

3325

2011-2012 Regular Sessions

I N A S S E M B L Y

January 24, 2011

Introduced by M. of A. CLARK -- read once and referred to the Committee
on Education

AN ACT to amend the education law, in relation to background investigations of all after-school program personnel

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. The education law is amended by adding a new section 3001-e
2 to read as follows:
3 S 3001-E. INVESTIGATION OF AFTER-SCHOOL PROGRAM PERSONNEL EMPLOYED IN
4 SCHOOL DISTRICTS. 1. EVERY SCHOOL DISTRICT SHALL CONDUCT BACKGROUND
5 INVESTIGATIONS OF ALL AFTER-SCHOOL PROGRAM PERSONNEL EMPLOYED IN SUCH
6 DISTRICT.
7 2. EACH DISTRICT, IN COOPERATION WITH THE DIVISION OF CRIMINAL JUSTICE
8 SERVICES, SHALL PROMULGATE REGULATIONS REQUIRING ALL AFTER-SCHOOL
9 PROGRAM PERSONNEL EMPLOYED IN SUCH SCHOOL DISTRICT TO SUBMIT TO MANDATORY
10 FINGERPRINTING PROCEDURES AND BACKGROUND QUESTIONNAIRES.
11 3. EVERY PERSON, AS A CONDITION OF EMPLOYMENT IN AN AFTER-SCHOOL
12 PROGRAM, SHALL BE FINGERPRINTED, COMPLETE A BACKGROUND QUESTIONNAIRE AND
13 SIGN A DECLARATION UNDER PENALTY OF PERJURY REGARDING ANY PRIOR CRIMINAL
14 CONVICTIONS.
15 4. NO AFTER-SCHOOL PROGRAM EMPLOYEE SHALL BE ASSIGNED TO WORK INVOLV-
16 ING THE CARE, CUSTODY OR SUPERVISION OF A CHILD IF IT IS DETERMINED ON
17 THE BASIS OF A CRIMINAL HISTORY CHECK PURSUANT TO THIS SECTION THAT SUCH
18 PERSON HAS BEEN CONVICTED OF A CRIME.
19 S 2. This act shall take effect on the ninetieth day after it shall
20 have become a law; provided, however, that any rules or regulations
21 necessary to implement the provisions of this act shall be promulgated
22 on or before its effective date.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
[] is old law to be omitted.

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