



Senate Education Committee

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SENATE BILL 862-SENATOR SMUCKER

SYNOPSIS:

Amends the School Code to coordinate with child abuse clearance changes made in the Child Protective Services Law.

SUMMARY:

Amends the School Code to provide for changes to the child abuse clearance sections to coordinate with changes made to the Child Protective Services Law.

Requires prospective employees to provide child abuse clearance information that is not more than three years old. Child abuse clearance information includes:

A report of criminal history from the Pennsylvania State Police

Fingerprint based federal history criminal history submitted through the Pennsylvania State Police or its authorized agent (FBI).

Additionally persons employed prior to December 31, 2014, are required to obtain updated clearances as follows:

Within 36 months of the date of the most recent clearance;

By December 31, 2015, if they have not received a clearance because they were employed by the same position and were not required to obtain a clearance under prior law.

Requires persons that received clearances prior to April 1, 2007, to receive clearances no later than December 31, 2015.

To the extent permitted by the Child Protective Services Law, child abuse clearances obtained for employment or volunteer requirements under the CPSL may be used to satisfy the School Code clearance requirements, provided that the reports are not more than 36 months old and the applicant provides an attestation that the applicant has not been disqualified from employment.

Effective Date: Immediately.

HISTORY:

Currently the School Code required prospective applicants to receive clearances within ONE year of employment. Employees who received clearances on or before December 27, 2011 was not required to complete an additional form. Act 153 of 2014 required prospective applicants to receive clearances prior to employment and on a periodic basis (every three years.) The clearances pertain to employees who have direct contact with children which is defined in Act 153.