

CHAPTER 55
SB 39-FN - FINAL VERSION

01/19/2023 0054s

2023 SESSION

23-0913
06/08

SENATE BILL

39-FN

AN ACT relative to criminal history checks for school transportation monitors.

SPONSORS: Sen. Gannon, Dist 23; Sen. Avard, Dist 12; Sen. Birdsell, Dist 19; Sen. Prentiss, Dist 5; Sen. Ward, Dist 8; Sen. Innis, Dist 7; Sen. Watters, Dist 4; Sen. Altschiller, Dist 24; Sen. Gray, Dist 6; Sen. Ricciardi, Dist 9; Sen. Carson, Dist 14; Sen. Pearl, Dist 17; Rep. Vose, Rock. 5; Rep. Piemonte, Rock. 9

COMMITTEE: Education

ANALYSIS

This bill requires transportation monitors to undergo criminal background checks before being employed by public schools.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Three

AN ACT relative to criminal history checks for school transportation monitors.

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

1 55:1 School Boards, Transportation and Instruction of Pupils; School Employee and Designated
2 School Volunteer Criminal History Records Check. Amend RSA 189:13-a, VI to read as follows:

3 VI. In accordance with paragraphs I-V, this section shall apply to any employee, including
4 substitute teachers, selected applicant for employment, designated volunteer, volunteer organization, or
5 individual or entity which contracts with a school administrative unit, school district, chartered public
6 school, or public academy to provide services, including but not limited to cafeteria workers, school bus
7 drivers, **transportation monitors**, custodial personnel, or any other service where the contractor or
8 employees of the contractor provide services directly to students of the district, chartered public school, or
9 public academy. Substitute teachers who have undergone a criminal history records check under this
10 section for a school administrative unit shall not be required to undergo an additional criminal history
11 records check, if working for a school district within the same school administrative unit, unless required
12 by the superintendent or by policies of the other school districts within that same school administrative
13 unit. Criminal history records checks for substitute teachers within the same school administrative unit,
14 shall be valid for a period of 3 years. The employing school administrative unit, school district, or
15 chartered public school shall be responsible for completing the criminal history records check on the
16 people identified in this paragraph, except for school bus drivers [~~and transportation monitors~~], as
17 provided in RSA 189:13-b. The cost for criminal history records checks for employees or selected
18 applicants for employment with such contractors shall be borne by the contractor.

19 55:2 School Boards, Transportation and Instruction of Pupils; School Bus Driver and Transportation
20 Monitor Criminal History Records Check. Amend RSA 189:13-b to read as follows:

21 189:13-b School Bus Driver [~~and Transportation Monitor~~] Criminal History Records Check.

22 I. The department shall complete a criminal history records check on all school bus drivers [~~and~~
23 ~~transportation monitors~~] as would school administrative units, school districts, and chartered public
24 schools pursuant to RSA 189:13-a.

25 II. The selected applicant for employment or designated volunteer with a school administrative
26 unit, school district, chartered public school, or public academy in a school bus driver [~~or transportation~~
27 ~~monitor~~] position shall submit to the department a criminal history records release form, as provided by
28 the division of state police, which authorizes the division of state police to conduct a criminal history
29 records check through its state records and through the Federal Bureau of Investigation and to release a
30 report of the applicant's criminal history record information, including confidential criminal history record
31 information, to the background check coordinator of the department, as described in RSA 21-N:8-a, I-a.

32 55:3 Effective Date. This act shall take effect 60 days after its passage.

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Approved: June 01, 2023
Effective Date: July 31, 2023

