

## Personnel

**MOUNT PLEASANT COTTAGE SCHOOL UNION FREE SCHOOL DISTRICT**

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

**District's Responsibilities under the Fingerprinting Law**

Unless otherwise authorized in accordance with law and regulation, the District shall not employ or utilize the prospective school employee, as defined below, unless such prospective employee has been granted a "full" clearance for employment by the State Education Department (SED). All prospective school employees who are not in the SED criminal history file shall be fingerprinted for purposes of a criminal history record check by authorized personnel of the designated fingerprinting entity. A "criminal history record" shall mean a record of all convictions of crimes 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 shall obtain the applicant's consent to the criminal history records search.

**TEACH - Fingerprinting Background Check Process**

The State Education Department (SED) has put in place enhanced services to streamline the fingerprint background check process and the process for issuing Clearance for Employment. The District shall utilize SED's Web-based application and database known as TEACH for instantaneous access to important information about certification and fingerprinting. Through TEACH, SED provides the following services to individuals and districts:

Individuals shall be able to:

- 1) Apply for a fingerprint clearance for certification and/or employment; and
- 2) View the status of a fingerprint clearance request.

School Districts shall be able to:

- 1) Submit an online request for fingerprint clearance for a prospective employee;
- 2) Search for all individuals who have a fingerprint clearance request;
- 3) View the status of a fingerprint clearance request;
- 4) Determine whether an individual is in the Office of School Personnel Review and Accountability (OSPRA) fingerprint database;
- 5) Report the termination of an employee; and

(Continued)

## Personnel

**SUBJECT: SAFETY OF STUDENTS (FINGERPRINTING CLEARANCE OF NEW HIRES) (Cont'd.)**

- 6) Determine whether a subsequent arrest letter has been issued.

However, it is incumbent on the District to monitor on TEACH its employees who are working under a Conditional Clearance to ensure that any issue resulting in a delay on the receipt for Full Clearance is addressed properly.

Further information regarding fingerprinting of new hires, including relevant laws and regulations, frequently asked questions (FAQs), an up-to-date chart for "Who Must be Fingerprinted", and instructions on the fingerprinting process are found on the SED website.

**LIVESCAN - Digital Fingerprinting Services Available**

In addition, the District may utilize SED's digital fingerprinting option known as LIVESCAN which is currently available in approximately thirty-five (35) locations throughout New York State. This service, coupled with SED's other online services (e.g., TEACH) allows both the applicant and the District to submit a fingerprinting application, pay for a fingerprinting application, submit digital fingerprints and obtain fingerprinting results within 24-72 hours. The District may utilize digitizing fingerprinting services through a variety of arrangements, including, for example, purchasing a system, contracting with a BOCES offering this service, or cooperatively with other districts.

Information regarding LIVESCAN and other comprehensive information and assistance to schools, applicants for certification, employers, and teacher programs can be obtained from the Office of School Personnel Review and Accountability (OSPRA) ([www.higher.nysed.gov/tcert/ospra](http://www.higher.nysed.gov/tcert/ospra)).

**Safety of Students**

Consistent with the District policy for the safety of the children who have contact with an employee holding conditional appointment or emergency conditional appointment, internal building and/or program procedures will be followed to ensure student safety in the classroom, while attending off-campus activities under the supervision of the School District and while participating in extracurricular and/or co-curricular activities (including sports and athletic activities).

The immediate supervisor or Building Principal shall, upon the commencement of the staff member's employment, meet with the staff member to review safety considerations and expectations for any contact such staff member will have with students. The Superintendent or designee shall promptly notify the immediate supervisor or Building Principal of any changes in the employee's appointment status, including receipt of clearance for employment.