



## BOY SCOUTS OF AMERICA®

### NORTHEASTERN PENNSYLVANIA COUNCIL

July 2015

Dear Scouter,

All of us are aware of the new state law regarding background checks for volunteers and employees who work with youth.

#### **Overview:**

First and foremost, keep in mind that compliance with the new requirements of Act #153 is a legal requirement of the Commonwealth of Pennsylvania. All agencies and institutions who deal with youth in the Commonwealth are required to comply with the new requirements by the published deadlines. While there has been talk of changes or amendments to the law, local councils and Scouting volunteers must make plans and implement procedures to comply with the published requirements by the required dates.

It is important to recognize the Youth Protection standards of the Boy Scouts of America do not change in light of this new Pennsylvania legislation. The volunteer background checks that are part of the Adult Volunteer Application process, training requirements, policies, and procedures that have been and are in effect will continue. For Scouting volunteers throughout the Commonwealth of Pennsylvania, the clearances and requirements of PA Act #153, the new mandatory reporting requirements, and changes to the definitions of abuse are in addition to the safeguards that have been in place by the Boy Scouts of America for many years.

The single source of the most up-to-date information on this legislation, as well as any changes that may come is the “Keep Kids Safe” website (<http://keepkidssafe.pa.gov/>). The website contains a wealth of information, but most importantly regularly revised FAQ’s, reporting forms, and links to all of the required clearances for both volunteers and employees. Everyone should be reminded to check the website regularly.

The safety and well-being of the youth registered in the Boy Scouts of America has been and will continue to be paramount for our program. Compliance with the new legal requirements of the Commonwealth, as with any of our Pennsylvania laws, is the responsibility of its citizenry. Until these new laws related to mandated reporting, revised definitions of child abuse, and volunteer and employee clearances (and fingerprinting) are revised or amended by future legislative action, we have no other recourse than to comply with the law as published.

#### **Volunteer compliance:**

**Who needs clearances?** Beginning August 25, 2015, an adult (18 years of age or older) applying for an unpaid position as a volunteer responsible for the welfare of a child (acting in lieu of or on behalf of the parent) or having direct contact (provide care, supervision, guidance, or control of children) or routine interaction (regular, repeated, or on-going contact) with children will need clearances. Registered unit volunteers have to get the three clearances. Unregistered volunteers that provide rides and services to youth more than once or twice a month must also get the three clearances. Remember the State of Pennsylvania does not differentiate between registered and unregistered volunteers.

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What Clearances are required of local council volunteers (applying for an unpaid position)?

1. Report of criminal history from the Pennsylvania State Police (PSP) (Cost of \$10) <https://epatch.state.pa.us/>. No cost after July 25, 2015.  
Note: This clearance from the Pennsylvania State Police will display on the computer screen only. This report must be printed as a PDF if it is to be saved to a computer! Free PDF converters are available for download from the web.
2. Child Abuse History Clearance from the Department of Human Services (Child Abuse) (Cost of \$10) <http://www.compass.state.pa.us/cwis>. No cost after July 25, 2015.
3. a) For volunteers who have NOT been a Pennsylvania resident continuously for the past ten years, a fingerprint based federal criminal history submitted through the Pennsylvania State Police or its authorized agent (FBI) is required. (Cost of \$27.50) <https://www.pa.cogentid.com/index.htm> or (must have one or the other (3a or 3b).  
b) For volunteers who have been a Pennsylvania resident continuously for the past ten years, they must swear or affirm in writing that they are not disqualified from service based on a previous conviction or offense. These volunteers must complete a “Disclosure Statement Application for Volunteers”. <http://keepkidssafe.pa.gov/supportingdocuments/index.htm>.

Clearances for new Volunteers (after August 25, 2015):

Any new volunteer who begins his or her volunteer service on or after August 25, 2015 must apply for and submit all three clearances to their local council. The council must receive all compliance materials before the volunteer participates in any activity where he or she will supervise and/or have direct contact with children under the age of 18. New volunteers (after August 25, 2015) cannot be registered until the council has evidence of compliance.

Clearances for Volunteers who are currently registered or active (prior to August 25, 2015) should be in compliance by re-chartering time in December 2015. All current volunteers are encouraged to get their three clearances before December 31, 2015.

What do you do after clearances have been obtained?

1. Make two copies of each clearance (there are a total of three)
2. One set of clearances has to be turned over to the Council Service and Training Center to be kept by the Registrar.
3. The second set should be kept by the unit or Chartered Organization.

Your compliance with this state law is most appreciated. If you have any questions, please feel free to contact me at 570-207-1227, Ext. 226 or [mcinquina@nepabsa.org](mailto:mcinquina@nepabsa.org).

Sincerely yours,

Marcel L. Cinquina  
Scout Executive

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