

Memorandum

To: All members and affiliates
From: Chris Branscome, Chief Executive Officer
Date: 3/23/2015
RE: PA Child protection laws and clearances
CC: Board of Directors
Rick Tompkins, Risk Manager

This memo will provide a brief overview to further clarify the requirements for compliance with the new child protection laws in Pennsylvania. Each member organization should familiarize themselves with the information on these matters provided by the Commonwealth of Pennsylvania. The best resource is the website they created, www.keepkidssafe.pa.gov

Volunteers requiring clearances are those “acting in lieu of a parent” or having direct contact where they provide care, supervision, guidance or control of children or have routine interaction with children.

- Beginning July 1, all adults 18 years and older applying for an unpaid position as a volunteer responsible for the welfare of a child and having direct contact with children, must have clearances that include:
 - PA Child Abuse History clearance (\$10)
 - PA State Police Criminal Records Check (\$10)
 - An FBI Criminal Background Check **if you have not been a continuous resident of Pennsylvania for 10 years** (\$27.50)
- Volunteers not requiring an FBI check, and have been a continuous resident of PA for the last ten years, must swear or affirm in writing that they have no other convictions that would disqualify them.
- Clearances are required prior to the commencement of service.
- Volunteers between the ages of 14-17 are NOT required to have clearances. Adults (18 and up) who only volunteer one time, are NOT required to have clearances.
- Each organization must keep records of volunteer/employee clearances
- All adults (Within the context of the new law) are “mandatory reporters.” Volunteers are not required to have child abuse training or certification, although it is recommended.
- Organizations may choose to pay for their volunteers to complete the background checks. Organizations may set up a business account through the Child Welfare Information Solution or by contacting the PA State Police
- The clearances are good for 36 months. They are portable and may be used with other organizations.
- Volunteers who do not reside in PA have a 30 day provisional status, so long as they provide clearances from the state or country where they reside. Longer than 30 days requires the clearances stated above.
- Employees, including independent contractors, must have all three clearances.

- Employee- 14 years or older applying for a paid position responsible for the welfare of a child or having direct contact with children
- Referees, trainers, camp staff etc... would be considered as employees in this context.

At present, the Child Abuse History Clearance may take 14 days for volunteers. The State Police records check is, or should be, instantaneous. Please plan accordingly.

We will continue to refine our state risk management policy as the laws and compliance continues to evolve. Our current standards for disqualification will remain in accordance with US Youth Soccer and US Soccer policy: conviction of a felony, crime of violence or a criminal offense against a person. The state association reserves the right to institute stricter guidelines and additional clearances.

All organizations will be required to affirm their compliance with these laws. For travel programs, all adults who seek to be placed on a roster will continue to register themselves through our risk management portal. Adults who have not obtained their clearances will not be placed on a roster.

We will continue to work with members of the state legislature to refine the laws and procedures to reduce unintended consequences and enhance the safety of our children. We recommend that you visit with your local state representative as well. If you have further questions, we will assist as best we can but will also refer you to the appropriate authorities. Again, for more in depth information, please visit www.keepkidssafe.pa.gov.