

January 22, 1992 LB 522

SENATOR ASHFORD: Thank you, Mr. President. I just have one question I guess that I still don't have an answer to and it's fairly determinative to me in making a decision on this bill. If right now the school district, strike that, it is necessary in order to get into the federal system that there be fingerprints. Is that correct, Senator Dierks?

SENATOR DIERKS: At this time I believe that's right.

SENATOR ASHFORD: All right. Now can a school district now as a requirement of employment require that the applicant go through a background check on the state level?

SENATOR DIERKS: I don't believe so. They can do a background check if they wish. I'm not sure that they can require...

SENATOR ASHFORD: All right, but they can do a background check.

SENATOR DIERKS: But the background check they do is very inclusive.

SENATOR ASHFORD: All right, but here is the key question to me is, if the applicant comes in for a job at a school district, the school district says okay, but in order for us to make a determination on whether we're going to hire you, we have to do a...we want a background, a criminal background check done, which I think is a relatively reasonable request possibly under the circumstances that the school district wants that background information, a lot of employers want it, can the school...the specific question I need an answer to is, can the school district, any school district in the state now require that?

SENATOR DIERKS: I suppose that if they pass some sort of...

SENATOR ASHFORD: Ordinance or resolution of the board.

SENATOR DIERKS: ...of their own they could try to do it, but by law it isn't available to them.

SENATOR ASHFORD: But, Senator Dierks, I'm sorry, what I really need to know the answer to is, could the board, that school board pass a resolution requiring that a background check be done on the state level?

SENATOR DIERKS: No.