

Senate Judiciary Committee

Brendan Bunnell 271-4063

HB 1051, modifying the procedures and requirements for school bus driver criminal history records checks and expanding the personnel subject to such checks.

Hearing Date: March 31, 2026

Time Opened: 2:08 p.m.

Time Closed: 2:16 p.m.

Members of the Committee Present: Senators Gannon, Abbas, Altschiller and Reardon

Members of the Committee Absent: Senator Carson

Bill Analysis: This bill modifies the procedures for school bus driver criminal history records checks by extending its application to volunteers and contractors and specifying requirements for such record checks, including fingerprinting. The bill also directs the department of education to implement a secure system for such record checks and authorizes the department to make rules relative to the rights of personnel in criminal history record checks.

Sponsors:
Rep. Layon

Who supports the bill: Representative Daniel Popovici-Muller, Jonathan Melanson, Wendy Lybrand, Tracie Adams, Elizabeth McKinney and Steve Appleby.

Who opposes the bill: Cory Stone.

Who is neutral on the bill: Pricilla Dube.

Summary of the testimony presented:

Representative Daniel Popovici-Muller introduced the bill. He stated that he could not recall any serious disagreements over it in the House, and that it seemed to him to be a very straight-forward, common-sense approach towards ensuring that the state's school bus drivers had the proper background checks completed.

Wendy Lybrand, President of the New Hampshire Speech Language Hearing Association, spoke in support of the bill. She explained that it was a critical piece of legislation that would streamline fingerprinting and safety for students, related service providers, and other contracted professionals at New Hampshire schools.

- Explained that the current system was outdated and requires the fingerprinting of contracted service providers or other individuals travelling between districts for each district that they travelled through. Ms. Lybrand stated that one individual working for Boothby Therapy Services had been fingerprinted 70 times.
- Explained that this creates delays for student services that are mandated for IEPs while individuals wait for their fingerprints to be processed. She stated that a hypothetical student in need of an AAC device for communication might be subject to a 4 to 8 week wait while the relevant specialist can be found from another district and have their fingerprints processed.
- Stated that by adding contracted service providers of all disciplines to the current system that is used for school bus drivers in New Hampshire, the students could receive greater safety via a statewide background check and faster services.
- Senator Abbas asked whether the definition of “designated volunteer” within the bill would hypothetically include parents driving a student bus for a field trip.
 - Ms. Lybrand stated that this question might be better answered by Mr. Steve Appleby.

Steve Appleby, the Director of the Department of Education, answered Senator Abbas’ question. He stated that a designated volunteer typically refers to an individual at a higher level than a standard volunteer. This might include a coach or other contracted individual, but would not typically include a parent volunteering for a trip.

- Stated that this bill was very similar to another that had been concerned with school bus drivers 5-6 years ago. That bill had introduced state wide background checks so as to prevent the same issue of repeated checks for each district. This bill would provide the same reform, introducing both a state-wide certification for these individuals while also performing a check with the FBI.

Tracy Adams, a physical therapist and President of the New Hampshire chapter of the American Physical Therapy Associations, spoke in support of the bill. She explained that this bill would extend its certification to physical therapists as contracted individuals and that it would increase the speed at which they could provide services to students requiring medically necessary care without existing delays.