completing a~~
13 ~~background investigation~~], with a final offer of employment subject to a successfully completed
14 criminal history records check. No selected applicant may be extended a [~~conditional~~] **final** offer of
15 employment unless the school administrative unit, school district, [~~or~~] chartered public school,
16 **nonpublic school, or public academy** has [~~initiated~~] **completed** a criminal history records check.
17 The school administrative unit, school district, [~~or~~] chartered public school, **nonpublic school, or**
18 **public academy** shall not be held liable in any lawsuit alleging that the extension of a conditional
19 or final offer of employment to an applicant, or the acceptance of volunteer services from a
20 designated volunteer, with a criminal history was in any way negligent or deficient, if the school
21 administrative unit, school district, [~~or~~] chartered public school, **nonpublic school, or public**
22 **academy** fulfilled the requirements of this section.

23 II. The selected applicant for employment or designated volunteer with a school
24 administrative unit, school district, [~~or~~] chartered public school, **nonpublic school, or public**
25 **academy** shall submit to the employer a notarized criminal history records release form, as provided
26 by the division of state police, which authorizes the release of information regarding the presence or
27 absence of any record of convictions of the applicant of felonies or of the crimes listed in paragraph V.
28 The applicant shall submit with the release form a complete set of fingerprints taken by a qualified

1 law enforcement agency or an authorized employee of the school administrative unit, school district,
 2 ~~[or]~~ chartered public school, **nonpublic school, or public academy**. In the event that the first set
 3 of fingerprints is invalid due to insufficient pattern and a second set of fingerprints is necessary in
 4 order to complete the criminal history records check, the conditional offer of employment shall
 5 remain in effect. If, after 2 attempts, a set of fingerprints is invalid due to insufficient pattern, the
 6 school administrative unit, school district, ~~[or]~~ chartered public school, **nonpublic school, or public**
 7 **academy** may, in lieu of the criminal history records check, accept police clearances from every city,
 8 town, or county where an applicant has lived during the past 5 years.

9 III. The school administrative unit, school district, ~~[or]~~ chartered public school, **nonpublic**
 10 **school, or public academy** shall submit the criminal history records release form to the New
 11 Hampshire state police which shall conduct a criminal history records check through its records and
 12 through the Federal Bureau of Investigation. ~~[Upon completion of the background investigation,]~~
 13 The state police shall examine the list of crimes constituting grounds for non-approval of
 14 employment, or non-acceptance of volunteer services in that school administrative unit, school
 15 district, ~~[or]~~ chartered public school, **nonpublic school, or public academy**, and shall report the
 16 presence or absence of any such crime to the school administrative unit, school district, ~~[or]~~
 17 chartered public school, **nonpublic school, or public academy**. Under no circumstances shall the
 18 criminal records be released to the school administrative unit, school district, ~~[or]~~ chartered public
 19 school, **nonpublic school, or public academy**. The school administrative unit, school district, ~~[or]~~
 20 chartered public school, **nonpublic school, or public academy** shall maintain the confidentiality
 21 of all criminal history records information received pursuant to this paragraph. If the criminal
 22 history records information indicates no criminal record, the school administrative unit, school
 23 district, ~~[or]~~ chartered public school, **nonpublic school, or public academy** shall destroy the
 24 information received immediately following its review of the information. If the criminal history
 25 records information indicates that the applicant has been convicted of a felony or of a crime listed in
 26 paragraph V, the school administrative unit, school district, ~~[or]~~ chartered public school, **nonpublic**
 27 **school, or public academy** shall review the information for a hiring decision, and the division of
 28 state police shall notify the department of education of any such convictions. The school
 29 administrative unit, school district, ~~[or]~~ chartered public school, **nonpublic school, or public**
 30 **academy** shall destroy any criminal history record information that indicates a criminal record
 31 within 30 days of receiving such information.

32 IV. The school administrative unit, school district, ~~[or charter]~~ **chartered public** school,
 33 **nonpublic school, or public academy** may require the selected applicant for employment or
 34 designated volunteer to pay the actual costs of the ~~[background investigation and a]~~ criminal history
 35 records check.

36 V. Any person who has been convicted of any violation or attempted violation of RSA 630:1;
 37 630:1-a; 630:1-b; 630:2; 632-A:2; 632-A:3; 632-A:4; 633:1; 639:2; 639:3; 645:1, II or III; 645:2; 649-A:3;

1 649-A:3-a; 649-A:3-b; 649-B:3; or 649-B:4; or any violation or any attempted violation of RSA 650:2
2 where the act involves a child in material deemed obscene; in this state, or under any statute
3 prohibiting the same conduct in another state, territory, or possession of the United States, shall not
4 be hired by a school administrative unit, school district, [☒] chartered public school, **nonpublic**
5 **school, or public academy**. By decision of the appropriate governing body, a school administrative
6 unit, school district, [☒] chartered public school, **nonpublic school, or public academy** may deny
7 a selected applicant a final offer of employment if such person has been convicted of any felony in
8 addition to those listed above. The governing body may adopt a policy stating that any person who
9 has been convicted of any felony, or any of a list of felonies, shall not be hired.

10 VI. This section applies to any employee, selected applicant for employment, designated
11 volunteer, or volunteer organization which contracts with a school administrative unit, school
12 district, [☒] chartered public school, **nonpublic school, or public academy** to provide services,
13 including but not limited to cafeteria workers, school bus drivers, custodial personnel, or any other
14 service where the contractor or employees of the contractor provide services directly to students of
15 the district [☒], chartered public school, **nonpublic school, or public academy**. The cost for
16 [~~background investigations, including~~] criminal history records checks[7] for employees or selected
17 applicants for employment with such contractors shall be borne by the contractor.

