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Overview

This bill addresses misconduct by teachers and other school employees in statutes related to teacher licensure, school employees, maltreatment, school bus driver licensure, and public safety.

Section

- 1 **Code of ethics.** Codifies the code of ethics, which is currently in rule, in statute. Adds prohibition on engaging in sexual contact with a student.
- 2 **Professional Educator Licensing and Standards Board (PELSB) and code of ethics.** Adds reference to new statute codifying code of ethics.
- 3 **Teacher background checks.** Eliminates the option for PELSB to issue a teacher license while a background check is pending.
- 4 **Teacher background check.** Requires PELSB to request a background check on a licensed teacher applying for a renewal license if the teacher has not had a background check within the last five years.
- 5 **Grounds for revocation, suspension, or denial.** Adds to the list of grounds on which PELSB must refuse to issue, refuse to renew, or automatically revoke a teacher's license without the right to a hearing. Requires PELSB to take licensing action when there is a stay of adjudication for certain offenses.

Section

Requires PELSB or Board of School Administrators (BOSA) to refuse to issue, refuse to renew, or revoke a teacher's license to teach if the teacher is convicted of a felony or gross misdemeanor involving a minor. Allows a teacher to petition the board to reconsider.

Requires PELSB or BOSA to refuse to issue, refuse to renew, or revoke a teacher's license to teach if the teacher has engaged in sexual penetration with a student.

Provides that a licensing action by PELSB under this subdivision is not subject to review.

Allows PELSB or BOSA to suspend a license while an investigation into grounds for revocation is pending.

- 6 PELSB; mandatory reporting.** Clarifies responsibilities of BOSA for reporting maltreatment. Requires PELSB and BOSA to report maltreatment to a welfare agency and law enforcement authorities.
- 7 and 8 Immediate discharge.** Adds cross-reference to section 122A.20, subdivision 1, paragraph (b), in list of grounds on which a school board must immediately discharge a teacher. Requires a school board to discharge a teacher when there is a stay of adjudication for prescribed offenses.
- 9 School district background check.** Requires a school hiring authority to request a new criminal history background check on all employees every three years.
- 10 Effect of background check or PELSB action.** Eliminates the option for a district to hire an individual while a background check is pending.
- 11 Type A-I school bus driver.** Prohibits a person who has received a stay of adjudication for a disqualifying offense from driving a type A-I school bus or multifunction school activity bus without a commercial driver's license.
- 12 Type III school bus driver.** Prohibits a person who has received a stay of adjudication for disqualifying offenses from driving a type III vehicle. Requires a person who has received a stay of adjudication for a disqualifying offense while employed by an entity that owns, leases, or contracts for the school bus to report the stay of adjudication to the employer.
- 13 School bus driver endorsement cancellation.** Requires the commissioner of public safety to permanently cancel a school bus driver's endorsement when the driver receives a stay of adjudication for various offenses that disqualify a person from driving.
- 14 School bus driver background check.** Requires the commissioner of public safety to determine if an applicant for a driver's license with a school bus driver's endorsement has received a stay of adjudication for various offenses that disqualify a person from driving.
- 15 Report by court administrator.** Requires the superintendent of the Bureau of Criminal Apprehension to require court administrators to report stays of adjudication.
- 16 Background checks; additional disclosure.** Requires the superintendent of the Bureau of Criminal Apprehension to disclose stays of adjudication granted to the subject of a background check under statutes relating to school employees, teacher licensure, and school bus drivers.

Section

- 17** **Limits of sentences.** Requires that a stay of adjudication be reported to the superintendent of the Bureau of Criminal Apprehension.
- 18** **Persons mandated to report; persons voluntarily reporting.** Adds the member of a board whose licensees perform work within a school facility to the list of mandated reporters.
- 19** **Law enforcement duties.** Requires law enforcement to notify PELSB or BOSA of a report of maltreatment by a licensee.
- 20** **Determinations.** Requires the commissioner of education to inform an appropriate licensing entity that a report of maltreatment was received, the subject of the report, the date of the initial report, the category of maltreatment, the fact that maltreatment was not determined, and a summary of the reasons for the determination.
- 21** **Certified copy of disqualifying offense convictions sent to public safety and school districts.** Requires a court administrator to send a copy of a school bus driver's stay of adjudication for various offenses that disqualify the driver to the Department of Public Safety and to the school districts in which the offender drives a school bus within ten days of the stay of adjudication.
- 22** **Repealer.** Repeals statute requiring PELSB to adopt a code of ethics, and the rule with the code of ethics.