

Subject: Criminal History Records Check for Substitute Teachers

Date: August 10, 2022

Legal Reference—SB 352 (2021-2022 legislative session)

- RSA 189:13-a

This Technical Advisory continues the New Hampshire Department of Education’s communication regarding new legislation, which was passed during the 2021-2022 legislative session. SB 352 amends RSA 189:13-a, which pertains to the criminal history record checks for substitute teachers.

During the 2021-2022 legislative session, SB 352 was passed into law, which pertains to the criminal history record checks for substitute teachers upon employment at a school administrative unit (SAU). By way of relevant background, criminal history record checks for employment are governed by RSA 189:13-a, and it requires a school administrative unit or chartered public school to conduct a criminal history record check for every selected applicant for employment in any position for each district within a particular SAU.

Under the new law, a criminal history record check for a substitute teacher now allows that individual to work at all the school districts within a particular SAU.

The criminal history record check for substitute teachers is valid for a period of three (3) years within the same SAU. However, this new law is not mandatory, which means that a superintendent or school district policy might require that a substitute teacher undergo a criminal history record check prior to working at individual schools which are within the same SAU.

[SB 352](#) became *effective August 6, 2022*.

For questions related to this Technical Advisory, please contact:

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