18 VII. The school administrative unit, school district, [☒] chartered public school, **nonpublic**
19 **school, or public academy** shall not be required to complete a [~~background investigation or a~~]
20 criminal history records check on volunteers, provided that the governing body of a school
21 administrative unit, school district, [☒] chartered public school, **nonpublic school, or public**
22 **academy** shall adopt a policy designating certain categories of volunteers as "designated volunteers"
23 who may be required to undergo a [~~background investigation and a~~] criminal history records check.

24 VIII. A school administrative unit, school district, chartered public school, **nonpublic**
25 **school, public academy**, or school official acting pursuant to a policy establishing procedures for
26 certain volunteers shall be immune from civil or criminal liability, provided the school
27 administrative unit, school district, chartered public school, **nonpublic school, public academy**, or
28 school official has in good faith acted in accordance with said policy. Nothing in this paragraph shall
29 be deemed to grant immunity to any person for that person's reckless or wanton conduct.

30 ***IX.(a) Substitute teachers, student teachers, student interns, and other educational***
31 ***staff shall apply for a criminal history records check at the employing school***
32 ***administrative unit, school district, chartered public school, nonpublic school, or public***
33 ***academy. The division of state police shall complete the criminal history records check***
34 ***and, upon completion, shall issue a letter to the applicant. The letter shall be valid for 30***
35 ***days from the date of issue and shall constitute satisfactory proof of compliance with this***
36 ***section.***

37 ***(b) Student teachers and student interns shall submit a criminal history***

1 *records check upon enrollment in a teacher preparation program, but shall not be*
2 *required to submit additional criminal history records checks if the student teacher or*
3 *student intern maintains continuous enrollment in the teacher preparation program.*

4 *X. Violations of this section shall be jointly investigated by the state police and the*
5 *department of education. Information obtained through such investigations shall remain*
6 *confidential and shall not be subject to RSA 91-A.*

7 *XI. In this section, "public academy" shall have the same meaning as in RSA 194:23,*

8 *II.*

9 2 One-Year Certificate of Eligibility. Amend RSA 189:39-b, I(b) to read as follows:

10 (b) Is subject to a [~~background investigation~~] *criminal history records check* pursuant
11 to RSA 189:13-a.

12 3 Effective Date. This act shall take effect 60 days after its passage.

HB 1286 - AS AMENDED BY THE SENATE

10Feb2010... 0396h
24Mar2010... 0899h
05/05/10 1642s

2010 SESSION

10-2016
04/03

HOUSE BILL **1286**

AN ACT requiring public academies to obtain a criminal history records check on employees and volunteers and permitting nonpublic schools to obtain criminal history records checks on employees and volunteers.

SPONSORS: Rep. Stevens, Carr 4; Rep. Charron, Rock 7

COMMITTEE: Education

AMENDED ANALYSIS

This bill requires nonpublic schools and public academies to submit a criminal history records check through the division of state police and permits nonpublic schools to obtain a criminal history records check for selected applicants for employment and selected volunteers.

.....

Explanation: Matter added to current law appears in *bold italics*.
Matter removed from current law appears [~~in brackets and struck through.~~]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

HB 1286 - AS AMENDED BY THE SENATE

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Ten

AN ACT requiring public academies to obtain a criminal history records check on employees and volunteers and permitting nonpublic schools to obtain criminal history records checks on employees and volunteers.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 School Employee and Volunteer Background Investigations. Amend RSA 189:13-a to read as
2 follows:

3 189:13-a School Employee and Volunteer [~~Background Investigations~~] ***Criminal History***
4 ***Records Check.***

5 I.(a) The employing school administrative unit, school district, or chartered public school
6 shall complete a [~~background investigation and a~~] criminal history records check on every selected
7 applicant for employment in any position in the school administrative unit, school district, or
8 chartered public school prior to a final offer of employment. ***A public academy approved by the***
9 ***New Hampshire state board of education shall submit a criminal history records check on***
10 ***applicants for employment pursuant to this section.*** A school administrative unit, school
11 district, [~~or~~] chartered public school, ***or public academy*** may extend a conditional offer of
12 employment to a selected applicant [~~after completing a background investigation~~], with a final offer
13 of employment subject to a successfully completed criminal history records check. No selected
14 applicant may be extended a [~~conditional~~] ***final*** offer of employment unless the school
15 administrative unit, school district, [~~or~~] chartered public school, ***or public academy*** has [~~initiated~~]
16 ***completed*** a criminal history records check. The school administrative unit, school district, [~~or~~]
17 chartered public school, ***or public academy*** shall not be held liable in any lawsuit alleging that the
18 extension of a conditional or final offer of employment to an applicant, or the acceptance of volunteer
19 services from a designated volunteer, with a criminal history was in any way negligent or deficient, if
20 the school administrative unit, school district, [~~or~~] chartered public school, ***or public academy***
21 fulfilled the requirements of this section.

22 (b) ***A nonpublic school may elect to require a criminal history records check on***
23 ***selected applicants for employment or selected volunteers. A nonpublic school that elects***
24 ***to conduct a criminal history records check shall comply with the procedures and***
25 ***requirements set forth in this section.***

26 II. The selected applicant for employment or designated volunteer with a school
27 administrative unit, school district, [~~or~~] chartered public school, ***or public academy*** shall submit to

1 the employer a notarized criminal history records release form, as provided by the division of state
2 police, which authorizes the release of information regarding the presence or absence of any record of
3 convictions of the applicant of felonies or of the crimes listed in paragraph V. The applicant shall
4 submit with the release form a complete set of fingerprints taken by a qualified law enforcement
5 agency or an authorized employee of the school administrative unit, school district, ~~[or]~~ chartered
6 public school, *or public academy*. In the event that the first set of fingerprints is invalid due to
7 insufficient pattern and a second set of fingerprints is necessary in order to complete the criminal
8 history records check, the conditional offer of employment shall remain in effect. If, after 2 attempts,
9 a set of fingerprints is invalid due to insufficient pattern, the school administrative unit, school
10 district, ~~[or]~~ chartered public school, *or public academy* may, in lieu of the criminal history records
11 check, accept police clearances from every city, town, or county where an applicant has lived during
12 the past 5 years.

