

SENATE BILL No. 70

By Committee on Corrections and Juvenile Justice

1-26

1 AN ACT concerning teachers; relating to background checks and
2 revocation of licensure; amending K.S.A. 2014 Supp. 72-1397 and 72-
3 1923 and repealing the existing sections.
4

5 *Be it enacted by the Legislature of the State of Kansas:*

6 New Section 1. (a) Each person making an initial application for a
7 Kansas teaching certificate or teaching license, for renewal of such
8 certificate or license or for the renewal of an expired certificate or license
9 shall submit, at the time of application, a complete set of legible
10 fingerprints of the person taken by a qualified law enforcement agency.
11 Fingerprints submitted pursuant to this section shall be released by the
12 state department of education to the Kansas bureau of investigation for the
13 purpose of conducting criminal history records checks, utilizing the files
14 and records of the Kansas bureau of investigation and the federal bureau of
15 investigation.

16 (b) Each applicant shall pay a fee for the criminal history records
17 check in an amount necessary to reimburse the state department of
18 education for the cost of the criminal history records check.

19 (c) Any person applying for a Kansas teaching license, or the renewal
20 thereof, who does not comply with the provisions of this section shall not
21 be issued a license by the state board of education.

22 (d) The state board of education may adopt rules and regulations to
23 implement and enforce the provisions of this section.

24 New Sec. 2. (a) Any person not subject to the provisions of section 1,
25 and amendments thereto, who is employed by a school district in a
26 position with direct contact with students shall submit a complete set of
27 legible fingerprints of such person taken by a qualified law enforcement
28 agency prior to commencing any work involving students. Fingerprints
29 submitted pursuant to this section shall be released by the school district to
30 the Kansas bureau of investigation for the purpose of conducting criminal
31 history records checks, utilizing the files and records of the Kansas bureau
32 of investigation and the federal bureau of investigation.

33 (b) Each school district shall release fingerprints submitted pursuant
34 to this section to the Kansas bureau of investigation for the purpose of
35 conducting a criminal history records check in accordance with subsection
36 (a) for each employee subject to this section as follows:

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1 with such request. The state board shall act on the request for
 2 reconsideration within 60 days of receipt of such request.

3 (d) A public innovative district shall:

4 (1) Not charge tuition for any of the pupils residing within the public
 5 innovative district;

6 (2) participate in all Kansas math and reading assessments applicable
 7 to such public innovative district, or an alternative assessment program for
 8 measuring student progress as determined by the board of education;

9 (3) abide by all financial and auditing requirements that are
 10 applicable to school districts, except that a public innovative district may
 11 use generally accepted accounting principles;

12 (4) comply with all applicable health, safety and access laws; and

13 (5) comply with all statements set forth in the application submitted
 14 pursuant to subsection (a).

15 (e) (1) Except as otherwise provided in K.S.A. 2014 Supp. 72-1921
 16 through 72-1930, and amendments thereto, or as required by the board of
 17 education of the public innovative district, a public innovative district shall
 18 be exempt from all laws and rules and regulations that are applicable to
 19 school districts.

20 (2) A public innovative district shall be subject to the special
 21 education for exceptional children act, the virtual school act, the school
 22 district finance and quality performance act, the provisions of K.S.A. 72-
 23 8801 et seq., and amendments thereto, all laws governing the issuance of
 24 general obligation bonds by school districts, the provisions of K.S.A. 74-
 25 4901 et seq., and amendments thereto, and all laws governing the election
 26 of members of the board of education, the open meetings act as provided
 27 in K.S.A. 75-4317 et seq., and amendments thereto, and the open records
 28 act as provided in K.S.A. 45-215 et seq., and amendments thereto.

29 (f) *A public innovative district shall require any person employed in a*
 30 *position with direct contact with students to submit a complete set of*
 31 *legible fingerprints of such person taken by a qualified law enforcement*
 32 *agency prior to commencing any work involving students. Fingerprints*
 33 *submitted pursuant to this subsection shall be released by the public*
 34 *innovative district to the Kansas bureau of investigation for the purpose of*
 35 *conducting criminal history records checks, utilizing the files and records*
 36 *of the Kansas bureau of investigation and the federal bureau of*
 37 *investigation. The cost of any such criminal history record check shall be*
 38 *borne by the public innovative district. Each district also shall release*
 39 *fingerprints submitted pursuant to this subsection to the Kansas bureau of*
 40 *investigation for the purpose of conducting a criminal history records*
 41 *check as follows:*

42 (1) *For employees hired prior to July 1, 2015, every five years from*
 43 *and after July 1, 2015; and*

Each person subject to the provisions of this
 subsection shall pay a fee for the criminal history
 records check in an amount necessary to reimburse
 the public innovative district for the cost of the
 criminal history records check.