

Please go to http://www.portal.state.pa.us/portal/server.pt/community/background_checks_%28act_114%29/7493 to retrieve links that are unlined and in color. These links provide additional important information.

Background Checks (Act 114 and Act 24)

Changes to Section 111 of School Code are Effective September 28, 2011.

Act 24 of 2011 (Act 24) contains a number of significant changes to the Pennsylvania Public School Code that are designed to enhance the safety of school children. Among these changes, Act 24 amends Section 111 of the School Code, the section of the School Code that provides for background checks for employees of public and private schools, intermediate units and area vocational-technical schools (AVTS). Section 111 also applies to independent contractors and their employees who have direct contact with children and to student teacher candidates assigned to public and private schools (link for PDF [New Background Check PennLink](#)).

Availability of new PDE Form for Employees to Report Section 111(e) Offenses to School Administrators.

The new law includes an important mechanism to help ensure that current school employees, who may not have been subject to a previous background check, are now required to provide assurances that they have not been previously arrested or convicted of Section 111(e) offense. Accordingly, under Act 24, all current school employees are required to complete and **return to their school administrator or other person responsible for school employment decisions (the School Administrator) a form developed by PDE to report prior arrests or convictions for any offense listed in Section 111(e). This form (PDE-6004) is now available on this page (link for PDF [Arrest or Conviction Report](#)).**

All current school employees of a public or private school, intermediate unit or AVTS must complete PDE-6004 and return it to the School Administrator by December 27, 2011. DO NOT RETURN THIS FORM TO PDE.

School Administrators are responsible for making sure that all employees complete this form. If an employee refuses to submit the form, Act 24 requires that the School Administrator require the employee to submit a current background check under Section 111. In addition, school employees will be required to report to the School Administrator within seventy-two (72) hours any arrest or conviction of an offense listed in Section 111(e) that occurs after September 28, 2011. The PDE form should be used to report these arrests or convictions to the School Administrator. School Administrators are advised to notify their employees of the availability of PDE-6004 as soon as possible as well as inform their employees as to whom the form must be returned and the applicable deadlines for return of the form.

EFFECTIVE SEPTEMBER 14, 2010, THE FEE CHARGED FOR FEDERAL (FBI) CRIMINAL HISTORY BACKGROUND CHECKS WILL BE REDUCED FROM \$36.00 TO \$33.00. (Additional fee of \$2.50 when the individual requests a paper copy.)

Introduction

The purpose of this page is to ensure administrators and applicants are aware of 24 P.S. §1-111, as amended, and Chapter 8 of the State Board of Education Regulations concerning criminal history background checks. In addition, the procedures to be followed for obtaining background checks are included in this web page. We recommend that administrators and applicants become familiar with both the law and the regulation.

Act 114 of 2006 specifies that all applicants for employment in public and private schools including employees of independent contractors, but excluding employees who do not have

direct contact with students undergo background checks. In addition, Act 114 extends the background check requirements to include student teacher candidates. As of April 1, 2007 the following three background checks are required:

1. Pennsylvania State Police Request for Criminal Records Check (Act 34). Applies to individuals hired as of January 1, 1986.
2. Department of Public Welfare Child Abuse History Clearance (Act 151).
3. Federal Criminal History Record Information (CHRI) in a manner prescribed by the Department of Education

The Department of Education has outlined procedures for obtaining the federal criminal history record information from the FBI. The procedure for obtaining a federal background check has changed since December 1, 2008 and this procedure, including information for obtaining the PA State Police Criminal Records Check and the Department of Public Welfare Clearance is included in this webpage. In addition, Frequently Asked Questions and Answers are included to assist school administrators and applicants with the process.

Information & Procedures

- [Federal Criminal Background Checks](#) (contains the following)

Implementation	School Entity Procedures
General Requirements	Student Teachers and Universities
Applicant Procedures	School Contractor Procedures
Agency Billing (ABID)	Other Entities
Unofficial Report (Applicant copy)	Provisional Hire
Fingerprint Processing and Storage	Group Fingerprinting
Fingerprint Correction and Resubmission	Security
Obtaining a Username and Password	Where to Find Help

- [Presentation for Contractors](#) (PDF file – [link for free Adobe Reader](#))
- [Background Check Webinar](#) (Recorded Elluminate Webinar - 4/22/2009)

Frequently Asked Questions – Background Checks

- [General Questions and Answers](#)
- [PDE and DPW Reports: Differences and Acceptability](#)
- [Frequently Asked Questions for Student Teachers](#)
- [Frequently Asked Questions for PIAA Officials](#) (PDF)

Guidance and Law Regarding Criminal Background Checks

- [Act 34 Background Check Information](#)
- [Act 151 \(Child Abuse\) Background Check Information](#)
- [Act 114 of 2006, 24 PS 1-111, Law for Federal \(FBI\) Background Checks](#)

Nurse Aides

- [Online Review – FBI Reports for Eligibility into a Nurse Aide Training Program](#) (PDF file – [link for free Adobe Reader](#))

PIAA Sports Officials Background Check Requirements (link to [webpage](#))

- **PDE Instructions for Schools (PDF)**
- **PIAA Memorandum to Sports Officials 7/1/2009 (PDF)**
- **Frequently Asked Questions for PIAA Officials (PDF)**
- **Background Check Presentation for PIAA Sports Officials (PDF)**
- **Provisional Contracting Statement Sample (Word and PDF)**
- **Background Checks for PIAA Sports Officials Webinars (Illuminate Webinar)**
 - **Listing of available Webinars**
 - **Instructions for Webinar Recordings (PDF)**

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