



Who needs clearances?

Under Act 15 of 2015 (the Act), which amends the provisions of the Child Protective Services Law, Beginning July 1, 2015 an **adult** applying for an unpaid position as a volunteer responsible for the welfare of a child or having direct contact with children.

What is the definition of child?

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

How is direct contact with children defined?

Direct contact with children is defined in § 6303 (relating to definitions) as the care, supervision, guidance or control of children or routine interaction with children.

- The Act clarifies that "routine interaction" means "regular and repeated contact that is integral to a person's employment or volunteer responsibilities."

How is "regular intervals" defined?

- PDE recommends that supervisors interpret "regular intervals" with the safety of children as the paramount consideration and suggests that "regular intervals" should mean at least once daily and not less than every four hours.

PDE's view is that mere visitors to schools are not normally required to obtain background checks to the extent that such visitors are visiting the school **irregularly** and without providing for the care, supervision, guidance, or control of children.

In this capacity, school visitors do not need the clearances. By contrast, persons who wish to visit the school **regularly** to serve as volunteers and to provide for the care, supervision, guidance or control of children would be required to have background checks. Some examples of persons needing background checks would include but not be limited to:

- regular classroom volunteer assistants
- recess and library volunteers



- volunteer coaches/club advisors

How is "immediate vicinity" defined?

"Immediate vicinity" is defined as an area in which an individual is physically present with a child and can see, hear, direct, and assess the activities of the child.

Which background checks are needed?

- Report of criminal history from the Pennsylvania State Police (PSP)
- Child Abuse History certification from the Department of Human Services (Child Abuse)
- A fingerprint based federal criminal history (Federal Bureau of Investigation) registered through the Pennsylvania Department of Education OR **THE DEPARTMENT OF HUMAN SERVICES**

Can a child abuse history certification or PSP criminal history certification obtained for volunteer activities be used for employment purposes?

No. Child abuse history certifications and PSP criminal history certifications obtained for volunteer purposes can only be used for other volunteer activities. Child abuse history certifications obtained for volunteer purposes will indicate that the certification is to be used for volunteer purposes only.

****Can FBI Criminal History certifications obtained through the Department of Human Services be accepted by schools for volunteer purposes?**

Yes.