

109TH CONGRESS  
1ST SESSION

# S. 1896

To permit access to Federal crime information databases by educational agencies for certain purposes.

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IN THE SENATE OF THE UNITED STATES

OCTOBER 19, 2005

Mr. SANTORUM introduced the following bill; which was read twice and referred to the Committee on the Judiciary

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## A BILL

To permit access to Federal crime information databases by educational agencies for certain purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Schools Safely Acquir-  
5 ing Faculty Excellence Act of 2005”.

6 **SEC. 2. ACCESS TO FEDERAL CRIME INFORMATION DATA**  
7 **BASES BY EDUCATIONAL AGENCIES FOR CER-**  
8 **TAIN PURPOSES.**

9 (a) IN GENERAL.—The Attorney General of the  
10 United States shall, upon request of the chief executive

1 officer of a State, conduct fingerprint-based checks of the  
2 national crime information databases (as defined in sec-  
3 tion 534(e)(3)(A) of title 28, United States Code), pursu-  
4 ant to a request submitted by a local educational agency  
5 or State educational agency in that State, on individuals  
6 under consideration for employment by the agency in a  
7 position in which the individual would work with or around  
8 children. Where possible, the check shall include a finger-  
9 print-based check of State criminal history databases. The  
10 Attorney General and the States may charge any applica-  
11 ble fees for these checks.

12 (b) PROTECTION OF INFORMATION.—An individual  
13 having information derived as a result of a check under  
14 subsection (a) may release that information only to an ap-  
15 propriate officer of a local educational agency or State  
16 educational agency, or to another person authorized by  
17 law to receive that information.

18 (c) CRIMINAL PENALTIES.—An individual who know-  
19 ingly exceeds the authority in subsection (a), or knowingly  
20 releases information in violation of subsection (b), shall  
21 be imprisoned not more than 10 years or fined under title  
22 18, United States Code, or both.

23 (d) DEFINITION.—In this section, the terms “local  
24 educational agency” and “State educational agency” have  
25 the meanings given to those terms in section 9101 of the

1 Elementary and Secondary Education Act of 1965 (20  
2 U.S.C. 7801).

