

Policy Information

Series 4000 - Personnel

Background Checks of New Hires

Policy # 4112.1

In accordance with law all employees of the District hired on or after July 1, 2001 must receive clearance from the New York State Education Department prior to commencing employment in the District. Full clearance is based upon the New York State Division of Criminal Justice Services reviewing and reporting on the individual's criminal background to the State Education Department and the same process being implemented by the Federal Bureau of Investigation. Conditionally cleared employees are those that have been cleared by the State system but have not yet been cleared by the Federal system. Conditional appointments are valid for 45 days unless the State Education Department issues a new conditional clearance within the 45 day period.

An emergency conditional appointment may be made, upon the recommendation of the Superintendent, and is based upon an unforeseen emergency vacancy that occurs less than ten (10) business days before the start of any school session or mid-session when there is insufficient notice to allow for clearance or conditional clearance or, where the District has made good faith efforts to fill such vacancy in a manner that would have allowed sufficient time for clearance or conditional clearance of a prospective employee and the District has been unable to secure such clearance. Emergency conditional appointments are valid for no more than twenty (20) business days from the date of emergency conditional appointment.

For the safety and security of students, it is the policy of the District to exercise heightened administrative supervision at the building level over conditionally cleared prospective employees until full clearance is reported by the Commissioner of Education.

Upon receipt of a final determination from the State Education Department following the required criminal background check, the conditional nature of the appointment shall be converted into a regular appointment without further action by the Board of Education. If final clearance for employment is not granted by the State Education Department, the Board of Education shall terminate the conditional appointment immediately

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