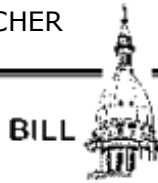




Senate Fiscal Agency
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BILL ANALYSIS

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Senate Bill 196 (Substitute S-1 as reported)
Sponsor: Senator Ron Jelinek
Committee: Education

CONTENT

The bill would amend the Revised School Code to exclude a currently serving State legislator, who served as a volunteer substitute teacher without pay, from the Code's criminal background check requirements. The bill also specifies that the Code's teacher certification requirements would not apply to a legislator who served in that capacity for not more than five school days per school year.

The Code requires a school board or the governing body of a public school academy (PSA) making an offer of initial employment to a teacher to request a criminal history check of the individual from the Michigan Department of State Police (MSP). A school board or PSA also must request the MSP to conduct a criminal records check through the FBI. With certain exceptions, a school board or PSA must receive a report on the criminal background checks before employing a teacher. For a substitute teacher, a school board or PSA may use a report received by another district, PSA, or nonpublic school, or maintained by the Department of Education.

Under the bill, the Code would not require a State criminal history or FBI criminal records check on a person currently serving as a member of the Michigan Senate or House of Representatives who served as a substitute teacher, as a volunteer without pay. A school district, PSA, or nonpublic school, at its own expense, could obtain a State criminal history or FBI criminal records check on the legislator.

The Code generally prohibits a school board from allowing a teacher who does not hold a valid teaching certificate to teach in the school. Under the bill, a school board could employ or assign a person without a teaching certificate to serve as a substitute teacher if the person were a currently serving member of the Michigan Senate or House and served as a substitute teacher, as a volunteer without pay for not more than five school days per school year. The legislator also would not be required to hold a substitute teacher permit.

MCL 380.1230 et al.

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Date Completed: 5-2-05

Fiscal Analyst: Joe Carrasco