

CONDITIONAL/EMERGENCY APPOINTMENT REGULATION
STUDENT SAFETY

For purposes of this policy, the term “conditional appointment” shall be based upon the following conditions:

1. A request for a conditional clearance along with the individual’s fingerprints must be forwarded to the State Education Department.
2. A signed statement must be obtained from the prospective employee indicating whether, to the best of his knowledge, he has a pending criminal charge or criminal conviction in any jurisdiction outside the state.
3. The prospective employee’s conditional employment cannot begin until the State Education Department has issued its conditional clearance which will be based upon the results of the state-reported criminal history record as indicated by the New York State Division of Criminal Justice Services.

For purposes of this policy, the term “emergency conditional appointment” shall be based upon the following conditions:

1. An emergency conditional appointment may be made only when an unforeseen emergency vacancy occurs.
2. An unforeseen emergency vacancy is defined as one that (a) occurred less than 10 business days before the start of any school session without sufficient notice to allow for clearance for employment or conditional clearance, (b) when no other qualified person is available to fill the vacancy temporarily, (c) when emergency conditional appointment is necessary to maintain services which the school district is legally required to provide or services necessary to protect the health, education or safety of students or staff.
3. The same conditions are required for an emergency conditional appointment as are required for conditional appointments except that the emergency conditional appointment may commence prior to notification from the State Education Department on conditional clearance.

An emergency conditional appointment terminates 20 business days from the date of such appointment or when the school district is notified as to the status of the conditional clearance.