



Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536

BILL



ANALYSIS

Telephone: (517) 373-5383
Fax: (517) 373-1986

House Bill 5060 (Substitute S-1 as reported by the Committee of the Whole)
Sponsor: Representative Harold S. Voorhees
House Committee: Education
Senate Committee: Education

CONTENT

The bill would amend the School Code to require public and nonpublic schools, public school academies, and intermediate school districts (ISDs) to request an applicant for employment to sign a statement authorizing the applicant's current or former employer to disclose any unprofessional conduct by the applicant and to make available documents relating to that conduct. The bill also would do the following:

- Prohibit the board or governing body of a public or nonpublic school, public school academy, or ISD from hiring an applicant who did not sign the disclosure statement.
- Specify that the information received under the bill could be used only for evaluating an applicant's qualifications for employment.
- Establish misdemeanor penalties for school board members or school employees who disclosed this information to a person not directly involved in evaluating an applicant's qualifications for employment.
- Prohibit a school board or school official from entering into an agreement with an employee or former employee that would suppress information about unprofessional conduct; and specify that this would not restrict the expungement from a personnel file of information about alleged unprofessional conduct that had not been substantiated.

"Unprofessional conduct" would mean one or more acts of misconduct; one or more acts of immorality, moral turpitude, or other inappropriate behavior involving a minor; or commission of a crime involving a minor. A criminal conviction would not be an essential element of determining whether a particular act constituted unprofessional conduct.

Proposed MCL 380.1230b

Legislative Analyst: L. Arasim

FISCAL IMPACT

The bill would have no fiscal impact on State government. A public or nonpublic school, public school academy, or intermediate school district could incur additional administrative or legal expenses in complying with the bill.

Date Completed: 4-16-96

Fiscal Analyst: E. Pratt

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