

# State of South Dakota

SEVENTY-FOURTH SESSION  
LEGISLATIVE ASSEMBLY, 1999

400C0291

## SENATE ENGROSSED NO. **SB27** - 2/2/99

Introduced by: The Committee on Education at the request of the Board of Regents

1 FOR AN ACT ENTITLED, An Act to require the conduct of criminal background checks for  
2 certain persons employed by the Board of Regents.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That chapter 13-49 be amended by adding thereto a NEW SECTION to read as  
5 follows:

6 Each person hired at the South Dakota School for the Blind and Visually Impaired and the  
7 South Dakota School for the Deaf to serve as superintendent or principal, in a teaching or  
8 teaching assistant position, in a certificated or licensed clinical employment position, or on the  
9 residence hall staff in any capacity shall agree to submit to a background investigation, by means  
10 of fingerprint checks by the Division of Criminal Investigation and the Federal Bureau of  
11 Investigation. The hiring institution shall submit completed fingerprint cards to the Division of  
12 Criminal Investigation before the prospective new employee enters into service. If no  
13 disqualifying record is identified at the state level, the fingerprints shall be forwarded by the  
14 Division of Criminal Investigation to the Federal Bureau of Investigation for a national criminal  
15 history record check. Any person whose employment is subject to the requirements of this  
16 section may enter into service on a temporary basis pending receipt of results from the  
17 background investigation. The employing institution may, without liability, withdraw its offer of

1 employment or terminate the temporary employment without notice if the report reveals that the  
2 person has been convicted of any crime involving moral turpitude, including traffic in narcotics,  
3 that might justify suspension or revocation of a teaching license pursuant to § 13-42-10, or  
4 otherwise reveals circumstances that reasonably suggest that the person should not be employed  
5 in the special school setting.

1 **BILL HISTORY**

2 1/12/99 First read in Senate and referred to Education. S.J. 20

3 1/28/99 Scheduled for Committee hearing on this date.

4 1/28/99 Education Do Pass, Passed, AYES 4, NAYS 3. S.J. 227

5 1/29/99 Senate Deferred to another day. S.J. 261

6 2/1/99 Motion to Amend, Passed. S.J. 282

7 2/1/99 Senate Do Pass Amended, Passed, AYES 32, NAYS 1. S.J. 282