



LAWS OF DELAWARE
VOLUME 85
CHAPTER 403
153rd GENERAL ASSEMBLY
FORMERLY
HOUSE BILL NO. 443

AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO BACKGROUND CHECKS FOR VOLUNTEERS IN EDUCATION.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend Part V, Title 14 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

Chapter 90G. Background Checks

§ 9001G. Background checks; general.

Criminal background checks and Child Protection Registry checks are required for all employees, contractors, and volunteers working for or with child-serving entities, as those terms are defined and in accordance with the procedures set forth under § 309 of Title 31.

§ 9002G. Student Mentoring Program.

(a) An individual providing or seeking to provide mentorship to one or more students through a mentoring program under the Department of Education must submit to a criminal background check and Child Protection Registry check.

(b) An individual required to obtain a background check under this section must submit fingerprints and other necessary information to the State Bureau of Identification in order to obtain a Delaware and national criminal history background check. The following reports must be obtained:

(1) A report of the individual's entire state criminal history record information from the State Bureau of Identification or a statement that the State Bureau of Identification Central Repository contains no information relating to that individual.

(2) A report of the individual's entire federal criminal history record information from the Federal Bureau of Investigation or a statement that the Federal Bureau of Investigation's records contain no information relating to that individual.

(c) The State Bureau of Identification must forward all information obtained under paragraphs (b)(1) and (b)(2) of this section to the individual responsible for overseeing the mentorship program under the Department of Education.

(d) If an individual providing or applying to provide mentorship to one or more students through a mentoring program under the Department of Education obtains a background check under this section, the State Bureau of Identification must provide all of the following to the Secretary or the Secretary's designee for 1 year:

(1) Any subsequent state criminal history record information of the individual.

(2) Any subsequent criminal history record information of the individual available through the Rap Back System as defined under § 8502 of Title 11, if the Rap Back System is available.

(e) The individual overseeing a mentorship program under the Department and the Secretary or the Secretary's designee has the right to review and use criminal background information obtained under this section to the extent permitted by § 309(d) of Title 31, including to determine eligibility to serve as a volunteer mentor.

(f) All costs associated with a criminal background check under this section must be paid by the Department of Education.

(g) The Department is authorized to promulgate regulations as necessary to give effect to this section.

Section 1. This Act takes effect on July 1, 2026.

Approved July 23, 2026