

CONDITIONAL APPOINTMENT AND EMERGENCY CONDITIONAL APPOINTMENT - STUDENT SAFETY

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 conditionally appoint or to make 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 policy.

No district employee who holds a conditional or emergency conditional appointment will be in contact with students other than to provide instruction and/or other required services.

No district employee who holds a conditional or emergency conditional appointment will teach a class or provide services to students with the classroom or office door closed unless the Building Principal has provided express prior permission to do otherwise.

The Building Principal or designee will, at least twice a week, monitor the activities of such employees while providing services to students during the period of their conditional or emergency conditional appointment.

In addition, the district will ensure that all personnel, including conditional and emergency conditional appointed employees, are aware of and receive training regarding the prohibition against child abuse in an educational setting and of their responsibility for reporting any such abuse. All conditionally appointed and emergency conditionally appointed employees receive this training at the time of their initial contingency appointment.

For purposes of this policy, the terms “conditionally appointed” and “emergency conditional appointment” refers to any employee holding conditional or emergency conditional appointment, as defined in Section 1709 of the Education Law.

Prospective employees subject to these requirements are those seeking a compensated position with the district, who are not already employed by the district or a student enrolled at the school, to provide services which involve direct contact with students under the age of 21, either by in-person face-to-face communication or interaction, or any other form of direct communication or interaction, including but not limited to digital or audio-based technology.

The following individuals are exempted: (1) bus drivers and attendants cleared through the Vehicle and Traffic Law, (2) individuals who provided services to the district in the previous school year either in a compensated position, as an employee of a contracted services provider, or placed pursuant to a public assistance employment program, or (3) individuals who are only expected to provide services for no more than five days in a school year, provided district employees provide in-person supervision during the services.

Cross-ref:
9620, Child Abuse in an Educational Setting

Ref:
Education Law §§1125-1133; 1604(39); 1709(30); 1804(9); 1950(4)(II); 2503(18); 2554(25); 2854(3)(a-2); 8 NYCRR §§100.2(hh); Part 87

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