13 III. The school administrative unit, school district, ~~[or]~~ chartered public school, *or public*
14 *academy* shall submit the criminal history records release form to the New Hampshire state police
15 which shall conduct a criminal history records check through its records and through the Federal
16 Bureau of Investigation. ~~[Upon completion of the background investigation,]~~ The state police shall
17 examine the list of crimes constituting grounds for non-approval of employment, or non-acceptance of
18 volunteer services in that school administrative unit, school district, ~~[or]~~ chartered public school, *or*
19 *public academy*, and shall report the presence or absence of any such crime to the school
20 administrative unit, school district, ~~[or]~~ chartered public school, *or public academy*. Under no
21 circumstances shall the criminal records be released to the school administrative unit, school
22 district, ~~[or]~~ chartered public school, *or public academy*. The school administrative unit, school
23 district, ~~[or]~~ chartered public school, *or public academy* shall maintain the confidentiality of all
24 criminal history records information received pursuant to this paragraph. If the criminal history
25 records information indicates no criminal record, the school administrative unit, school district, ~~[or]~~
26 chartered public school, *or public academy* shall destroy the information received immediately
27 following its review of the information. If the criminal history records information indicates that the
28 applicant has been convicted of a felony or of a crime listed in paragraph V, the school administrative
29 unit, school district, ~~[or]~~ chartered public school, *or public academy* shall review the information
30 for a hiring decision, and the division of state police shall notify the department of education of any
31 such convictions. The school administrative unit, school district, ~~[or]~~ chartered public school, *or*
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33 record within 30 days of receiving such information.

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35 *public academy* may require the selected applicant for employment or designated volunteer to pay
36 the actual costs of the ~~[background investigation and a]~~ criminal history records check.

37 V. Any person who has been convicted of any violation or attempted violation of RSA 630:1;

1 630:1-a; 630:1-b; 630:2; 632-A:2; 632-A:3; 632-A:4; 633:1; 639:2; 639:3; 645:1, II or III; 645:2; 649-A:3;
2 649-A:3-a; 649-A:3-b; 649-B:3; or 649-B:4; or any violation or any attempted violation of RSA 650:2
3 where the act involves a child in material deemed obscene; in this state, or under any statute
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5 be hired by a school administrative unit, school district, [ø] chartered public school, *or public*
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7 district, [ø] chartered public school, *or public academy* may deny a selected applicant a final offer
8 of employment if such person has been convicted of any felony in addition to those listed above. The
9 governing body may adopt a policy stating that any person who has been convicted of any felony, or
10 any of a list of felonies, shall not be hired.

11 VI. This section applies to any employee, selected applicant for employment, designated
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13 district, [ø] chartered public school, *or public academy* to provide services, including but not
14 limited to cafeteria workers, school bus drivers, custodial personnel, or any other service where the
15 contractor or employees of the contractor provide services directly to students of the district [ø],
16 chartered public school, *or public academy*. The cost for [~~background investigations, including~~]
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18 contractors shall be borne by the contractor.

19 VII. The school administrative unit, school district, [ø] chartered public school, *or public*
20 *academy* shall not be required to complete a [~~background investigation or a~~] criminal history
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22 district, [ø] chartered public school, *or public academy* shall adopt a policy designating certain
23 categories of volunteers as "designated volunteers" who may be required to undergo a [~~background~~
24 ~~investigation and a~~] criminal history records check.

25 VIII. A school administrative unit, school district, chartered public school, *public academy*,
26 or school official acting pursuant to a policy establishing procedures for certain volunteers shall be
27 immune from civil or criminal liability, provided the school administrative unit, school district,
28 chartered public school, *public academy*, or school official has in good faith acted in accordance
29 with said policy. Nothing in this paragraph shall be deemed to grant immunity to any person for
30 that person's reckless or wanton conduct.

31 *IX.(a) Substitute teachers, student teachers, student interns, and other educational*
32 *staff shall apply for a criminal history records check at the employing school*
33 *administrative unit, school district, chartered public school, or public academy. The*
34 *division of state police shall complete the criminal history records check and, upon*
35 *completion, shall issue a letter to the applicant. The letter shall be valid for 30 days from*
36 *the date of issue and shall constitute satisfactory proof of compliance with this section.*

37 *(b) Student teachers and student interns shall submit a criminal history*

1 *records check upon enrollment in a teacher preparation program, but shall not be*
2 *required to submit additional criminal history records checks if the student teacher or*
3 *student intern maintains continuous enrollment in the teacher preparation program.*

4 *X. Violations of this section shall be jointly investigated by the state police and the*
5 *department of education. Information obtained through such investigations shall remain*
6 *confidential and shall not be subject to RSA 91-A.*

7 *XI. In this section, "public academy" shall have the same meaning as in RSA 194:23,*

8 *II.*

9 2 One-Year Certificate of Eligibility. Amend RSA 189:39-b, I(b) to read as follows:

10 (b) Is subject to a [~~background investigation~~] *criminal history records check* pursuant
11 to RSA 189:13-a.

12 3 Effective Date. This act shall take effect 60 days after its passage.

