

**POLICY**

2003

Personnel &amp; Negotiations

**CONDITIONAL APPOINTMENT & EMERGENCY CONDITIONAL APPOINTMENT  
STUDENT SAFETY POLICY**

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. Clearance is based upon the New York State Division of Criminal Justice Services reviewing and reporting on the 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.

Emergency conditional clearance 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.

The Board of Education recognizes that there may be instances in which it is necessary, upon recommendation of the Superintendent of Schools, for the Board to make a conditional appointment or an emergency conditional appointment of a prospective employee. To provide for the safety of students who have contact with an employee holding a conditional appointment or an emergency conditional appointment, the Board adopts the following policies and procedures:

- The district and its administrators will determine, on a case-by-case basis, whether it is necessary or possible to provide additional supervision of conditionally appointed or emergency conditionally appointed individuals.
- The superintendent of schools may take such actions as are necessary and appropriate to safeguard the safety of the school community in relation to conditionally appointed or emergency conditionally appointed individuals.
- The district through its administrators will ensure that all conditional and emergency conditional appointed employees become aware of and receive training regarding the prohibition against child abuse in an educational setting and of their responsibility for reporting any such abuse at the commencement of their conditional or emergency conditional appointment.

Failure to comply with this policy will result in appropriate disciplinary action.

# POLICY

2003

Personnel & Negotiations

---

Ref: Education Law §§1125-1133, 1604, 1709, 1804, 1950, 2503, 2554, 3035, 8 NYCCR §§ 100.2 (hh); Part 87

Adoption date: July 2003