This policy establishes measures to protect children on the College’s campuses, centers and other facilities from child abuse, including the clearances required for any adult who will have direct contact with children in connection with that person’s affiliation with the College. All College employees, students, independent contractors, and volunteers in College-sponsored programs or in programs for minors held on College property are subject to and must comply with the requirements of this policy and the requirements of Pennsylvania’s Child Protective Services Law (“CPSL”).

The requirements of this policy apply to all programs and activities involving children that are sponsored by the College, including credit and non-credit course offerings, programs operated by the College in College owned or leased facilities, and programs under the direction and authority of the College conducted at locations off campus. In addition, all programs subject to state licensure are required to comply with applicable laws and regulations relating to child protection, clearances, mandatory reporting, and training.

Except for the reporting of child abuse, this policy does not apply to: (1) events on College property that are open to the general public and which minors attend at the sole discretion of their parents or legal guardians; (2) private events where minors attend under parental or legal guardian supervision; or (3) other programs as may be designated by the College president or his or her designee in advance and in writing as exempt.

DEFINITIONS

“Direct contact with children” as used herein shall mean providing care, supervision, guidance, or control of children, or routine interaction with children.

“Child” or “children” as used herein refers to any person under 18 years of age.

“Child abuse” as used herein shall have the meaning set forth in Section 6303 of the CPSL, and includes intentional, knowing or reckless actions or omissions that cause or create a likelihood of bodily or mental injury to a child, the sexual abuse or exploitation of a child, and serious physical neglect of a child.
CLEARANCES

Clearances will be required before any adult may be hired, appointed, employed, assigned, reassigned, or otherwise placed or permitted by the College to serve in a position that involves direct contact with children. Required clearances include the following:

- FBI Criminal Background Check
- Pennsylvania Department of Human Services Child Abuse History Clearance
- Pennsylvania State Police Criminal Background Check

Additional clearances relating to contact with children may be required to the extent required by law or by a third party as a condition of access to that third party’s facilities. Students are not required to submit clearances under this policy unless they are also employed by or serving as an unpaid volunteer for the College in a position that involves direct contact with children. However, students may be required to submit clearances in order to enroll in a specific course or program or to complete degree requirements that involve access to a third party’s facility or that otherwise involve a significant likelihood of direct contact with children.

Clearances will be subject to periodic renewal in accordance with the requirements of the CPSL.

No individual will be permitted to work or participate in a program, activity or service involving direct contact with children if said individual’s clearances indicate a conviction for a criminal offense or a founded report of child abuse that would disqualify the individual from working with children under Section 6344(c) of the CPSL.

REPORTING OF ARRESTS AND CONVICTIONS

All employees, volunteers and other individuals covered by this policy must provide written notice to the College’s Human Resources Office if they are: (1) arrested for, or convicted of, an offense that would constitute grounds for denial of employment or participation in a program, activity, or service under Section 6344(c) of the CPSL; or (2) are named as a perpetrator in a founded or indicated report under the CPSL. The employee, volunteer, or program administrator shall provide such written notice within 72 hours of arrest, conviction, or notification that the person has been listed as a perpetrator in the statewide database. Willful failure to make a written notification as required herein may result in disciplinary action, including termination of employment or assignment, as well as criminal prosecution under the CPSL.

If the College receives information which establishes a reasonable belief that an employee or volunteer has been arrested or convicted of a reportable offense or was named as perpetrator in a founded or indicated report under the CPSL, then the employee or volunteer in question will be required to submit current clearances in accordance with established College procedures and the requirements of Section 6344.3 of the CPSL.
INDEPENDENT CONTRACTORS & THIRD PARTY SERVICE PROVIDERS

Independent contractors, vendors and other third parties which provide programs, activities or services to or on behalf of the College shall be required to comply with the requirements of the CPSL, including, at a minimum, obtaining required clearances from their agents and employees who will have direct contact with children and reporting suspected child abuse to the appropriate authorities.

MANDATORY REPORTING

In accordance with Pennsylvania law, any employee, volunteer or independent contractor who has reasonable cause to suspect child abuse, including but not limited to sexual abuse, shall make an immediate and direct report to ChildLine, either electronically at http://www.compass.state.pa.us/cwis or by calling 1-800-932-0313. Immediately thereafter, the individual must also make an immediate and direct report to the College’s Civil Rights Compliance Officer or the College’s General Counsel. Retaliation is strictly prohibited against anyone who makes a good faith report of suspected child abuse or who participates in a related investigation.

DELEGATION OF AUTHORITY

The Administration will develop and implement regulations and procedures to implement the requirements of this policy and the CPSL.

REFERENCES

Administrative Regulation: Clearance and Mandatory Reporting Procedures
Pennsylvania Child Protective Services Law, 23 Pa. C.S. Section 6301 et seq.