Amendments

Sen. Bragdon, Dist. 11
April 26, 2010
2010-1607s
04/01

Amendment to HB 1286

1 Amend the title of the bill by replacing it with the following:

2

3 AN ACT requiring public academies to obtain a criminal history records check on
4 employees and volunteers and permitting nonpublic schools to obtain criminal
5 history records checks on employees and volunteers.
6

7 Amend the bill by replacing section 1 with the following:

8

9 1 School Employee and Volunteer Background Investigations. Amend RSA 189:13-a to read as
10 follows:

11 189:13-a School Employee and Volunteer [~~Background Investigations~~] ***Criminal History***
12 ***Records Check.***

13 I.(a) The employing school administrative unit, school district, or chartered public school
14 shall complete a [~~background investigation and a~~] criminal history records check on every selected
15 applicant for employment in any position in the school administrative unit, school district, or
16 chartered public school prior to a final offer of employment. ***A public academy approved by the***
17 ***New Hampshire state board of education shall submit a criminal history records check on***
18 ***applicants for employment pursuant to this section.*** A school administrative unit, school
19 district, [~~or~~] chartered public school, ***or public academy*** may extend a conditional offer of
20 employment to a selected applicant [~~after completing a background investigation~~], with a final offer
21 of employment subject to a successfully completed criminal history records check. No selected
22 applicant may be extended a [~~conditional~~] ***final*** offer of employment unless the school
23 administrative unit, school district, [~~or~~] chartered public school, ***or public academy*** has [~~initiated~~]
24 ***completed*** a criminal history records check. The school administrative unit, school district, [~~or~~]
25 chartered public school, ***or public academy*** shall not be held liable in any lawsuit alleging that the
26 extension of a conditional or final offer of employment to an applicant, or the acceptance of volunteer
27 services from a designated volunteer, with a criminal history was in any way negligent or deficient, if
28 the school administrative unit, school district, [~~or~~] chartered public school, ***or public academy***
29 fulfilled the requirements of this section.

30 (b) ***A nonpublic school may elect to require a criminal history records check on***
31 ***selected applicants for employment or selected volunteers. A nonpublic school that elects***
32 ***to conduct a criminal history records check shall comply with the procedures and***
33 ***requirements set forth in this section.***

Amendment to HB 1286

- Page 2 -

1 II. The selected applicant for employment or designated volunteer with a school
2 administrative unit, school district, [œ] chartered public school, **or public academy** shall submit to
3 the employer a notarized criminal history records release form, as provided by the division of state
4 police, which authorizes the release of information regarding the presence or absence of any record of
5 convictions of the applicant of felonies or of the crimes listed in paragraph V. The applicant shall
6 submit with the release form a complete set of fingerprints taken by a qualified law enforcement
7 agency or an authorized employee of the school administrative unit, school district, [œ] chartered
8 public school, **or public academy**. In the event that the first set of fingerprints is invalid due to
9 insufficient pattern and a second set of fingerprints is necessary in order to complete the criminal
10 history records check, the conditional offer of employment shall remain in effect. If, after 2 attempts,
11 a set of fingerprints is invalid due to insufficient pattern, the school administrative unit, school
12 district, [œ] chartered public school, **or public academy** may, in lieu of the criminal history records
13 check, accept police clearances from every city, town, or county where an applicant has lived during
14 the past 5 years.

15 III. The school administrative unit, school district, [œ] chartered public school, **or public**
16 **academy** shall submit the criminal history records release form to the New Hampshire state police
17 which shall conduct a criminal history records check through its records and through the Federal
18 Bureau of Investigation. [~~Upon completion of the background investigation,~~] The state police shall
19 examine the list of crimes constituting grounds for non-approval of employment, or non-acceptance of
20 volunteer services in that school administrative unit, school district, [œ] chartered public school, **or**
21 **public academy**, and shall report the presence or absence of any such crime to the school
22 administrative unit, school district, [œ] chartered public school, **or public academy**. Under no
23 circumstances shall the criminal records be released to the school administrative unit, school
24 district, [œ] chartered public school, **or public academy**. The school administrative unit, school
25 district, [œ] chartered public school, **or public academy** shall maintain the confidentiality of all
26 criminal history records information received pursuant to this paragraph. If the criminal history
27 records information indicates no criminal record, the school administrative unit, school district, [œ]
28 chartered public school, **or public academy** shall destroy the information received immediately
29 following its review of the information. If the criminal history records information indicates that the
30 applicant has been convicted of a felony or of a crime listed in paragraph V, the school administrative
31 unit, school district, [œ] chartered public school, **or public academy** shall review the information
32 for a hiring decision, and the division of state police shall notify the department of education of any
33 such convictions. The school administrative unit, school district, [œ] chartered public school, **or**
34 **public academy** shall destroy any criminal history record information that indicates a criminal
35 record within 30 days of receiving such information.

36 IV. The school administrative unit, school district, [~~œ charterœ~~] **chartered public** school, **or**
37 **public academy** may require the selected applicant for employment or designated volunteer to pay

Amendment to HB 1286

- Page 3 -

1 the actual costs of the [~~background investigation and a~~] criminal history records check.

2 V. Any person who has been convicted of any violation or attempted violation of RSA 630:1;
3 630:1-a; 630:1-b; 630:2; 632-A:2; 632-A:3; 632-A:4; 633:1; 639:2; 639:3; 645:1, II or III; 645:2; 649-A:3;
4 649-A:3-a; 649-A:3-b; 649-B:3; or 649-B:4; or any violation or any attempted violation of RSA 650:2
5 where the act involves a child in material deemed obscene; in this state, or under any statute
6 prohibiting the same conduct in another state, territory, or possession of the United States, shall not
7 be hired by a school administrative unit, school district, [~~or~~] chartered public school, **or public**
8 **academy**. By decision of the appropriate governing body, a school administrative unit, school
9 district, [~~or~~] chartered public school, **or public academy** may deny a selected applicant a final offer
10 of employment if such person has been convicted of any felony in addition to those listed above. The
11 governing body may adopt a policy stating that any person who has been convicted of any felony, or
12 any of a list of felonies, shall not be hired.

