

PART 83**DETERMINATION OF GOOD MORAL CHARACTER**

(Statutory authority: Education Law, §§ 207, 305, 3001, 3004, 3004-c, 3006, 3009, 3010, 3035)

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83.1	Determination of good moral character
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Historical Note

Part (§§ 83.1-83.5) filed Aug. 6, 1974 eff. Sept. 1, 1974.

§ 83.1 Determination of good moral character.

(a) Any information indicating that an individual holding a teaching certificate has been convicted of a crime, or has committed an act which raises a reasonable question as to the individual's moral character, shall be referred by the chief school administrator having knowledge thereof to the professional conduct officer of the department.

(b) The appropriate official in school districts which by statute are empowered to grant teaching licenses shall notify the professional conduct officer of the revocation, annulment or suspension of any license issued under that authority, together with the reasons therefor.

(c) Information in the possession of any person indicating that an applicant for a teaching certificate has been convicted of a crime, or has committed an act which raises a reasonable question as to the individual's moral character, may be referred to the executive director of the Office of Teaching Initiatives of the State Education Department. Information in the possession of any person indicating that an individual holding a teaching certificate has been convicted of a crime, or has committed an act which raises a reasonable question as to the individual's moral character, may be referred to the professional conduct officer of the department.

(d) The department shall review the findings and recommendations of hearing panels in hearings on charges against tenured teachers pursuant to Education Law section 3020-a and all such cases involving criminal convictions shall be referred to the professional conduct officer.

Historical Note

Sec. filed Aug. 6, 1974; repealed, new filed June 26, 1978; amds. filed: Jan. 19, 1993; Nov. 9, 2004 eff. Nov. 25, 2004. Amended (c).

§ 83.2 Investigation.

The professional conduct officer shall direct that an investigation be done of the circumstances surrounding such conviction or act, and shall submit a report of the findings and a recommendation as to whether to proceed to a formal hearing to the State professional standards and practices board for teaching or to a subcommittee of such board, as determined in the bylaws of the board, composed of no fewer than five members approved by majority vote of the board, to consider such reports.

Historical Note

Sec. filed Aug. 6, 1974; amds. filed: Jan. 19, 1993; Nov. 10, 1998 eff. Nov. 26, 1998.

§ 83.3 Review by board.

If upon review of the report of the professional conduct officer, such board or subcommittee concludes that a certified individual's moral character is adequate to permit continued certification as a teacher, or that an applicant's moral character is adequate to permit certification as a