



TYPE:	POLICY
SECTION:	COMMUNITY
TITLE:	VOLUNTEER CLEARANCE
ADOPTED:	AUGUST 18, 2016
UPDATED:	OCTOBER 10, 2017

VOLUNTEER CLEARANCE PROCEDURES

Purpose

In accordance with State policy, all adult volunteers responsible for the welfare of a child or having direct contact **or routine interaction** with children will need to obtain clearances. All volunteers must submit clearances prior to the commencement of service.

Definitions

Child: For purposes of clearances, a child is an individual under 18 years of age.

Direct Contact: Direct contact with children is defined in § 6303 (relating to definitions) as the care, supervision, guidance or control of children. **Examples include but are not limited to operating a vehicle that transports students to a school-sponsored activity or field trip, working with a small group of students or an individual, and scribing for students during examination periods.**

Routine Interaction: Routine interaction with children is defined in § 6303 (relating to definitions) as the regular and repeated contact that is integral to a person's volunteer responsibilities. **Examples include but are not limited to regular volunteer classroom assistants, coaches, and club advisors.**

Examples of when a visitor or volunteer would not need clearances include but are not limited to Evening Collaboratives, Back-to-School night, parent/teacher conferences or meetings, school assemblies, school concerts, class parties, chaperones for field trips (so long as not routine or responsible for the child's welfare.)

Determination

Clearances must be obtained if:

- The volunteer is 18 years of age or older (adult).
- The volunteer is acting in lieu of or on behalf of a parent.
- The volunteer is responsible for the welfare of a child or has direct contact **or routine interaction** with children.

Required Clearances

According to the Pennsylvania Department of Human Services, all prospective volunteers must obtain the following clearances:

- Report of criminal history from the Pennsylvania State Police (PSP); and
- Child Abuse History Clearance from the Department of Human Services (Child Abuse).

A fingerprint-based federal criminal history (FBI) submitted through the Pennsylvania State Police or its authorized agent is not required if:

- The position the volunteer is applying for is unpaid; and
- The volunteer has been a Pennsylvania resident continuously for the past 10 years.

Volunteers who are not required to obtain the FBI Clearance because they are applying for an unpaid position and have been a continuous resident of Pennsylvania for the past 10 years must swear or affirm in writing that they have been a Pennsylvania resident for at least ten (10) consecutive years and are not disqualified from service based upon a conviction of an offense under §6344.

Obtaining Clearances

The Child Abuse, PSP and FBI clearances can all be applied and paid for electronically. The FBI clearance also requires a fingerprint submission.

1. **Pennsylvania State Police Request for Criminal Records Check** (Act 34).
<https://epatch.state.pa.us/>
 - On the registration page, simply click on the link, "New Record Check for Volunteers Only" and you will be directed through the process.
 - The clearance is free for volunteers.
2. **Department of Public Welfare Child Abuse History Clearance** (Act 151).
www.compass.state.pa.us/cwis/Public/home.
 - First time users must first create a **new account**.
 - A paper form may also be requested for those who do not have computer access.
 - The clearance is free for volunteers.
3. **Federal Criminal History Record Information** (FBI Fingerprinting, Act 114).
https://www.pa.cogentid.com/index_pdeNew.htm
 - The FBI report is obtained through Cogent Systems. You are required to register then travel to a Cogent-approved print location to complete fingerprinting.
 - Code 1KG6Q9 for GCS

- After you are fingerprinted, results will be reviewed electronically; the report can be accessed within 48 hours, but the school must be given the Registration ID which you will receive when you register.
- You may register by phone at 1-888-439-2486 or online at www.pa.cogentid.com. You can also find fingerprinting locations on this website.
- Applicants must register through the Pennsylvania Department of Education.
- If registering online, **first time users must create a new account**. This link is located under **Useful Links**.
- A fee for this background check is \$24.25 (as of Oct. 2017)

Renewal

All volunteers will be required to obtain clearances every 60 months. Timeframes for renewed clearances are based upon the date of each individual clearance. If an individual or agency elected to renew all clearances at the same time, the date of the oldest clearance rather than the most recent would be used. Volunteers are required to obtain updated clearances as follows:

- Within 60 months of the date of the most recent clearance;
- By July 1, 2016, if the clearance is older than 60 months; or
- By July 1, 2016, if they were approved as a volunteer before July 1, 2015, and had not received a clearance because they previously were not required to obtain clearances.

Provisional Requirement

Individuals who reside in another state or country may serve as a volunteer for no more than 30 days as long as they provide clearances from their state or country of residence. If the individual will be volunteering for more than 30 days, they must obtain clearances as outlined above. Volunteers who reside in Pennsylvania do not have a provisional period and must obtain clearances as outlined above.

Arrest/Conviction

If a volunteer is arrested for or convicted of an offense that would constitute grounds for denying participation in a program, activity or service, or is named as a perpetrator in a founded or indicated report, the volunteer must provide the administrator or their designee with written notice, not later than 72 hours after the arrest, conviction or notification. This includes if the person has been listed as a perpetrator in the statewide database. A volunteer who willfully fails to disclose information as required above commits a misdemeanor of the third degree and shall be subject to discipline up to and including termination or denial of a volunteer position.

Additional Information

Pennsylvania Department of Human Services, Volunteer Frequently Asked Services:

http://www.dhs.state.pa.us/cs/groups/webcontent/documents/document/c_135249.pdf

TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH THE SCHOOL'S CHARTER OR APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS/OR CHARTER CONTROL.

Adopted this _____ day of _____, 2017

Board President

Board Secretary

Take note of these new laws regarding school volunteers and work permits for students!

Volunteer FBI Background Check

All school volunteers must now obtain a volunteer Service Code from the Pennsylvania Department of Human Services (DHS). This change is in response to a bulletin issued by DHS that indicates all individuals governed by the Child Protective Services Law (CPSL) must obtain clearances through DHS. This change includes all public, private, and nonpublic school volunteers. To obtain a volunteer Service Code, individuals must contact DHS directly at 1-877-371-5422 or RA-PWCPSLQUESTIONS@pa.gov.

Child Labor Law Changes being sent on behalf of the Pennsylvania Department of Labor and Industry

A recent change to the Pennsylvania Child Labor Act affects how school officers can issue minor work permits.

Before March 2020, the Child Labor Act required applicants for minor work permits to appear before a school issuing officer in person. In March 2020, the in-person appearance requirement was suspended and **virtual** appearances before school issuing officers were permitted.

Act 117 of 2022 makes this change permanent effective January 2, 2023. Going forward, applicants for minor work permits may appear before a school issuing officer virtually or in person.

Please don't hesitate to reach out to me if you have any questions.