



NEW YORK STATE SENATOR

Susan Serino

BILL TO HELP SCHOOLS PROTECT STUDENTS FROM SEX OFFENDERS PASSES ASSEMBLY AND SENATE

SUSAN SERINO June 20, 2018

| ISSUE: **CHILD PROTECTION**



ALBANY, NY– In May of 2017, the Ossining Union Free School District discovered that one of its custodians had been arrested for raping a child in a neighboring county. Because of a loophole in New York State Law, no one was ever required to notify the district of the serious offense and the custodian remained employed by the district for over a year until an anonymous tip ultimately alerted district officials. Senator Sue Serino and Assemblywoman Sandy Galef announced today that the legislation they introduced to close the dangerous

loophole has passed both the Senate and the Assembly.

Senator Sue Serino said, “The situation that occurred in Ossining demonstrates a clear vulnerability in our system, and we have a duty to fix this glaring loophole to better protect our students. This bill is about making sure that our schools and law enforcement have the tools they need to keep our children safe from sexual predators, and I am incredibly proud to see it pass both houses of the Legislature. I hope that the Governor will recognize the importance of the bill and move to sign it into law as soon as possible.”

“When employed within a school district, certain protocol should be followed in order to ensure the safety of our students from those who have the potential to cause harm. Requiring immediate notification to a school district when its employee has been arrested for a sexual offense, anywhere in New York State, is a concept we all support,” said Assemblywoman Galef. “Sadly, this was not the case last year when the Ossining School District found out, many months later, that a school custodian was convicted of sexual abuse in another county. Notification is crucial in protecting our students and employees, and I applaud my Assembly and Senate colleagues in passing this legislation.”

Last year, Assemblywoman Galef held a press conference with concerned Ossining PTA representatives, the District Superintendent and the Ossining Chief of Police where they outlined the details of the case. There, they noted that the longtime Ossining school custodian was convicted of two misdemeanors and two felonies, including the third-degree rape of a victim under the age of 17. During the course of the criminal case against him, the employee continued to work in the school, in direct contact with students, as the superintendent’s office was only made aware of the situation through an anonymous handwritten letter after a guilty verdict was rendered.

Current state law does not require schools to be provided with arrest notifications of employees hired before 2001. Because the custodian was hired before that year, the Ossining school district had no idea of the sex offense charge against the employee.

This bill amends the Education Law and requires local law enforcement to immediately notify school superintendents of the filing of an accusatory instrument (i.e. an indictment) alleging any sex offense—regardless of the year they were hired—so that schools may take

immediate and appropriate action to ensure that these individuals do not have any contact with students.

*“We’re grateful for the work of the Assemblywoman Galef and Senator Serino in sponsoring this critical piece of legislation. While we strive to maintain clear lines of communication with our school district, this law creates yet another opportunity to increase the safety of students across our state,” said **Chief Kevin Sylvester, Ossining Police Department***

*“The safety of children and staff is our top priority in the Ossining School District, and this important legislation will go a long way to safeguard schools in our community and across the state,” said **Ossining Superintendent Raymond Sanchez**. “We thank Assemblywoman Sandy Galef and Senator Sue Serino for closing a dangerous loophole in the law and urge the governor to sign the bill.”*

The bill will be sent to the Governor’s desk for review. If the bill is signed into law, it is slated to take effect immediately.