

Senate Bill 179: "An Act relating to criminal history records and background checks; allowing persons to teach in the public schools for up to five months without a teaching certificate if the person has applied for a certificate and the application has not been acted upon by the Department of Education and Early Development; allowing teacher certification for certain persons based on a criminal history background check without fingerprints; and providing for an effective date."

Sponsor: Senator Gene Therriault

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Senate Bill 179 is a comprehensive package that accomplishes three important tasks related to performing background checks for licensing, certification and employment. It allows teachers to receive a name based background check in circumstances where their fingerprints are illegible or nonexistent. In addition, it gives the Department of Education the ability to grant a teaching certificate applicant a sixty-day extension on top of the three-month application period if their prints are backlogged and not processed in a timely manner. Finally, SB 179 conforms Alaska Statute to Federal Law, to maintain Alaska's access to federal background checks.

Senate Bill 179 will create an alternative for people who submit two separate sets of fingerprints that the state examiner determines to be illegible due to permanent skin condition. The measure also allows an alternative process if the applicant has a disability that prevents submittal all together. The applicant would then be allowed to have a background check performed based on their name, thus giving parents some assurance that a criminal background check is performed on all teachers relieving teachers who are unable to submit fingerprints from having to resubmit paperwork every three months.

The bill authorizes, but doesn't require, the Department of Education to grant an additional sixty-day extension on teacher applications if fingerprints are not returned within three months if the delay is due to processing rather than the tardiness of the applicant. The reason for this extension is that some teachers have been required to submit additional prints even though their prints were not denied but were still being processed. Some teachers who were not getting fingerprints processed within three months were being put on leave or were forced to be classified as a substitute teacher with lower pay and no benefits.

Finally, [SB 179](#) fills current statutory gaps that the Department of Justice has determined have put the State of Alaska out of compliance with federal law regarding requesting and receiving federal background checks. If this legislation is not enacted, the State of Alaska risks losing its ability to get federal background checks performed after July 30, 2004.