

# Legislative Analysis

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## **SPECIAL ED. BACKGROUND CHECKS**

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**House Bill 4402**

**Sponsor: Rep. Goeff Hansen**

**Committee: Education**

**Complete to 4-25-05**

## **A SUMMARY OF HOUSE BILL 4402 AS INTRODUCED 2-24-05**

House Bill 4402 would amend the Revised School Code to require a background check on special education personnel employed by public and nonpublic schools providing services directly to children.

Currently under the law, criminal history checks are required when an offer of initial employment is made by the board of a school district, intermediate school district, or the governing body of a public school academy (customarily called a charter school) to a potential teacher, school administrator, or person who would fill another position requiring state board approval. School officials must request that a criminal history check be completed by the Criminal Records Division of the Department of State Police. House Bill 4402 would retain this provision, and extend it to individuals offered employment for a position providing special education services directly to students.

The bill specifies that if the results of a criminal history check revealed that the applicant had been convicted of a felony or of a misdemeanor involving sexual or physical abuse, then the school district or charter school would be required to provide the applicant with written notice about the results of the check.

MCL 380.1230 and 380.1230a

## **FISCAL IMPACT:**

Currently teachers, school administrators, and state board approved positions require criminal background checks. The legislation adds special education personnel who provide direct services to students as another group for whom background checks would be required. This may result in additional costs to the school district for the cost of the background check.

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