

4580

2015-2016 Regular Sessions

I N   A S S E M B L Y

February 3, 2015

---

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 investi-  
gations of all after-school program personnel

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEM-  
BLY, 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 MANDATO-  
10    RY 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.

LBD08579-01-5