13 VI. This section applies to any employee, selected applicant for employment, designated
14 volunteer, or volunteer organization which contracts with a school administrative unit, school
15 district, [~~or~~] chartered public school, **or public academy** to provide services, including but not
16 limited to cafeteria workers, school bus drivers, custodial personnel, or any other service where the
17 contractor or employees of the contractor provide services directly to students of the district [~~or~~],
18 chartered public school, **or public academy**. The cost for [~~background investigations, including~~]
19 criminal history records checks[,] for employees or selected applicants for employment with such
20 contractors shall be borne by the contractor.

21 VII. The school administrative unit, school district, [~~or~~] chartered public school, **or public**
22 **academy** shall not be required to complete a [~~background investigation or a~~] criminal history
23 records check on volunteers, provided that the governing body of a school administrative unit, school
24 district, [~~or~~] chartered public school, **or public academy** shall adopt a policy designating certain
25 categories of volunteers as "designated volunteers" who may be required to undergo a [~~background~~
26 ~~investigation and a~~] criminal history records check.

27 VIII. A school administrative unit, school district, chartered public school, **public academy**,
28 or school official acting pursuant to a policy establishing procedures for certain volunteers shall be
29 immune from civil or criminal liability, provided the school administrative unit, school district,
30 chartered public school, **public academy**, or school official has in good faith acted in accordance
31 with said policy. Nothing in this paragraph shall be deemed to grant immunity to any person for
32 that person's reckless or wanton conduct.

33 ***IX.(a) Substitute teachers, student teachers, student interns, and other educational***
34 ***staff shall apply for a criminal history records check at the employing school***
35 ***administrative unit, school district, chartered public school, or public academy. The***
36 ***division of state police shall complete the criminal history records check and, upon***
37 ***completion, shall issue a letter to the applicant. The letter shall be valid for 30 days from***

1 *the date of issue and shall constitute satisfactory proof of compliance with this section.*

2 *(b) Student teachers and student interns shall submit a criminal history*
3 *records check upon enrollment in a teacher preparation program, but shall not be*
4 *required to submit additional criminal history records checks if the student teacher or*
5 *student intern maintains continuous enrollment in the teacher preparation program.*

6 *X. Violations of this section shall be jointly investigated by the state police and the*
7 *department of education. Information obtained through such investigations shall remain*
8 *confidential and shall not be subject to RSA 91-A.*

9 *XI. In this section, "public academy" shall have the same meaning as in RSA 194:23,*

10 *II.*

Amendment to HB 1286
- Page 5 -

2010-1607s

AMENDED ANALYSIS

This bill requires nonpublic schools and public academies to submit a criminal history records check through the division of state police and permits nonpublic schools to obtain a criminal history records check for selected applicants for employment and selected volunteers.



Senate Education
 April 27, 2010
 2010-1642s
 04/01

Amendment to HB 1286

1 Amend the title of the bill by replacing it with the following:

2

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 4 employees and volunteers and permitting nonpublic schools to obtain criminal
 5 history records checks on employees and volunteers.
 6

7 Amend the bill by replacing section 1 with the following:

8

9 1 School Employee and Volunteer Background Investigations. Amend RSA 189:13-a to read as
 10 follows:

11 189:13-a School Employee and Volunteer [~~Background Investigations~~] *Criminal History*
 12 *Records Check.*

13 I.(a) The employing school administrative unit, school district, or chartered public school
 14 shall complete a [~~background investigation and a~~] criminal history records check on every selected
 15 applicant for employment in any position in the school administrative unit, school district, or
 16 chartered public school prior to a final offer of employment. *A public academy approved by the*
 17 *New Hampshire state board of education shall submit a criminal history records check on*
 18 *applicants for employment pursuant to this section.* A school administrative unit, school
 19 district, [~~or~~] chartered public school, *or public academy* may extend a conditional offer of
 20 employment to a selected applicant [~~after completing a background investigation~~], with a final offer
 21 of employment subject to a successfully completed criminal history records check. No selected
 22 applicant may be extended a [~~conditional~~] *final* offer of employment unless the school
 23 administrative unit, school district, [~~or~~] chartered public school, *or public academy* has [~~initiated~~]
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 25 chartered public school, *or public academy* shall not be held liable in any lawsuit alleging that the
 26 extension of a conditional or final offer of employment to an applicant, or the acceptance of volunteer
 27 services from a designated volunteer, with a criminal history was in any way negligent or deficient, if
 28 the school administrative unit, school district, [~~or~~] chartered public school, *or public academy*
 29 fulfilled the requirements of this section.

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 31 *selected applicants for employment or selected volunteers. A nonpublic school that elects*
 32 *to conduct a criminal history records check shall comply with the procedures and*
 33 *requirements set forth in this section.*



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17 which shall conduct a criminal history records check through its records and through the Federal
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5 where the act involves a child in material deemed obscene; in this state, or under any statute
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17 contractor or employees of the contractor provide services directly to students of the district [~~or~~],
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Amendment to HB 1286

- Page 4 -

1 *the date of issue and shall constitute satisfactory proof of compliance with this section.*

2 *(b) Student teachers and student interns shall submit a criminal history*
3 *records check upon enrollment in a teacher preparation program, but shall not be*
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7 *department of education. Information obtained through such investigations shall remain*
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10 *II.*



2010-1642s

AMENDED ANALYSIS

This bill requires nonpublic schools and public academies to submit a criminal history records check through the division of state police and permits nonpublic schools to obtain a criminal history records check for selected applicants for employment and selected volunteers.

