

REMINDER - NEW PENNSYLVANIA REGULATIONS REGARDING EMPLOYEE BACKGROUND CHECKS & FINGERPRINTING

Much has already been written and discussed regarding last year's amendment to PA Law HB 435. This is intended to remind you of your major responsibilities under the amended law, as the 2015 camp season rapidly approaches.

In short, the amended law requires employees or volunteers that have significant likelihood of regular contact with children (not maintenance staff, cooks in the kitchen, etc), to have three separate checks performed:

1. A Pennsylvania Criminal History Check performed through the PA State Police.
2. A Pennsylvania Child Abuse History Check performed through the PA Department of Human Services.
3. An FBI fingerprint check.

1 can be done on line at <https://epatch.state.pa.us/home.jsp>.

2 can be done on line at www.compass.state.pa.us/cwis.

The cost for # 1 and # 2 above is \$10 each.

The State has contracted with Cogent (a 3M Company), to handle the finger printing process. The cost of this Cogent Registration is currently \$25.75 per person. If you decide to pick up this cost, your camp will have to first register as an Agency User by going to <https://www.pa.cogentid.com> and clicking on the PA Department of Public Welfare Tab. Enroll under the Agency Use, Agency Enrollment section and you will receive a billing ID number and password. You will have to provide this billing ID and password information to your employees in advance, after you register as an Agency. Once employees start registering, your camp will then receive a monthly statement of all charges incurred.

After you register as an Agency the employee or volunteer must *also* register by going to <https://www.pa.cogentid.com> and clicking on the same PA Department of Public Welfare Tab, but going to the Registration Section and select Register Online. When the employee starts to register, they will see a payment drop down box. If you have agreed to pay the fee they must enter your billing ID # and password. When completed, they will receive a registration ID # which will be required later when the actual finger print is taken.

If you choose not to pay this fee, when the employee registers they can pay with their own credit card, by selecting the appropriate drop down box when prompted for payment.

Once they have completed the steps above, they must be finger printed by a Cogent recognized provider. The list of locations and hours can easily be found on the Cogent website. We understand some of these locations have limited hours of operation and will only take one person at a time.

Alternatively, camps can contact a Cogent certified firm that will come to your camp and take all necessary finger prints electronically on site and submit them for FBI processing. The cost varies by your camp's location and the number of prints, and if you choose this option you should make arrangements quickly so you can secure the most convenient time. There is a cost per person for a print done at either a mobile or a sedentary Cogent site of \$10 per person or more, so please check beforehand.

One such mobile firm is www.fingerprintsnow.com. Call them at 215-510-2428 and ask for Mr. Jann Stachel, or email pbeissel@fingerprintsnow.com for details. Or select another such provider.

Either way you chose to go:

- Be certain when the employee registers with Cogent that they use your camp address so the record comes to camp.
- Keep the finger print records forever, if you are ever audited or involved in a case.

The law provides a 90 day period from the date of the applications for your employees to work with your campers before all the results are in, as long as they sign the Employee or Volunteer Statement required under the law. The appropriate forms are attached.



Michael Labadorf CPCU Executive Vice President

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VOLUNTEER STATEMENT

I, _____ hereby swear or affirm that I have been a resident of Pennsylvania for the past ten years.

I further swear or affirm that I have read the requirements of 23 P.S. Section 6344 (c) below, and that am not disqualified from employment involving regular contact with children.

(c) Grounds for denying employment or participation in program, activity or service.--

(1) In no case shall an administrator hire or approve an applicant where the department has verified that the applicant is named in the Statewide database as the perpetrator of a founded report committed within the five-year period immediately preceding verification pursuant to this section.

(2) In no case shall an administrator hire an applicant if the applicant's criminal history record information indicates the applicant has been convicted of one or more of the following offenses under Title 18 (relating to crimes and offenses) or an equivalent crime under Federal law or the law of another state:

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 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).

The attempt, solicitation or conspiracy to commit any of the offenses set forth in this paragraph.

(3) In no case shall an administrator hire an applicant if the applicant's criminal history record information indicates the applicant has been convicted of a felony offense 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 five-year period immediately preceding verification under this section.

Signed:

Witnessed:

Dated:

DISCLOSURE STATEMENT
APPLICATION FOR PROVISIONAL EMPLOYMENT IN A CHILD-CARE SERVICE
Required by the Child Protective Service Law
23 Pa. C.S. Section 6344 (relating to information relating
to prospective child-care personnel)

I swear/affirm that I have mailed the requests for clearance to ChildLine and the Federal Bureau of Investigation.

I swear/affirm that I have not been named as a perpetrator of a founded report of child abuse or as an individual responsible for a founded report for a school employee as defined by the Child Protective Services Law.

I swear/affirm that I have not been convicted of any of the following crimes under Title 18 of the Pennsylvania consolidated statutes or equivalent crime in another state.

Chapter 25	(relating to criminal homicide)
Section 2702	(relating to aggravated assault)
Section 2709	(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 child)
Section 4304	(relating to endangering welfare of children)
Section 4305	(relating to dealing in infant children)
Section 5902(b)	(relating to prostitution and related offenses)
Section 5903(c) (d)	(relating to obscene and other sexual material and performances)
Section 6301	(relating to corruption of minors)
Section 6312	(relating to sexual abuse of children), or an equivalent crime under Federal law or the law of another state.

I have not been convicted of a felony offense under Act 64-1972 (relating to the controlled substance, drug device and cosmetic act) committed within the past five years.

I understand that my employment must be terminated if I am named as a perpetrator of a founded report of child abuse within the past five (5) years or have been convicted of any of the crimes listed above.

I understand that my employment may be terminated if I have been named as the perpetrator of an indicated or founded report of child abuse or as an individual responsible for the injury or abuse in a founded or indicated report for a school employee.

I hereby swear/affirm that the information as set forth above is true and correct. I understand that the penalty for false swearing is a misdemeanor of the third degree pursuant to Section 4903(b) of the Criminal Code.

Name: _____ Signature: _____

Witness: _____ Signature: _____

Date: _____