

AFFIRMATION
FOR EXEPTION OF FINGERPRINTING REQUIREMENT
UNDER ACT 153
(AMENDMENT TO CHILD PROTECTIVE SERVICES LAW)

Under Act 153 of the Commonwealth of Pennsylvania, the following background check clearances are required of all individuals, 18 years of age or older, who have either direct contact with children or are directly responsible for the welfare of a child or children:

- 1) Report of criminal history from the Pennsylvania State Police; and
- 2) Child Abuse History Clearance from the Department of Human Services.

Additionally, a fingerprint-based federal criminal history (FBI) submitted through the Pennsylvania State Police or its authorized agent is required if:

- a) the position is a paid position; or
- b) the individual has lived outside the Commonwealth of Pennsylvania in the last ten years.

VOLUNTEERS WHO ARE NOT REQUIRED TO OBTAIN AN FBI CLEARANCE BECAUSE THEY ARE APPLYING FOR AN UNPAID POSITION AND HAVE BEEN A CONTINUOUS RESIDENT OF PA FOR THE PAST TEN YEARS MUST STILL SWEAR OR AFFIRM IN WRITING THAT THEY ARE NOT DISQUALIFIED FROM SERVICE BASED UPON A CONVICTION OF AN OFFENSE UNDER §6344 (see reverse side).

Therefore, ALL individuals, 18 years of age or older, who have direct contact with a child or are directly responsible for the welfare of a child in the course of employment or while participating in any youth program MUST complete this document and return it to Ambassadors Football-Pittsburgh.

I HEARBY SWEAR AND AFFIRM THAT I (check each that apply):

_____ **have been a continuous resident of Pennsylvania for the past ten (10) years; and**

_____ **am not disqualified from service based upon a conviction of an offense under §6344©.**

(ANY PERSON KNOWINGLY AND WILLFULLY MAKING A FALSE AFFIRMATION ON THIS DOCUMENT MAY BE SUBJECT TO CRIMINAL PENALTIES)

Signature

Printed Name

Date

WHAT IS SECTION 6344(c)?

Section 6344(c), 23 Pa.C.S. §6344(c), relates to grounds that must be followed in determining whether a person can be hired for certain positions. If an applicant falls under one of the prohibitions of Section 6344(c), then the employer is required to deny employment or volunteerism in some cases. This Section applies to both paid employees and volunteers.

Section 6344(c) prohibits persons from obtaining employment or participating in certain activities as a paid/unpaid volunteer if their background checks reveal one or more of the following:

- 1) He/she is named in a statewide database as the perpetrator of a founded report committed within the five-year period immediately preceding verification;
- 2) His/her 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:
 - a) Chapter 25 (relating to criminal homicide)
 - b) Section 2702 (relating to aggravated assault)
 - c) Section 2709.1 (relating to stalking)
 - d) Section 2901 (relating to kidnapping)
 - e) Section 2902 (relating to unlawful restraint)
 - f) Section 3121 (relating to rape)
 - g) Section 3122.1 (relating to statutory sexual assault)
 - h) Section 3123 (relating to involuntary deviate sexual intercourse)
 - i) Section 3124.1 (relating to sexual assault)
 - j) Section 3125 (relating to aggravated indecent assault)
 - k) Section 3126 (relating to indecent assault)
 - l) Section 3127 (relating to indecent exposure)
 - m) Section 4302 (relating to incest)
 - n) Section 4303 (relating to concealing death of a child)
 - o) Section 4304 (relating to endangering welfare of children)
 - p) Section 4305 (relating to dealing in infant children)
 - q) A felony offense under Section 5902(b) (relating to prostitution and related offenses)
 - r) Section 5903(c) or (d) (relating to obscene and other sexual materials/performances)
 - s) Section 6301 (relating to corruption of minors)
 - t) Section 6312 (relating to sexual abuse of children)
 - u) The attempt, solicitation or conspiracy to commit any of the offenses listed above.
 - v) His/her criminal history record information indicates that he/she 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.

IMPORTANT INFORMATION REGARDING BACKGROUND CHECKS UNDER ACT 153

Amendments to the Child Protective Services Law made through Pennsylvania's recently-enacted Act 153 include **mandatory background checks** for all paid employees, as well as volunteers, who come in direct contact with children or have responsibility for the welfare of children in the course of their duties **every sixty (60) months**. Volunteers who have lived outside the Commonwealth of Pennsylvania within the past ten (10) years and/or do not meet the requirements of exemption from the Federal criminal history record information are required to submit an FBI Criminal History report. This necessitates submission of a full set of fingerprints to the PA State Police for the purpose of a record check. **ALL paid employees and unpaid volunteers who are mandated as referenced above will be required to sign an affirmation that he/she has lived in Pennsylvania over the past ten consecutive years and that he/she has not been convicted of an offense similar in nature to the crimes listed in §6344(c) under the laws or former laws in the U.S. or abroad.**

Another change under Act 153 is **Mandatory Reporting**. This means if you have reasonable cause to suspect that a child is a victim of child abuse under any (but not limited to) of the following circumstances, you **MUST** report your suspicions to the Pennsylvania Department of Human Services **IMMEDIATELY**. Some of these circumstances are:

- You become aware through contact with the child through the course of employment, occupation and/or practice of a profession or through a regularly scheduled program, activity or service;
- You become aware through direct responsibility for the care, supervision, guidance or training of a child, or affiliation with an agency, organization, institution or other entity that is directly responsible for the care, supervision, guidance or training of a child;
- You receive a specific disclosure from a person about the abuse of an identifiable child (even if the child is not under your care, supervision, guidance or training);
- A perpetrator 14 years of age or older discloses abuse of a child to you (even if the child is not under your care, supervision, guidance or training).

IF YOU SUSPECT AN INCIDENT OF CHILD ABUSE, REGARDLESS OF WHETHER A REPORT HAS BEEN FILED BY ANOTHER INDIVIDUAL REGARDING THE SAME CHILD, YOU ARE REQUIRED BY LAW TO REPORT IT IMMEDIATELY by either calling the 24-hour hotline at 1-800-932-0313 or online to www.compass.state.pa.us/cwis/public/home. **YOU MUST do this before you contact your supervisor.** If you report it orally by calling 1-800-932-0313, you must follow up with a written (DHS Form CY47) or electronic report within forty-eight (48) hours. If you file a report online, the website will provide confirmation of receipt. Print and retain that confirmation for your records. If you do not receive a confirmation, the report must be resubmitted until such confirmation is obtained. **Other than notifying your supervisor, no further action is necessary.**

The Child Protective Services Law, as amended, grants both civil and criminal immunity to all good-faith reports made by all reporters, not just mandatory reporters. Your identity as a reporter may be released only to law enforcement investigating allegations of false reports of child abuse and they are required to protect your identity to the same extent they would protect that of a confidential informant.

If you intentionally fail to report your suspicion of child abuse by either calling the hotline or filing a report online, there are penalties, the minimum of which would be a second degree misdemeanor.

If you have any questions regarding the above, please contact Human Resources at (610) 437-5524, ext. 150.