

CHAPTER 123  
HB 1827-FN-A - FINAL VERSION

19Feb2026... 0573h

2026 SESSION

26-2633  
07/09

HOUSE BILL

***1827-FN-A***

AN ACT requiring the department of education to conduct a confidential criminal history record check on all prospective educational personnel.

SPONSORS: Rep. Ladd, Graf. 5

COMMITTEE: Education Funding

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AMENDED ANALYSIS

This bill requires the department of education to conduct a confidential criminal history record check on all prospective educational personnel.

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Explanation: Matter added to current law appears in ***bold italics***.  
Matter removed from current law appears ~~[in brackets and struckthrough.]~~  
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twenty-Six*

AN ACT requiring the department of education to conduct a confidential criminal history record check on all prospective educational personnel.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

1 123:1 New Section; Department of Education School Employee Criminal History Records Check.

2 Amend RSA 189 by inserting after section 13-c the following new section:

3 189:13-d Department of Education School Employee Criminal History Records Check.

4 I. As used in this section:

5 (a) "Educational personnel" means an individual who is employed, either part time or full  
6 time, by a school administrative unit, school district, public school, public charter school, public academy,  
7 or non-public approved special education school in the state of New Hampshire who is not in a position  
8 requiring an educator credential.

9 (b) "Clearance" means a document issued to educational personnel that reflects that a  
10 criminal history record check was completed and that none of the violations listed in RSA 189:13-c, V  
11 were found.

12 II.(a) The department shall complete a confidential criminal history record check on all  
13 educational personnel. The criminal history record check clearance shall be valid for a period of 5 years.

14 (b) The department shall establish and implement a secure system for conducting a check of  
15 all educational personnel listed in this section in the National Association of State Directors of Teacher  
16 Education and Certification (NASDTEC) database by utilizing the applicant's social security number.

17 III.(a) Educational personnel shall submit to the department a criminal history records release  
18 form, as provided by the division of state police, which authorizes the division of state police to conduct a  
19 criminal history records check through its state records and through the Federal Bureau of Investigation  
20 and to release a report of the individual's criminal history record information, including confidential criminal  
21 history record information, to the background check coordinator of the department, as described in RSA  
22 21-N:8-a, I-a.

23 (b) Educational personnel shall submit with the release form a complete set of fingerprints  
24 taken by a qualified law enforcement agency or an authorized employee of the department of education.  
25 In the event that the first set of fingerprints is invalid due to insufficient pattern, a second set of fingerprints  
26 shall be taken in order to complete the criminal history records check. If, after 2 attempts, a set of  
27 fingerprints is invalid due to insufficient pattern, the department may, in lieu of the criminal history records  
28 check, accept police clearance from every city, town, or county where an applicant or candidate has lived  
29 during the past 10 years.

30 IV.(a) The department shall maintain the confidentiality of all criminal history records information  
31 received pursuant to this paragraph. The department shall destroy all criminal history record information  
32 within 60 days of receiving said information.

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1           (b) The department may require educational personnel to pay the actual costs of the criminal  
2 history records check.

3           V.(a) Any person who has been charged pending disposition for or convicted of any violation or  
4 attempted violation of RSA 318-B:2 for possession of a controlled drug with the intent to sell, felony level,  
5 within the last 10 years, RSA 630:1; 630:1-a; 630:1-b; 630:2; 630:3; 631:1; 631:2; 631:2-b; 632-A:2; 632-  
6 A:3; 632-A:4; 633:1; 633:7; 636:1; 638:1; 638:15-a; 639:2; 639:3; 645:1, II or III; 645:2; 649-A:3; 649-A:3-  
7 a; 649-A:3-b; 649-B:3; or 649-B:4; or any violation or any attempted violation of RSA 650:2 where the act  
8 involves a child in material deemed obscene in this state, or under any statute prohibiting the same  
9 conduct in another state, territory, or possession of the United States, shall not be granted a clearance,  
10 nor shall they be employable or contracted in a public school, public charter school, public academy, or  
11 non-public approved special education school within the state of New Hampshire.

12           (b) A school administrative unit, school district, public school, public charter school, public  
13 academy, or non-public approved special education school in the state of New Hampshire shall not  
14 employ any individual who has had their educator license credential revoked in New Hampshire or any  
15 other state.

16           VI. The department shall adopt rules, pursuant to RSA 541-A, governing the rights of educational  
17 personnel and their ability to appeal a denial of a clearance pursuant to a charge pending disposition for  
18 or a conviction of any of the offenses under paragraph V.

19           123:2 Effective Date. This act shall take effect July 1, 2027.

Approved: June 05, 2026  
Effective Date: July 01, 2027