Committee Minutes

**SENATE CALENDAR NOTICE
EDUCATION**

Senator Molly Kelly Chairman
 Senator Amanda Merrill V Chairman ✓
 Senator Martha Fuller Clark ✓
 Senator Bette Lasky
 Senator Peter Bragdon ✓
 Senator Robert Letourneau ✓

For Use by Senate Clerk's Office ONLY	
<input type="checkbox"/>	Bill Status
<input type="checkbox"/>	Docket
<input type="checkbox"/>	Calendar
Proof: <input type="checkbox"/>	Calendar <input type="checkbox"/> Bill Status

Date: March 25, 2010

HEARINGS

Tuesday 3/30/2010

EDUCATION	LOB 103	10:15 AM
(Name of Committee)	(Place)	(Time)

10:30

EXECUTIVE SESSION MAY FOLLOW

10:15 AM	HB1224	relative to school employee and volunteer background investigations and relative to applicants for driver education certificates and school licenses.
10:35 AM	HB1286	(New Title) requiring nonpublic schools and public academies to obtain a criminal history records check on employees and volunteers.
11:00 AM	HB1495	(New Title) relative to approval of chartered public schools from July 1, 2009 through June 30, 2011.

Sponsors:

HB1224 Rep. Betsy Patten	Rep. Maurice Pilotte	Rep. Alida Millham	Rep. Kathleen Taylor
HB1286 Rep. Stanley Stevens	Rep. Gene Charron		
HB1495 Rep. Kimberley Casey			

Education Committee

Hearing Report

TO: Members of the Senate

FROM: Heidi Mitchell, *Legislative Aide*

RE: Hearing report on **HB 1286**, *AN ACT requiring nonpublic schools and public academies to obtain a criminal history records check on employees and volunteers.*

HEARING DATE: March 30, 2010

MEMBERS OF THE COMMITTEE PRESENT: Sen. Merrill; Sen. Fuller
Clark; Sen. Bragdon.

MEMBERS OF THE COMMITTEE ABSENT: Sen. Kelly; Sen. Lasky; Sen.
Letourneau

Sponsors: Rep. Stevens, Carr 4; Rep. Charron, Rock 7

What the bill does: This bill requires nonpublic schools and public academies to submit a criminal history records check through the division of state police.

Who supports the bill: No one.

Who opposes the bill: Rep. Winters, Hills 17.

Summary of testimony received: Sen. Merrill called on Rep. Winters to testify before the committee.

Rep. Winters

- Rep. Winters spoke in opposition of the bill as amended by the House but supports the bill as introduced to the House. The bill as introduced used the word “may” in it, instead of the amended version which uses “shall.”
- Nonpublic schools don’t have enabling authority allowing them to obtain a criminal history records check on employees and volunteers – the bill as introduced to the House would *allow* nonpublic schools to obtain a criminal history check, whereas the bill as amended would *require* nonpublic schools to have a criminal history check on employees and volunteers.
- Rep. Winters stated that the bill as introduced to the House would give nonpublic schools the enabling authority they need in order to allow them to obtain criminal history checks, but not require them to do so.

- In response to questions from the committee, Rep. Winters stated that he believed that the change from “may” to “shall” was the only change between the bill as amended by the House and the bill as introduced. However it was brought to the committee’s attention that the original bill had a \$25 fee that was removed from the version as amended by the House, Rep. Winters did not know why the fee was taken out, but recalled that it was done so in the House Committee on Ways and Means. He also stated that the changes to the language were made in the House Committee on Education.

Funding: Not applicable.

Future Action: The Committee took the bill under advisement.

hmm
[file: HB 1495 report]
Date: April 1, 2010

ars

Date: April 6, 2010
Time: 10:38 a.m.
Room: LOB 103

The Senate Committee on Education held a hearing on the following:

HB 1286 (2nd New Title) requiring public academies to obtain a criminal history records check on employees and volunteers and permitting nonpublic schools to obtain criminal history records checks on employees and volunteers.

Members of Committee present: Senator Merrill
Senator Fuller Clark
Senator Bragdon
Senator Letourneau

The Vice Chair, Senator Amanda Merrill, opened the hearing on HB 1286 and invited Representative Joel Winters to introduce the legislation.

Representative Winters: Thank you, Madam Chair. Again, Joel Winters, Hillsborough 17, Manchester Wards 10, 11, 12, and I wouldn't have made a special trip up for this bill, but I was here on the last one, so, I wanted to add my two cents. I believe that the reason the sponsors aren't here is because they do not support this bill as amended, and so, and I'm here to ask you for the same thing, is to consider passing the version of this bill as introduced. So, briefly, I'm going to tell you what the difference is.

This bill in front of you basically says "shall." It requires nonpublic schools and public academies that they shall do all these things, and puts a requirement and a burden on them. The bill as introduced, as a request of the Department of Safety, had "may." It opened the door, and it allowed these private academies to have access to these background checks, which is what the sponsors wanted, which is what the Department of Safety wanted, which is what the public academies wanted. The Education Committee in the House went along with it. We didn't debate this on the floor, changed the "may" to "shall" and I'm here to ask you to consider changing it back, and I think it'll be a much better bill, and one that the sponsors would support.

So, with that, I'll end my testimony, and I'm happy to try and answer any questions if the Committee has any.

Senator Amanda Merrill, D. 21: My understanding was that the nonpublic schools were unable to, they didn't have the authority, they needed enabling authority to be able to do this, and that's what the intent of the original bill was...

Representative Winters: Absolutely, in the original...

Senator Amanda Merrill, D. 21: ...and then somehow, one important word got changed.

