

State Policies on Sexual Misconduct Between Educators and Students

	Age of consent ¹	State has a law targeting educators who abuse their positions of trust or authority by having sex with students	Oldest age protected under the law	State requires criminal-background checks for teacher certification, using FBI and state records, and fingerprinting	State requires school officials to report alleged wrongdoing or the resignation of educators suspected of sexual misconduct to state education officials	State has a law protecting school officials from defamation suits based on job references given for current or former employees
Alabama	16			✓		
Alaska	16	✓	17	✓		
Arizona	18			✓	✓	✓
Arkansas	16	✓	17	✓		
California	18			✓		
Colorado	15	✓	17	✓	✓	✓
Connecticut	16	✓	No limit	✓		
Delaware	16	✓	17	✓		✓
Florida	18			✓	✓	✓
Georgia	16	✓	No limit	✓		
Hawaii	16			✓		
Idaho	18			✓	✓	
Illinois	17	✓ ²	17			
Indiana	16	✓	17			
Iowa	16	✓ ³	15	✓		
Kansas	16	✓	17	✓	✓	
Kentucky	16			✓	✓	
Louisiana	17			✓		✓
Maine	16	✓	17	✓		
Maryland	16			✓		✓
Massachusetts	16				✓	
Michigan	16	✓	17	✓		✓
Minnesota	16	✓	17	✓		✓
Mississippi	16	✓	17	✓		
Missouri	17			✓		
Montana	16			✓	✓	
Nebraska	16			✓		
Nevada	16	✓	17	✓		
New Hampshire	16	✓ ³	17	✓	✓	
New Jersey	16	✓	17	✓	✓	
New Mexico	17	✓ ³	17	✓	✓	✓
New York	17			✓	✓	
North Carolina	16	✓	No limit		✓	✓
North Dakota	18			✓		✓
Ohio	16	✓	No limit			✓
Oklahoma	16	✓	17	✓		
Oregon	18			✓		
Pennsylvania	16					
Rhode Island	16			✓		✓
South Carolina	16	✓	15	✓	✓	✓
South Dakota	16			✓		
Tennessee	18			✓		
Texas	17					
Utah	18	✓	17	✓		✓
Vermont	16			✓		
Virginia	18	✓	17	✓	✓	✓
Washington	16	✓	17	✓		
West Virginia	16			✓	✓	
Wisconsin	18	✓	17		✓	✓
Wyoming	18	✓ ³	No limit	✓		
U.S.	—	27	—	42	17	17

¹In many states, the age of consent varies depending on the age of the older person involved and the nature of the sexual activity. The ages listed here are those at which an adolescent is presumed to be legally able to consent to sex under general statutory-rape laws.

²Illinois' position-of-authority statute does not automatically apply to teachers; authority in individual relationships would have to be proved by the evidence. ³Offenders must have used their positions of authority to coerce the students to submit.

SOURCE: Education Week survey of state departments of education, 2003. Compiled by Research Associate Jennifer Park.