

10.30 SECURITY CLEARANCE

1. All employees of Contractors working on The School District of Philadelphia properties, **while children are present at the School District of Philadelphia site**, are required to complete the "Pennsylvania Child Abuse History Clearance CY 113 12/99" form and the "Pennsylvania State Police Request for Criminal Record Check SP-4-164 (12-99)" form. Attached is a copy of each of these forms. These forms may also be downloaded at the following website addresses:

<http://www.dpw.state.pa.us/findaform/childabusehistoryclearanceforms/> or
http://www.education.state.pa.us/portal/server.pt/gateway/PTARGS_6_2_39112_0_0_43/
(for the "Child Abuse History Clearance" form)

<http://www.portal.state.pa.us/portal/server.pt?open=512&objID=4451&PageID=458621&mode=2>(for the "Criminal Record Check" form)

Contractors and Subcontractors can also request a supply of these forms by calling the Pennsylvania Department of Public Welfare (DPW) at telephone number 717-783-6211.

Contractors and Subcontractors can request a Criminal History Check online through the Pennsylvania Access to the Criminal History (PATCH) System at the following website address:

<https://epatch.state.pa.us/Home.jsp>

2. All employees of Contractors working on The School District of Philadelphia properties, **while children are present at the School District of Philadelphia site**, are also required to submit a current report of the "Federal Bureau of Investigation (FBI) Federal Criminal History Record", obtained through Cogent Systems which is managing the program for the Commonwealth of Pennsylvania. Attached is a Pennsylvania Department of Education (PDE) memo concerning how to register with Cogent Systems at the website: <https://www.pa.cogentid.com/index.htm> and how to obtain the FBI fingerprint-based background check from Cogent Systems. This PDE memo may also be downloaded at the following website address:

http://www.portal.state.pa.us/portal/server.pt/community/background_checks_%28act_114%29/7493/federal_background_checks/506849

3. The Contractor shall inform its Subcontractors that both "Pennsylvania Child Abuse History Clearance" and "Pennsylvania State Police Request for Criminal Record Check" forms, together with processing fees, must be submitted to DPW for each employee who will be working on-site, **while children are present at the School District of Philadelphia site**. Employees of the Contractor and its Subcontractors shall **not** begin work at the Project site until these forms have been returned from DPW. It is necessary to send copies of the request forms to the School District. However, copies of both forms (returned from DPW) for each employee of the Contractor and each employee of any Subcontractors working at the Project site, **while children are present at the School District of Philadelphia site**, must be delivered to the office of the School District.

4. The Contractor shall inform its Subcontractors that registration for the FBI fingerprint-based background check with Cogent Systems, together with processing fees, must be submitted to Cogent Systems for each employee who will be working on-site, **while children are present at the School District of Philadelphia site**. Employees of the Contractor and its Subcontractors shall **not** begin work at the Project site until the "FBI Federal Criminal History Record" report has been returned from PDE's School Services Unit. It is not necessary to send copies of the request for the FBI fingerprint-based background check to the School

District. However, copies of the "FBI Federal Criminal History Record" report (returned from PDE's School Services Unit) for each employee of the Contractor and its Subcontractors working at the Project site, **while children are present at the School District of Philadelphia site**, must be delivered to the office of the School District.

5. In the event that the School District of Philadelphia (or its agents) request a "Pennsylvania Child Abuse History Clearance" form, "Pennsylvania State Police Request for Criminal Record Check" form, and "FBI Federal Criminal History Record" report for any on-site employee of the Contractor or Subcontractors, and the Contractor is unable to produce the forms and report, the employee of the Contractor or Subcontractors must leave the Project site immediately. The employee of the Contractor or Subcontractors may return to the Project site once the appropriate forms and record have been obtained and submitted to the School District of Philadelphia (or its agents). If any members of the Contractor's Project team are required to be in the existing School District of Philadelphia building site, **while children are present at the School District of Philadelphia site**, before mobilization for Project construction after Contract award, the "Pennsylvania Child Abuse History Clearance" form, "Pennsylvania State Police Request for Criminal Record Check" form, and "FBI Federal Criminal History Record" report must be on-file in the School District's office.

6. Listed below are the current Pennsylvania statutes containing the Background Checks requirements and the Affidavits required by these statutes. These statutes are can be found in the "Pennsylvania Background Checks Statutes" file.

Guidance and Sections of Public School Code and Statutes for Background Checks:
Pennsylvania Department of Education (PDE) FBI Federal Criminal History Records for Prospective Employees March 13, 2007 4
Pennsylvania Public School Code, 24 P.S. sec. 1-111 (2007) (for FBI Federal Criminal History Record and Pennsylvania State Police Criminal Record Check) 5
Pennsylvania Child Abuse History Clearance Requirement - 23 Pa.C.S. § 6355 (2007) 1
Pennsylvania Child Abuse History Clearance Exceptions - 23 Pa.C.S. § 6356 (2007) 1
Forms Required for Background Checks:
Pennsylvania Child Abuse History Form 2
Criminal Background Check Form 1
Affidavit Criminal History Record Information and Child Abuse Official Clearance Statement (April 2007)