
ASSEMBLY BILL NO. 505—COMMITTEE ON EDUCATION

(ON BEHALF OF THE COMMISSION ON
POSTSECONDARY EDUCATION)

MARCH 24, 2003

Referred to Committee on Education

SUMMARY—Revises provisions concerning background checks conducted on certain applicants for employment with private and certain other postsecondary educational institutions. (BDR 34-478)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to postsecondary education; revising provisions concerning background checks conducted on certain applicants for employment with private and certain other postsecondary educational institutions; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 **Section 1.** NRS 394.465 is hereby amended to read as follows:
2 394.465 1. Except as otherwise provided in subsection ~~4.~~ **3,**
3 before a postsecondary educational institution employs or contracts
4 with a person:
5 (a) To occupy an instructional position;
6 (b) To occupy an administrative or financial position, including
7 a position as school director, personnel officer, counselor, admission
8 representative, solicitor, canvasser, surveyor, financial aid officer or
9 any similar position; or
10 (c) To act as an agent for the institution,
11 the applicant must submit to the Administrator completed
12 fingerprint cards and a form authorizing an investigation of the



1 applicant's background and the submission of *a complete set of* his
2 fingerprints to the Central Repository for Nevada Records of
3 Criminal History ~~{and}~~ *for its report and for submission to* the
4 Federal Bureau of Investigation ~~{.}~~ *for its report.* The fingerprint
5 cards and authorization form submitted must be those which are
6 provided to the applicant by the Administrator. The applicant's
7 fingerprints must be taken by an agency of law enforcement.

8 2. ~~{The Administrator shall keep the results of the investigation~~
9 ~~confidential, except that if the investigation discloses that the~~
10 ~~applicant has been convicted of any felony, the Administrator shall~~
11 ~~notify the applicant and the hiring institution of the conviction and~~
12 ~~the nature of the offense.~~

13 ~~—3.}~~ The applicant ~~{shall}~~ *must* pay the cost of the investigation.

14 ~~{4.}~~ 3. An applicant is not required to satisfy the requirements
15 of subsection 1 if he:

16 (a) Is licensed by the Superintendent ; ~~{of Public Instruction;}~~

17 (b) Is an employee of the United States Department of Defense;

18 (c) Is a member of the faculty of an accredited postsecondary
19 educational institution in another state who is domiciled in a state
20 other than Nevada and is present in Nevada for a temporary period
21 to teach at a branch of that accredited institution; or

22 (d) Has satisfied the requirements of subsection 1 within the
23 immediately preceding 5 years.

24 **Sec. 2.** This act becomes effective upon passage and approval.