Representative Winters: ...so the original bill would give them that authority.

Senator Amanda Merrill, D. 21: Right.

Representative Winters: I hope you'll consider that.

Senator Amanda Merrill, D. 21: Right. Senator Bragdon.

Senator Peter E. Bragdon, D. 11: Thank you, Madam Chair. Thank you, Representative. To your knowledge, is that the only difference between the two bills, is the "shalls," the "mays" were turned into "shalls?"

Representative Winters: To my, to the best of my knowledge, yes.

Senator Peter E. Bragdon, D. 11: Okay, thank you.

Representative Winters: I don't serve on the Education Committee, but that's my best information.

Senator Amanda Merrill, D. 21: I have to say, I, oh, wait a minute, is it, I was looking at the language toward the end of the bill, the new language about substitute teachers, and then student interns.

Representative Winters: I apologize, I don't know the specifics.

Senator Amanda Merrill, D. 21: Yeah, that was in both versions, I see. I was curious about that, but apparently, I don't know, I'm sorry there aren't more folks to testify on this about that issue too, in terms of the context for that, and the addition of that language.

Representative Winters: Senator, if you have a specific question, I would be happy to try and find the answer and get back to you and the Committee.

Senator Amanda Merrill, D. 21: I guess it's just, I thought there might be some controversy over that added language, but it may be because I don't know enough about what the current situation is in terms of who's required to get background checks...

Senator Peter E. Bragdon, D. 11: Everybody.

Senator Amanda Merrill, D. 21: ...such that, yeah, well, that's, in an informal conversation, that's what I learned from somebody who knows more than I about that, so that adding "student teacher," "student interns" etcetera doesn't seem, I mean it struck me when I saw it, but anyway, there's nobody, I guess, here to be opposed to that, or shed light on that, so thank you. Senator Bragdon.

Senator Peter E. Bragdon, D. 11: One more question, Representative Winters, are you, in reading the blurb, it appears the original bill had a \$25 fee that would be paid by the substitute teachers, the student teachers, the interns. The blurb says that was taken out. Do you remember any floor debate about that?

Representative Winters: I do not, that was the Ways and Means blurb, not the Education.

Senator Peter E. Bragdon, D. 11: That's a good question. I'll tell you who wrote it, you can tell me.

Representative Winters: It did go to two committees.

Senator Peter E. Bragdon, D. 11: Mack, Representative Ron Mack.

Representative Winters: I believe he's on Ways and Means.

Senator Amanda Merrill, D. 21: Ways and Means.

Senator Peter E. Bragdon, D. 11: Okay, so Ways and Means did that. Okay, very good, thank you.

Representative Winters: Thank you.

a2)

Senator Martha Fuller Clark, D. 24: So, I have a question. I don't have a blurb. So was this change made in Education or was it made in Ways and Means?

Representative Winters: Education made the change from "may" to "shall," and Ways and Means, I think, took out the \$25 fee.

Senator Martha Fuller Clark, D. 24: Thank you.

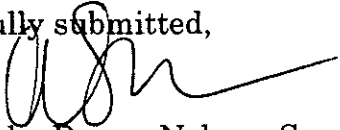
Senator Amanda Merrill, D. 21: Anything else for Representative Winters? Thank you very much.

Senator Peter E. Bragdon, D. 11: Thanks, Joel.

Senator Amanda Merrill, D. 21: Okay, I don't have anybody else signed up on 1286. Is there anybody who would like to speak to it? All right, okay, then I will close the hearing on HB1286.

Hearing concluded at 11:43 a.m.

Respectfully submitted,



Recorded by Donna Nelson, Senate Committee Secretary
Transcribed by Addie Shankle, Senate Committee Secretary
6/22/10

Speakers

Voting Sheets

Senate Education Committee

EXECUTIVE SESSION

Bill # HB 1286

Hearing date: 3/30/10

Executive session date: April 27, 2010

Motion of: OT P (on amendment)

VOTE: _____

Made by
Senator: Kelly
 Merrill
 Fuller Clark
 Lasky
 Bragdon
 Letourneau

Seconded
by Senator: Kelly
 Merrill
 Fuller Clark
 Lasky
 Bragdon
 Letourneau

Reported
by Senator: Kelly
 Merrill
 Fuller Clark
 Lasky
 Bragdon
 Letourneau

Motion of: OT P w/a

VOTE: 5-0

Made by
Senator: Kelly
 Merrill
 Fuller Clark
 Lasky
 Bragdon
 Letourneau

Seconded
by Senator: Kelly
 Merrill
 Fuller Clark
 Lasky
 Bragdon
 Letourneau

Reported
by Senator: Kelly
 Merrill
 Fuller Clark
 Lasky
 Bragdon
 Letourneau

<u>Committee Member</u>	<u>Present</u>	<u>Yes</u>	<u>No</u>	<u>Reported out by</u>
Senator Kelly, Chairman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Merrill, Vice-Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Fuller Clark	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Lasky	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Bragdon	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Letourneau	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

*Amendments: ~~1007s~~ 1007s

Notes: _____

Committee Report

STATE OF NEW HAMPSHIRE
SENATE
REPORT OF THE COMMITTEE

Date: April 27, 2010

THE COMMITTEE ON Education

to which was referred House Bill 1286

AN ACT (New Title) requiring nonpublic schools and public academies to obtain a criminal history records check on employees and volunteers.

Having considered the same, the committee recommends that the Bill:

OUGHT TO PASS WITH AMENDMENT

BY A VOTE OF: 5-0

AMENDMENT # 1642s

Senator Peter E. Bragdon
For the Committee

Addie Shankle 271-4151

New Hampshire General Court - Bill Status System

Docket of HB1286

Docket Abbreviations

Bill Title: (2nd New Title) requiring public academies to obtain a criminal history records check on employees and volunteers and permitting nonpublic schools to obtain criminal history records checks on employees and volunteers.

