

**LEGISLATIVE EDUCATION STUDY COMMITTEE  
BILL ANALYSIS**

**Bill No:** SB 96

**48th Legislature, 1st Session, 2007**

**Short Title:** School Volunteer Background Checks

**Sponsor(s):** Senator Kent Cravens and Others

**Analyst:** James Ball

**Date:** January 29, 2007

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**Bill Summary:**

SB 96 makes an appropriation to the Public Education Department (PED) to pay the costs of background checks for parent volunteers in public schools in FY 08.

**Fiscal Impact:**

\$500,000 is appropriated from the General Fund for FY 08. Unexpended funds shall revert to the General Fund at the end of FY 08.

PED charges \$34 for each criminal history background check that it conducts. Most local school districts that do not have scanning systems for transmitting fingerprints electronically to the FBI charge \$31. Instead they submit paper fingerprint cards for analysis, a process that takes longer to obtain results, but is a few dollars cheaper. Albuquerque Public Schools uses the same electronic system that PED uses due to the large volume of submissions. Therefore, based on an average cost, the appropriation in this bill would buy approximately 15,000 criminal history background checks statewide.

**Issues:**

Local school boards and regional education cooperatives are required by [Subsection B of Section 22-10A-5 NMSA 1978] to develop policies and procedures to conduct background checks on applicants who have been offered employment, contractors or contractor's employees who have unsupervised access to students in public schools. By appropriating funds to PED for locally performed background checks, SB 96 implies that PED would reimburse local school districts for the costs of conducting background check on parent volunteers.

Current law provides that the applicant, contractor or contractor's employee may be required to pay the cost of obtaining a background check. School districts sometimes assume responsibility for the costs of background checks on volunteers. The fund established in SB 96, however, is only for parent volunteers. Conceivably, not all volunteers are parents, but the wording would limit reimbursements for parents who volunteer in the schools.

**Related Bills:**

SB 210 *School Volunteer Background Checks*