

FINGERPRINTING OF PROSPECTIVE SCHOOL EMPLOYEES

As required by state law and Regulations of the Commissioner of Education, every "prospective employee" of the Wayne Central School District must be fingerprinted for a criminal history record check. "Prospective employee" is defined as any individual who will reasonably be expected to provide services for the school district which involve direct, in-person contact or interaction or face-to-face communication with students under the age of 21 and who is either:

- (1) Seeking a compensated position with the school district and is not currently employed by the school district, or is a student enrolled in the instructional program of a grade level of the school district, *or*
- (2) An employee of a provider of contracted services to the school district who is to be placed within the school district, *or*
- (3) A worker who is to be placed in the school district, directly or through contract, under a public assistance employment program pursuant to Title 9-B of Article 5 of the NYS Social Services Law

Individuals Who Are Specifically Excluded

Individuals specifically excluded from fingerprinting and a criminal history record check pursuant to state law and the Regulations of the Commissioner of Education are those who:

- (1) Are seeking a position as a school bus driver or bus attendant and are cleared for employment pursuant to the NYS Vehicle and Traffic Law, *or*
- (2) Have provided services to the school district in the previous school year either (a) in a compensated position, (b) as an employee of a provider of contracted services to the school district, or (c) as a worker placed within the school district, directly or through contract, under a public assistance employment program pursuant to Title 9-B of Article 5 of the NYS Social Services Law, *or*
- (3) Will reasonably be expected by the school district to provide services for the school district on no more than five (5) days in the school year in which the services are to be performed, provided that the school district provides in-person supervision of such individual by one or more district employees while that individual is providing such services. Individuals providing such time-limited and supervised services may include, but shall not be limited to, artists, guest lecturers and speakers, and sports officials

Any prospective employee who has previously been fingerprinted in order to obtain teacher certification, and whose fingerprints remain on file with the NYS Division of Criminal Justice Services, does not need to have fingerprints taken again for purposes of a criminal record check.

Removal From the Criminal History File @ NYS Education Department

Where individuals have been separated from employment with the school district and have not become employed in the school district or another school district, charter school or BOCES within twelve (12) months of such separation, the State Education Department shall notify the Division of Criminal Justice Services of such separation for purposes of destroying the fingerprints of that individual. Further, upon request of such individual, the State Education Department shall notify the Division of Criminal Justice Services prior to the expiration of such twelve-month period for the purpose of destroying his/her fingerprints. Such individuals shall be removed from the criminal history file at the State Education Department.