Official Docket of HB1286:

Date	Body	Description
12/10/2009	H	Introduced 1/6/2010 and Referred to Education; HJ 6 , PG.235
01/05/2010	H	Public Hearing: 1/12/2010 11:00 AM LOB 207
01/05/2010	H	==CANCELLED== Executive Session: 1/20/2010 1:00 PM LOB 207
01/19/2010	H	Subcommittee Work Session: 1/28/2010 9:30 AM LOB 207
01/27/2010	H	Executive Session: 2/2/2010 10:00 AM LOB 207
02/02/2010	H	Committee Report: Ought to Pass with AM #0396h (New Title) for Feb 10 CC (vote 19-1); HC 13 , PG.524
02/02/2010	H	Proposed Committee Amendment #0396h (New Title); HC 13 , PG.564-566
02/10/2010	H	Removed from Consent Calendar (Rep Vaillancourt); HJ 16 , PG.748
02/10/2010	H	Amendment #0396h (New Title) Adopted, VV; HJ 16 , PG.772-774
02/10/2010	H	Ought to Pass with Amendment #0396h (New Title): MA DIV 225-61; HJ 16 , PG.772-774
02/10/2010	H	Referred to Ways and Means; HJ 16 , PG.774
02/17/2010	H	Full Committee Work Session: 3/2/2010 1:00 PM LOB 202
03/03/2010	H	Subcommittee Work Session: 3/8/2010 11:00 AM LOB 202
03/10/2010	H	Executive Session: 3/16/2010 10:00 AM LOB 202 (Continued 3/17/10 9:00 AM LOB 202 If Necessary)
03/17/2010	H	Committee Report: Ought to Pass with Amendment #0899h for Mar 24 (Vote 15-3; RC); HC 22 , PG.1227
03/17/2010	H	Proposed Committee Amendment #0899h; HC 22 , PG.1238
03/24/2010	H	Amendment #0899h Adopted, VV; HJ 30 , PG.1488
03/24/2010	H	Ought to Pass with Amendment #0899h: MA DIV 306-28; HJ 30 , PG.1488
03/24/2010	S	Introduced and Referred to Education; SJ 11 , Pg.261
03/29/2010	S	Hearing: March 30, 2010, Room 103, LOB, 10:35 a.m.; SC13
04/28/2010	S	Committee Report: Ought to Pass with Amendment 1642s, NT, 5/5/10; SC18
05/05/2010	S	Committee Amendment 1642s, NT, AA, VV; SJ 17 , Pg.369
05/05/2010	S	Ought to Pass with Amendment 1642s, NT, MA, VV; OT3rdg; SJ 17 , Pg 369
05/05/2010	S	Passed by Third Reading Resolution; SJ 17 , Pg.398
05/19/2010	H	House Concurs with Senate AM #1642s(NT) (Reps Rous & Almy): MA VV; HJ 46 , PG.2225
06/02/2010	H	Enrolled Bill Amendment #2357 Adopted

06/02/2010	S	Enrolled Bill Amendment #2357 Adopted; SJ 21 , Pg.760
06/02/2010	S	Enrolled; SJ 21 , Pg.777
06/02/2010	H	Enrolled
07/21/2010	H	Signed by the Governor 7/20/2010; Chapter 0318: Effective 09/18/2010

NH House

NH Senate

Contact Us

New Hampshire General Court Information Systems
107 North Main Street - State House Room 31, Concord NH 03301

Other Referrals

COMMITTEE REPORT FILE INVENTORY

HB 1280 ORIGINAL REFERRAL _____ RE-REFERRAL

1. THIS INVENTORY IS TO BE SIGNED AND DATED BY THE COMMITTEE SECRETARY AND PLACED INSIDE THE FOLDER AS THE FIRST ITEM IN THE COMMITTEE FILE.
2. PLACE ALL DOCUMENTS IN THE FOLDER FOLLOWING THE INVENTORY IN THE ORDER LISTED.
3. THE DOCUMENTS WHICH HAVE AN "X" BESIDE THEM ARE CONFIRMED AS BEING IN THE FOLDER.
4. THE COMPLETED FILE IS THEN DELIVERED TO THE CALENDAR CLERK.

- DOCKET (Submit only the latest docket found in Bill Status)
- COMMITTEE REPORT
- CALENDAR NOTICE on which you have taken attendance
- HEARING REPORT (written summary of hearing testimony)
- HEARING TRANSCRIPT (verbatim transcript of hearing)
List attachments (testimony and submissions which are part of the transcript) by number [1 thru 4 or 1, 2, 3, 4] here: _____
- SIGN-UP SHEET

ALL AMENDMENTS (passed or not) CONSIDERED BY COMMITTEE:

____ - AMENDMENT # 1607s ____ - AMENDMENT # _____
____ - AMENDMENT # 1642s ____ - AMENDMENT # _____

ALL AVAILABLE VERSIONS OF THE BILL:

AS INTRODUCED AS AMENDED BY THE HOUSE
____ FINAL VERSION AS AMENDED BY THE SENATE

____ PREPARED TESTIMONY AND OTHER SUBMISSIONS (Which are not part of the transcript)

List by letter [a thru g or a, b, c, d] here: _____

____ EXECUTIVE SESSION REPORT

____ OTHER (Anything else deemed important but not listed above, such as amended fiscal notes):

IF YOU HAVE A RE-REFERRED BILL, YOU ARE GOING TO MAKE UP A DUPLICATE FILE FOLDER

DATE DELIVERED TO SENATE CLERK 7/30/2010



COMMITTEE SECRETARY