



## Pennsylvania's State System of Higher Education Certification of Compliance with Required Clearances *(Under the Child Protective Services Law)*

**Please read this entire form carefully before completing it.** This form is to be used by program administrators of non-university-sponsored programs or nonuniversity groups and/or independent contractors providing services to university-sponsored programs, hereafter identified as the Responsible Organization.

### Section 1. Certifications

All staff, paid and unpaid, who may have direct contact, interact with, treat, supervise, chaperone, or otherwise oversee minors must have the following satisfactory background clearances in accordance with Pennsylvania's Child Protective Services Law, 23 Pa.C.S. § 6344. Notwithstanding any requirement or interpretation of the law otherwise, contractor employees providing services such as janitorial, food service, and bookstore contractors, or others as designated by the university, are hereby considered as meeting the scope above and require background clearances. The Responsible Organization will maintain records of the clearances, and the university will have the right to review the clearance files to validate that there is no disqualifying information. All clearances must be renewed every three years and include the following:

1. Pennsylvania State Police (PSP) Criminal Record Check.
2. Pennsylvania Department of Human Services Child Abuse Clearance.
3. Federal Bureau of Investigations (FBI) Criminal Background Check.

**Exception for Volunteers.** A person responsible for selecting volunteers shall require an applicable prospective volunteer, prior to the commencement of service, to submit only the information under items 1 and 2 above, if the following apply:

1. The position for which the prospective volunteer is applying is unpaid.
2. The prospective volunteer has been a resident of the Commonwealth of Pennsylvania during the entirety of the previous ten-year period.
3. The prospective volunteer swears or affirms in writing that the prospective volunteer is not disqualified from service pursuant to Pennsylvania's Child Protective Services Law, 23 Pa.C.S. § 6344(c), or has not been convicted of an offense similar in nature to those crimes listed in § 6344(c) under the laws or former laws of the United States or one of its territories or possessions, another state, the District of Columbia, the Commonwealth of Puerto Rico or a foreign nation, or under a former law of the Commonwealth of Pennsylvania.

Further, all staff, paid and unpaid, who may have direct contact, interact with, treat, supervise, chaperone, or otherwise oversee minors must provide written notice to \_\_\_\_\_ (the designated person in charge for the Responsible Organization) if listed staff are: (1) arrested for, or convicted of, a Reportable Offense (listed below) that would constitute grounds for denial of employment or participation in a program, activity, or service; or (2) named as a perpetrator in a founded or indicated report of child abuse. The Responsible Organization shall require listed staff to provide written notice within 72 hours of arrest, conviction, or notification that the person has been listed as a perpetrator in the statewide database. The Responsible Organization will also notify the following person at the university of any such reports: \_\_\_\_\_.

If the Responsible Organization has a reasonable belief that staff, paid and unpaid, who may have direct contact, interact with, treat, supervise, chaperone, or otherwise oversee minors has been arrested or convicted of a Reportable Offense or was named as perpetrator in a founded or indicated report, or if staff, paid and unpaid, who may have direct contact, interact with, treat, supervise, chaperone, or otherwise oversee minors has provided notice of activity that would be sufficient to deny employment or program participation, the Responsible Organization must immediately require the staff to immediately submit current information as required for the three background clearance checks listed above.

## Section 2. List of Reportable Offenses

A Reportable Offense enumerated under Pennsylvania's Child Protective Services Law, 23 Pa.C.S. § 6344(c), consists of one or more of the following:

1. Provisions of Title 18 of the Pennsylvania Consolidated Statutes (relating to crimes and offenses) or an equivalent crime under the laws or former laws of the United States or one of its territories or possessions, another state, the District of Columbia, the Commonwealth of Puerto Rico or a foreign nation, or under a former law of the Commonwealth of Pennsylvania:
  - Chapter 25 relating to criminal homicide
  - Section 2702 relating to aggravated assault
  - Section 2709.1 relating to stalking
  - Section 2901 relating to kidnapping
  - Section 2902 relating to unlawful restraint
  - Section 3121 relating to rape
  - Section 3122.1 relating to statutory sexual assault
  - Section 3123 relating to involuntary deviate sexual intercourse
  - Section 3124.1 relating to sexual assault
  - Section 3125 relating to aggravated indecent assault
  - Section 3126 relating to indecent assault
  - Section 3127 relating to indecent exposure
  - Section 4302 relating to incest
  - Section 4303 relating to concealing death of a child
  - Section 4304 relating to endangering welfare of children
  - Section 4305 relating to dealing in infant children
  - A felony offense under Section 5902(b) relating to prostitution and related offenses
  - Section 5903(c) or (d) relating to obscene and other sexual materials and performances
  - Section 6301 relating to corruption of minors
  - Section 6312 relating to sexual abuse of children
2. An offense designated as a felony under the act of April 14, 1972 (P.L. 233, No. 64), known as "The Controlled Substance, Drug, Device and Cosmetic Act," committed within the preceding five-year period.
3. A founded report within the preceding five-year period in the statewide database maintained by the Department of Human Services.

## Section 3. Certification Signature

*By signing this form, I acknowledge and certify compliance with the Child Protective Services Law, 23 Pa.C.S. § 6301 et seq. and the requirements outlined in Section 1. Certifications, above. I also swear and affirm under penalty of law that the statements made in this form are true, accurate, correct, and complete.*

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Responsible Organization