



**Requiring Criminal Background Checks for Prospective
Nonpublic School Employees
(Bill S.4129-Mannion/A.4568-Rozic)
Memorandum of Support**

Bill S.4129-Mannion/A.4568-Rozic would require that prospective employees of nonpublic schools submit fingerprints through the State Education Department for the purpose of criminal background checks. This legislation, which would enhance the safety of students by requiring that criminal background checks be performed on prospective nonpublic school employees, is worthy of passage.

The cost of the proposed fingerprinting is a concern for some nonpublic schools. According to the bill memorandum, the cost of such fingerprinting for an applicant whose fingerprints are not already on file with NYSED is \$99 (or \$135 in New York City). New York's hundreds of nonpublic schools, many of which are Christian schools, may not have budgeted funds for the fingerprinting of prospective employees. Furthermore, employees of nonpublic schools typically make significantly lower salaries than employees in similar roles at public schools.

Accordingly, New Yorkers for Constitutional Freedoms (NYCF) requests that the State of New York allow funds from New York's Nonpublic School Safety Equipment (NPSE) Grant to be made available for prospective nonpublic school employee fingerprinting costs. The stated purpose of the NPSE Grant is "to provide religious and independent schools with reimbursement for expenditures related to certain school safety and health expenses." Protecting children from potentially dangerous school employees is a key part of school safety, and allowing nonpublic schools the flexibility to use NPSE Grant funding for the fingerprinting of prospective employees would facilitate school safety.