

Notes for Board Members – On the advice of counsel, this policy has been revised to reflect the new PA Child Protection laws as follows:

- *In accordance with Act 153 (new PA child protection laws) volunteer background checks are required to be updated every three years.*
- *Background clearance requirements for employees and volunteers are broken into two sections since there are differences in the requirements for these personnel.*
- *Per Act 153 “direct contact with children” is defined in our policy as being “responsible for the care, supervision, guidance, or control of children or who will have routine interaction with children.*
- *Members of the Board and all volunteers having direct contact with children are required to go through:*
 - *Prescreening for criminal and driving violations (GSUSA vendor)*
 - *State Police Background Check*
 - *ChildLine Background Check*
 - *FBI Background Check if lived in PA for under 10 years*
- *Volunteers playing purely a financial role and elected members of the Board’s standing committees (i.e., BDC members) must go through a prescreening for criminal and driving violations.*
- *Removed a lengthy list of criminal laws unnecessary to this policy.*

BACKGROUND CLEARANCE POLICY
Adopted February 3, 2015

In an effort to promote safe environments and supervision of its Girl Scouts and in order to comply with legal requirements, Girl Scouts in the Heart of Pennsylvania (GSHPA) requires all prospective volunteers and employees who have direct contact with children to undergo background checks. In addition, volunteers or employees who are likely to handle funds in excess of \$1,000 are required to undergo background checks, as are members of the Board of Directors and elected members of the Board’s standing committees. Where background checks are required, they shall be repeated every three years.

Background Clearances for Employees

Prior to beginning employment, all prospective GSHPA employees must submit: (1) a report of criminal history record information from the Pennsylvania State Police; (2) a certification from the Department of Human Services as to whether the person is named as the alleged perpetrator in a pending child abuse investigation or a founded report of child abuse; and, (3) a report of Federal Criminal History Record Information check.

Employees may be employed on a provisional basis for a period of up to 90 days if: (1) the required background checks have been applied for and a copy of the completed request forms is submitted to GSHPA; (2) GSHPA has no knowledge of any criminal or child abuse information that would disqualify the person from employment; (3) the person submits an affidavit, in the form requested by GSHPA, that he/she has no disqualifying criminal conviction or child abuse record. Employees working on a provisional basis are not permitted to work alone with children and must work in the immediate vicinity of a non-provisional employee.

Background Clearances for Volunteers

Prior to beginning service, members of the GSHPA Board of Directors and any prospective volunteer of GSHPA who will be responsible for the care, supervision, guidance, or control of children or who will have routine interaction with children must submit: (1) a completed application to GSHPA allowing for a pre-screening for criminal and driving violations through a GSUSA-approved national vendor; (2) a report of criminal history record information from the Pennsylvania State Police; and, (3) a certification from the Department of Human Services as to whether the person is named as the alleged perpetrator in a pending child abuse investigation or a founded report of child abuse.

If the prospective volunteer has not resided in Pennsylvania during the entirety of the ten-year period prior to his/her application to volunteer, then he/she shall also submit, prior to beginning volunteer service, a report of Federal Criminal History Record Information. If the prospective volunteer has resided in Pennsylvania for the entirety of the ten-year period prior to his/her application to volunteer, then he/she may submit, in lieu of the report of Federal Criminal History Record Information, an affidavit, provided in the pre-screening form supplied by GSHPA, that he/she has no disqualifying criminal conviction or child abuse record.

Volunteers not supervising children—including volunteers who will be handling in excess of \$1,000, and elected members of the Board's standing committees—must undergo a check of criminal history record information every three years through a GSUSA-approved national vendor.

Background Check Process and Disqualification

To the extent feasible, GSHPA may offer assistance to prospective employees, volunteers, Board members, and members of the Board's standing committees to apply for the required background checks. Information about any available assistance is available from the Office of the President and Chief Executive Officer.

A copy of the required background checks shall be provided to and retained by GSHPA.

The prospective employee or volunteer shall be disqualified from employment or service, and any provisional employee will be immediately terminated if any background check indicates:

- (1) that the person is named as a perpetrator of a founded report of child abuse committed within the preceding five-year period; or

- (2) that the person has been convicted of a felony offense under the Controlled Substance, Drug, Device and Cosmetic Act, committed within preceding five-year period; or
- (3) that the person has been convicted of one of the disqualifying crimes listed in the Child Protective Services Law (as amended from time to time) or an equivalent crime under Federal law or the law of another state. By way of examples only and not as an exhaustive list, the disqualifying crimes include homicide, aggravated assault, kidnapping, sexual assault, corruption of minors, and indecent exposure.

At the discretion of the GSHPA, prospective employees, volunteers, Board members, or members of the Board's standing committees also may be denied a position or have their roles restricted due to convictions of felony or misdemeanor crimes, indicated or founded reports of child abuse, or a history of financial irresponsibility. These decisions will be made at the discretion of the GSHPA, after consideration of the relevant circumstances.

If any employee or volunteer who has direct contact with children is arrested for or convicted of a disqualifying crime or is named as a perpetrator in a founded or indicated child abuse report, the person must provide written notice to GSHPA within 72 hours. Upon such notification, GSHPA will take appropriate action, as required by law and according to its discretion, which may include termination of employment or volunteer service.