

Amendment to HB 267

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

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3 1 School Employees and Volunteers; Criminal History Records Checks. Amend RSA 189:13-a,
4 I(a) to read as follows:

5 I.(a) The employing school administrative unit, school district, or chartered public school
6 shall complete a criminal history records check on every selected applicant for employment in any
7 position in the school administrative unit, school district, or chartered public school prior to a final
8 offer of employment. A public academy approved by the New Hampshire state board of education
9 shall submit a criminal history records check on applicants for employment pursuant to this section
10 to the division of state police. The superintendent of the school administrative unit or the chief
11 executive officer of the chartered public school or public academy may extend a conditional offer of
12 employment to a selected applicant, with a final offer of employment subject to a successfully
13 completed criminal history records check. No selected applicant may be extended a final offer of
14 employment unless the school administrative unit, school district, chartered public school, or public
15 academy has completed a criminal history records check. The school administrative unit, school
16 district, chartered public school, or public academy shall not be held liable in any lawsuit alleging
17 that the extension of a conditional or final offer of employment to an applicant, or the acceptance of
18 volunteer services from a designated volunteer, with a criminal history was in any way negligent or
19 deficient, if the school administrative unit, school district, chartered public school, or public academy
20 fulfilled the requirements of this section. ***The superintendent of the school administrative unit***
21 ***or the chief executive officer of the chartered public school or public academy may***
22 ***negotiate with the respective union for that school administrative unit, chartered public***
23 ***school, or public academy to allow the superintendent to conduct criminal history records***
24 ***checks on a reoccurring basis after the initial criminal history check is conducted for***
25 ***purposes of employment. Any such criminal history records check shall comply with the***
26 ***procedures set forth in this section.***

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AMENDED ANALYSIS

This bill clarifies that a school administrative unit, chartered public school, or public academy may conduct criminal history records checks on a reoccurring basis after an initial criminal history check is conducted.