

**States Mandating Criminal Background Checks for Local School Board Members**  
**February 2008**  
**(36 Responding State Associations)**

State	Does your state mandate criminal background checks for public school		Does your state mandate criminal background checks for local school board members?	
	Yes	No	Yes	No
Alabama	Yes			No
Arizona	Yes			No
California	Yes			No
Connecticut	Yes			No
Delaware	Yes			No
Florida	Yes			No
Georgia	NR	NR		No
Illinois	Yes			No
Indiana	Yes			No
Iowa	Yes			No
Kansas	Yes			No
Kentucky	Yes			No
Louisiana	Yes			No
Maryland	Yes			No
Massachusetts	Yes			No - School District has access to state data base. The fee is minimal. There are no restrictions. However, criminal checks must be done on anyone who has unsupervised contact with children. This generally does not include school board members.
Michigan	Yes			No
Minnesota	Yes			No
Montana	Yes			No
Nebraska	Yes			No
New Jersey	Yes			No
New York	Yes			No
North Carolina		No		No
Ohio	Yes			No
Oregon	Yes			No
Pennsylvania	Yes			No
Rhode Island	NR	NR		No
South Carolina	Yes			No
South Dakota	Yes			No
Tennessee	Yes			No
Texas	Yes			No - Candidates must be registered voters, which excludes convicted felons.
Utah	Yes			No

State	Does your state mandate criminal background checks for public school		Does your state mandate criminal background checks for local school board members?	
	Yes	No	Yes	No
Vermont	Yes - This includes teachers, volunteers, co-curricular advisors, contracted employees, student teachers and anyone who will have "unsupervised contact with students."			No
Virginia	Yes			No
Washington	Yes - RCW 46.82.325			No
Wisconsin	Yes*			No - While there is no state requirement for a criminal background check, there is a state mandate that each candidate for school board election must file a declaration of candidacy in which he or she must swear under oath that, among other things, a statement that he or she (i.e., the candidate) has not been convicted of any misdemeanor designated under state or federal law as a violation of the public trust or any felony for which he or she (the candidate) has not been pardoned. In addition, all Wisconsin trial court records (including both civil and criminal cases) are accessible on-line 24/7. See: <a href="http://wcca.wicourts.gov/index.xsl">http://wcca.wicourts.gov/index.xsl</a>
Wyoming	Yes			No
NR - No Response				

\*Wisconsin state licensure laws provide two key requirements: First, school boards are required by section 121.02(1)(a), Wis. Stats., to ensure that every teacher, supervisor, administrator and professional staff member holds a certificate, license or permit to teach issued by the Department of Public Instruction (DPI) before entering on duties for such position. Second, section 118.19, Wis. Stats., requires that any person seeking to teach in a public school, including a charter school, first procure a license or permit from the DPI. The DPI is required by law to conduct a background check on each applicant for a WI educator license, each time the person applies (i.e., whether it is an initial request or a renewal request). The law states that the state superintendent shall deny a request for licensure under certain circumstances relating to the background check. These circumstances include convictions for certain offenses for six (6) years following the date of conviction. A description of these offenses can be found in s. 118.19(4), Wis. Stats. In other words, for six years following the date of conviction, the DPI will automatically deny licensure (as required by law).