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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-FIFTH
SESSION

HOUSE FILE No. 2020

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The bill was read for the first time and referred to the Committee on E-12 Education

1.1 A bill for an act
1.2 relating to education; amending school background check requirements;
1.3 amending Minnesota Statutes 2006, section 123B.03, subdivision 3, by adding a
1.4 subdivision.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2006, section 123B.03, subdivision 3, is amended to read:

1.7 Subd. 3. **Definitions.** For purposes of this section:

1.8 (a) "School" means a school as defined in section 120A.22, subdivision 4, except
1.9 a home school, and includes a school receiving tribal contract or grant school aid under
1.10 section 124D.83; school, for the purposes of this section, also means a service cooperative,
1.11 a special education cooperative, or an education district under Minnesota Statutes 1997
1.12 Supplement, section 123.35, a charter school under section 124D.10, and a joint powers
1.13 district under section 471.59.

1.14 (b) "School hiring authority" means the school principal or other person having
1.15 general control and supervision of the school.

1.16 (c) "Security violations" means the failure to prevent or failure to institute safeguards
1.17 to prevent access, use, retention, or dissemination of information in violation of the
1.18 security and management control outsourcing standard.

1.19 Sec. 2. Minnesota Statutes 2006, section 123B.03, is amended by adding a subdivision
1.20 to read:

1.21 Subd. 4. Third-party handling of criminal history record information. (a)
1.22 For purposes of this section, a school hiring authority may contract with a third party to

2.1 conduct background checks required in subdivision 1. Prior to engaging in such contract
2.2 the school hiring authority shall:

2.3 (1) request and receive written permission from the state compact officer as defined
2.4 in section 299C.58, article I, paragraph (2), item (B);

2.5 (2) provide the state compact officer a copy of the contract; and

2.6 (3) inquire of the state compact officer whether a prospective contractor has any
2.7 security violations.

2.8 (b) The contract shall specifically describe the purposes for which the background
2.9 check information may be made available and shall incorporate by reference a security
2.10 and management control outsourcing standard approved by the state compact officer.