

Background/Criminal History Checks Required in State Licensing Rules

From the National Resource Center for Health and Safety in Child Care and Early Education

State Licensing Rules Web Site

<http://nrc.uchsc.edu/STATES/states.htm>

July 2006

	Background/ Criminal Checks Required	State Level records	National records	Child Abuse Registry Checked	Fingerprinting required	Required staff	Notes
AL	X	X	X	X	X	Any person who has contact with a child	
AK	X	X		X	X	Any person who has contact with a child	
AZ	X	X			X	Each staff member and adult residents of homes	
AR	X	X ¹	X ²	X	X	Owner, operator, employees, applicants and volunteers	¹ conducted every 5 years ² if employee has been a resident elsewhere in past 6 years
CA	X	X	X	X	X	Any person who provides care and supervision to the children, administration, governing bodies, anyone living in the household older than 18 years.	
CO	X	X		X	X	Owner, employees, new hires, volunteers working more than 14 days	
CT	X	X	X	X	X	Each prospective employee	
DC							

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DE	X	X	X	X	X	Any person who has contact with a child	
FL	X	X	X		X	Any personnel under child care statutes	
GA	X					Director, employee	
HI	X	X	X	X		All applicants and employees	Annual checks required
ID	X	X		X	X	Individuals 12 years and older, all owners, operators, employees	
IL	X	X	X	X	X	Any person who has contact with a child	
IN	X	X		X ¹		Owner, director, employee, volunteer. In homes – check on applicant, spouse, those over 18 years	¹ Child abuse checked under the criminal history offenses/convictions.
IA	X	X		X		Owner, director, staff, subcontracted, anyone in home older than 14 years	
KS	X	X		X		Anyone who works, resides, volunteers and is over 10 years	
KY	X	X		X		New employees or volunteers, substitutes, each adult resident	

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LA	X				X ¹	Employment of any staff member	¹ Required for Class B checks – director, provider
ME	X	X		X		Any person who has contact with a child	
MD	X	X	X	X		Any person that access to children in care	
MA	X	X				Any person seeking employment or regular volunteer; household members over 17 years	
MI	X	X		X		Any staff and volunteers	
MN	X	X	X				Only for day care facilities
MS	X			X	X	Child care facility- all operators, employees or prospective employees Homes – any person living in private residence	
MO	X	X	X ¹	X	X ¹	All personnel at facility	¹ Check nation wide when warranted, then fingerprints. Criminal checks every 2 years

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MT	X	X				Caregivers, aids, volunteers, kitchen staff, custodial; residents over 18 years	
NE				X		Each staff person; residents over 13 years	Requires a statement from each staff person regarding arrests, convictions and pending criminal charges.
NV					X ¹		¹ required for license to operate a facility. An employer “shall not knowingly appoint a person if convicted of child abuse, neglect or crime.”
NH	X	X		X		Applicant, director, family provider, household members over 17 years, child care personnel	
NJ	X	X	X	X ¹	X	All over the age of 18	¹ Disclosure of abuse and conviction
NM	X	X	X	X	X	All licensees and direct providers	
NY	X	X			X	Operator, employee, volunteer, assistants; residents over 18 years	

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NC	X	X	X	X	X	Employees, owner; residents over 15 years	
ND		X ¹		X ¹	X ¹		¹ Carecheck registry is voluntary, may be investigated.
OH	X	X	X ¹	X	X	Applicants, providers, substitutes; adult residents	¹ FBI checks for owners, administrators and employees that have not been residents for past 5 years
OK	X	X				Any staff including custodians, work experience program, volunteers, contracted staff and residents	
OR	X	X	X ¹	X		Owner, employees, contracted employees, anyone with unsupervised contact with children	¹ FBI checks under certain circumstances
PA	X			X		Any person who has contact with a child	
RI	X	X	X	X	X	On all staff including volunteers, consultants, and members of households	

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SC	X	X	X	X	X	All personnel including operator, staff emergency person, volunteers and substitutes	
SD				X			
TN	X	X		X	X	Paid employees, director, manager, substitutes, anyone older than 15 years	
TX	X	X	X	X		Director, owner, operator, those 14 years and older staying in home or working with children	
UT	X	X	X	X	X ¹	Owner, director, members of governing body, employees, volunteers, all adults in residence	¹ Fingerprints have exceptions
VT							“shall have no history of child abuse or criminal activity”
VI							
VA	X			X		Anyone involved in day-to-day or alone in supervising kids; any resident 14 years or older	Re-check at 18 years of age for those under.

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WA	X	X	X ¹	X	X ²	Centers – all staff and volunteers Homes – owner, staff, volunteers, residents over 16 years	¹ FBI check if resident of state less than 3 years ² for child care homes and FBI checks
WV	X	X	X ¹	X	X	Each staff member, caregivers and adult household members	¹ FBI check if lived outside of state in past 5 years. Update criminal checks every 5 years.
WI	X	X		X		Applicants, employees, substitutes, adult household members	
WY	X			X		Volunteers, substitutes, staff, adult household members	
Total	45	40	22	39	27		