

Appointment of Employees and Required Certifications

All District employees, as a prerequisite to employment, must, at their own expense, comply with certain background check/certification requirements. Individuals whose background check/certifications reveal an offense that would disqualify the individual from obtaining work in the District under applicable law shall not be considered for employment.

Employees are required to obtain the following certifications as a condition of employment, and to obtain renewed certifications every sixty (60) months from the date of their oldest certification:

- PA Department of Human Services Child Abuse Certification (CY113)
- PA State Police Criminal Record Check for Employment (SP4-164)
- FBI Criminal Background Check (through the PA Dept. of Education)

Information on how to apply for and obtain certifications can be found on the District's website, and also on the Pennsylvania Department of Human Services' (DHS) website at: <http://dhs.pa.gov/publications/findaform/childabusehistoryclearanceforms/index.htm>.

No individual shall be hired if the applicant's criminal history record indicates conviction of a disqualifying offense under applicable law. If the person responsible for employment decisions or an administrator has a reasonable belief that an employee was arrested or convicted for an offense that would constitute grounds for denying employment, or was named as a perpetrator in a founded or indicated report of child abuse, or the employee has provided notice as required by applicable law, the employer or administrator must immediately require that individual to submit current FBI, State Police, and DHS certifications.

Furthermore, pursuant to Act 168 of 2014, before a District may offer employment to a person who would be in direct contact with children, the District must:

1. Require the applicant to provide:
 - a. all relevant contact information for his or her current employer and former employers that were school entities or where a position involved direct contact with children;
 - b. written authorization consenting to this disclosure by current and former employers and releasing them from liability stemming from disclosure; and
 - c. a written statement indicating whether the applicant (1) has been the subject of any abuse or sexual misconduct investigation unless the investigation resulted in a finding of false allegations; (2) ever has been disciplined, discharged, non-renewed, asked to resign from, or otherwise separated from employment while allegations of abuse or sexual misconduct were pending or under investigation, or due to an adjudication or findings of abuse or sexual misconduct; or (3) ever has had a license, professional license, or certificate suspended,

surrendered, or revoked while such allegations were pending or under investigation, or due to an adjudication or findings of abuse or sexual misconduct.

2. Review the applicant's employment history by contacting previous and current employers to request dates of employment and a statement as to whether the applicant was the subject of any actions specified in paragraph 1(c) above.
3. Check the applicant's eligibility for employment, confirm they hold a valid and active certification, and inquire whether the Pennsylvania Department of Education (PDE) has received notification of any pending criminal charges against the applicant.

Information received by the District may be used to evaluate an applicant's fitness for employment or continued employment, and may be reported to other governmental agencies as appropriate.

The District may not hire an individual who does not provide the requested information, although it may make a provisional-basis hire for up to ninety (90) days pending review of the requested information, so long as the District has no knowledge that could disqualify the applicant and the applicant swears or affirms in writing that they are not disqualified from employment. Furthermore, in accordance with Act 168 of 2014, when an Act 168 form is not received within the first twenty (20) days of the District's request for information, that employee may not work alone with children and must work in the immediate vicinity of a permanent employee during that twenty (20) day period.

The District may not enter into a collective bargaining agreement, employment contract, agreement for resignation/termination, severance agreement, or any contract after the effective date of this provision that suppresses information related to a report of suspected abuse or sexual misconduct; affects the District's ability to report suspected abuse or sexual misconduct; or requires the District to expunge information from any documents unless the allegations are determined to be false.

Applicants who provide false information or willfully fail to disclose required information may be terminated, denied employment, prosecuted criminally and/or civilly, and subject to professional discipline.

Cross References:

Board Policy and Administrative Regulation 4040 (Obligation to Report Driver's License Suspensions and Revocations);

Board Policy and Administrative Regulation 4041 (Obligation to Report Criminal Offenses)

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