

Effective 5/1/2024

53G-11-401 Definitions.

As used in this part:

- (1) "Authorized entity" means an LEA, qualifying private school, or the state board that is authorized to request a background check and ongoing monitoring under this part.
- (2) "Bureau" means the Bureau of Criminal Identification within the Department of Public Safety created in Section 53-10-201.
- (3) "Contract employee" means an employee of a staffing service or other entity who works at a public or private school under a contract.
- (4) "FBI" means the Federal Bureau of Investigation.
- (5)
 - (a) "License applicant" means an applicant for a license issued by the state board under Title 53E, Chapter 6, Education Professional Licensure.
 - (b) "License applicant" includes an applicant for reinstatement of an expired, lapsed, suspended, or revoked license.
- (6) "Non-licensed employee" means an employee of an LEA or qualifying private school that does not hold a current Utah educator license issued by the state board under Title 53E, Chapter 6, Education Professional Licensure.
- (7) "Personal identifying information" means:
 - (a) current name, former names, nicknames, and aliases;
 - (b) date of birth;
 - (c) address;
 - (d) telephone number;
 - (e) driver license number or other government-issued identification number;
 - (f) social security number; and
 - (g) fingerprints.
- (8) "Substitute teacher" means the same as that term is defined in Section 53E-6-901.
- (9) "Qualifying private school" means a private school that:
 - (a) enrolls students under Title 53F, Chapter 4, Part 3, Carson Smith Scholarship Program; and
 - (b) is authorized to conduct fingerprint-based background checks of national crime information databases under the Adam Walsh Child Protection and Safety Act of 2006, Pub. L. No. 109-248.
- (10) "Rap back system" means a system that enables authorized entities to receive ongoing status notifications of any criminal history reported on individuals whose fingerprints are registered in the system.
- (11) "WIN Database" means the Western Identification Network Database that consists of eight western states sharing one electronic fingerprint database.

Amended by Chapter 22, 2024 General Session