

AMENDMENT TO THE REGULATIONS OF THE COMMISSIONER OF EDUCATION

Pursuant to sections 207, 305, 3001, 3004, 3004-c, 3006, 3009, 3010 and 3035 of the Education Law.

1. Subdivision (d) of section 83.4 of the Regulations of the Commissioner of Education shall be amended, effective July 22, 2013, to read as follows:

(d) Evidence of conviction of a crime shall be admissible in any proceeding conducted pursuant to this Part, but such conviction shall not in and of itself create a conclusive presumption that the person so convicted lacks good moral character.

Except as otherwise provided in paragraph (4) of this subdivision, [In] in the case of a certified individual, proof of conviction for any of the following acts constituting a crime in New York State and committed subsequent to certification shall create a rebuttable presumption that the individual so convicted lacks good moral character.

(1) . . .

(2) . .

(3) . . .

(4) any crime committed involving the submission of false information, or the commission of fraud, related to a criminal history record check.

2. A new subparagraph (iv) shall be added to paragraph (1) of subdivision (b) of section 83.5 of the Regulations of the Commissioner of Education, effective July 22, 2013, to read as follows:

(iv) any crime committed involving the submission of false information, or the commission of fraud, related to a criminal history record check.