

**A local law in relation to authorizing criminal background and fingerprint checks for certain employees**

Section one. Chapter 35 of the Code of the Village of Rockville Centre is hereby amended, by adding thereto a new article, to be article II, to be entitled "Criminal Background Checks Required", and to read as follows:

"Article II. Criminal History Checks Required.

§35-5. Criminal History Checks Required For Certain Employees.

A. No person shall be hired by the Village of Rockville Centre as a full-time or part-time employee in the Parks and Recreation Department, Martin Luther King Center and/or the Sandel Senior Center, or in any other position where the Village Administrator determines that a substantial part of the duties of such position involves contact with minor children, unless such person first has undergone a satisfactory criminal history check performed by the New York State Division of Criminal Justice Services.

B. Prior to hiring any person described in paragraph A hereof, the Village shall obtain from such person a fingerprint card, and submit the same to the New York State Division of Criminal Justice Services together with any applicable fee, and receive a favorable criminal history record information report from such Division with respect to the criminal history of the person to be hired.

C. The Village Administrator, or the designee of the Village Administrator, shall be responsible for reviewing the criminal history record information report.

D. If a prospective or probationary employee has been convicted of a felony and/or a misdemeanor, any decision regarding such prospective or probationary employee's fitness for a position shall be made upon a review including, without limitation, the factors contained in New York Correction Law §§751-753, inclusive."

Section two. If any clause, sentence, paragraph, or section of this local law shall be held invalid by any court of competent jurisdiction, or the application of this local law to any person or set of circumstances shall be held invalid, such invalidity or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section, or operation of this local law directly involved in the controversy in which the judgment shall have been rendered. To further this end, the provisions of this local law are hereby declared to be severable.

Section three. This local law shall take effect immediately upon adoption and filing pursuant to the Municipal Home Rule Law.