

centered on the requirement of fingerprinting, and most agree that it is important to have a complete and accurate information background of employees, yet there still is concern about singling out teachers and other employees of school districts for fingerprinting, and yet attempting to protect the privacy of individuals. The conflict of my amendment or the concept of my amendment I think solves both of these problems. What is envisioned is that the applicant will deliver his or her request to the state patrol. The state patrol will send the request to the FBI in Washington. After the FBI conducts the background check, they will forward the results back to the state patrol. The patrol would then review the document furnished by the FBI, determine whether the applicant had a conviction of any of the crimes that have a relationship to the applicant's perspective employment, for instance, whether the applicant has been convicted of sexual assault. The patrol would be empowered to conduct any further follow-up to determine the existence of any such conviction. The patrol will then fill out a form which states only that the applicant either has or does not have such conviction, and place a raised seal over the information for security purposes. The patrol will then deliver the form to the applicant. The applicant then, if he or she chooses, may present it to the employer. Specifically, the amendment addresses both concerns which I have heard. First, it removes the requirement of fingerprinting. Access to the National Data Bank is controlled by the FBI. Fingerprints are not required for law enforcement or gun background checks. However, an internal FBI regulation, and let me repeat that again, fingerprints are not required for law enforcement or gun background checks. However, an internal regulation requires fingerprinting for purposes of background checks for employment. The proponents of LB 522 are willing to pass this bill without the fingerprinting requirement and plan to work at the national level for a waiver for this statute similar to the waiver provided for gun background checks. In fact, we may ask the body later on for a resolution to urge the FBI to grant a waiver for school districts under this bill. Thus, this compromise solves the fingerprint problem. Second, the amendment would remove the ability of the employer to see the report until the applicant has reviewed it and then only if the applicant personally gives the report to the employer. As I said earlier, the amendment provides for a return of the criminal history report directly, directly to the individual, not to his perspective employer or a third party or a fourth party. This way privacy is maintained. The individual, after reviewing the