

## **SUBJECT: SAFETY OF STUDENTS (FINGERPRINTING CLEARANCE OF NEW HIRES)**

Unless otherwise authorized, the District shall not employ or utilize a prospective school employee, unless that prospective school employee has been granted a “full” clearance for employment by the State Education Department (“SED”). The District will require a prospective school employee who is not in the SED criminal history file to undergo a fingerprint supported criminal history record background check. “Criminal history record” means a record of all criminal convictions and any pending criminal charges maintained on an individual by the Division of Criminal Justice Services (DCJS) and the Federal Bureau of Investigation (FBI). The District will obtain the applicant’s consent to the criminal history records search.

Unless otherwise exempted pursuant to law, the applicant shall be responsible for the payment of fees to SED for a criminal history record check. However, if allowable by law or regulation and approved by Board resolution, the District may authorize the payment of such fees on behalf of prospective employees. The Board is authorized to waive the payment of such fees in cases of unreasonable financial hardship to the applicant or his/her family. If the Board decides to waive payment of the fees for the prospective employee, payment of the fees becomes the District's responsibility.

The Board authorizes reimbursement of such fees for substitute, part-time and fulltime non-certified staff, as well as teaching assistants, upon completion of three days of District employment provided, however, that the Board has not authorized and does not authorize reimbursement of the fee to substitute teachers.

The District shall utilize SED’s Web-based application known as TEACH for instantaneous access to important information about certification and fingerprinting. Through TEACH, SED provides an individual with the ability to apply for fingerprint clearance for certification and/or employment and view the status of his/her fingerprint clearance request. Through TEACH, the School District is able, among other applications, to submit an online request for fingerprint clearance for a prospective employee, view the status of the fingerprint clearance request, and determine whether a subsequent arrest letter has been issued.

### **Safety of Students**

The District will develop internal building and/or program procedures to help ensure the safety of students who have contact with an employee holding conditional appointment or emergency conditional appointment. These procedures will address the safety of students in the classroom, students attending off-campus activities under the supervision of the District, and students participating in extracurricular and/or co-curricular activities (including sports and athletic activities).

Safety procedures to be addressed include, supervision of the employee holding conditional appointment/emergency conditional appointment as determined appropriate by the applicable building/program administrator, and periodic visitations by the building/program administrator to the classroom, program and/or activity assigned to the employee holding conditional appointment/emergency conditional appointment.

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(CONT'D.)**

**Access to TEACH**

Information regarding fingerprinting of new hires, including relevant laws and regulations, frequently asked questions (FAQs), and up-to-date chart for “Who Must be Fingerprinted”, and instructions on the fingerprinting process are found on [www.highered.nysed.gov/tcert/ospra](http://www.highered.nysed.gov/tcert/ospra). To request access to TEACH, email [TEACHHELP@mail.nysed.gov](mailto:TEACHHELP@mail.nysed.gov).

Education Law §§ 305(30, 33), 1604, 1709, 1804, 1950, 2503, 2554, 2590-h, 2854, 3004-b and -c, and 3035  
Correction Law Article 23-A  
Executive Law § 296(16)  
Social Services Law Article 5, Title 9-B  
Education Law §§ 305(30), 305(33), 1604, 1709, 1804, 1950, 2503, 2554, 2590-h, 2854, 3004-b, 3004-c, and 3035  
8 New York Code of Rules and Regulations (NYCRR) Sections 80-1.11 and Part 87

Adopted: 12/11/2001

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