WEST VIRGINIA CODE: §18A-3-10

§18A-3-10. Criminal history check of applicants for licensure by the state Department of Education.

(a) Any applicant for an initial license issued by the West Virginia Department of Education shall be fingerprinted by the West Virginia State Police in accordance with state board policy in order to determine the applicant's suitability for licensure. The fingerprints shall be analyzed by the State Police for a state criminal history record check through the central abuse registry and then forwarded to the Federal Bureau of Investigation for a national criminal history record check.

(b) Information contained in either the central abuse registry record or the Federal Bureau of Investigation record may form the basis for the denial of a certificate for just cause.

(c) The applicant for initial certification pays for the cost of obtaining the central abuse registry record and the Federal Bureau of Investigation record.

(d) Upon written consent to the state department by the applicant and within ninety days of the state fingerprint analysis, the results of a state analysis may be provided to a county board with which the applicant is applying for employment without further cost to the applicant.

(e) Information maintained by the state department or a county board which was obtained for the purpose of this section is exempt from the disclosure provisions of chapter twenty-nine-b of this code. Nothing in this section prohibits disclosure or publication of information in a statistical or other form which does not identify the individuals involved or provide personal information.

(f) After an initial license has been issued by the West Virginia Department of Education, the West Virginia Department of Education may require any licensee to be fingerprinted by the West Virginia State Police in accordance with state board policy: Provided, That the licensee lived outside of the State of West Virginia for a period of one year or more since his or her licensure, or the West Virginia Department of Education or the school administrator has a reasonable belief that the licensee has not notified the school administrator of any felony conviction, conviction of any offense under chapter sixty-one, article eight-b of this code, or offenses of similar nature to those in chapter sixty-one, article eight-b of this code that have been established under any other state or the United States. The fingerprints may be analyzed by the West Virginia State Police for a state criminal history record check through the central abuse registry and then forwarded to the Federal Bureau of Investigation for a national criminal history record check.

WV Legislature