



**WILKES UNIVERSITY**

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**Minors on Campus Policy**

**Background Check  
Information for  
Volunteers**

**July 31, 2015**

## Why do I need a Background Check?

Wilkes University is committed to protecting the safety, security and health of its students, faculty and professional staff members, volunteers, non-employee associates and others, as well as safeguarding the interests of Wilkes. As part of our efforts to create a safe work and study environment and to comply with newly amended Pennsylvania Act 153 legislation (Protection of Minors), Wilkes requires that background checks be conducted on current full-time and part-time employees, volunteers, and non-employee associates as a condition of employment or assignment (in the case of volunteers).

Background checks are the first and most effective means of protecting minors from abuse by screening out potential abusers before they interact and have contact with minors. In addition to any of the background checks required, all Duquesne faculty, professional staff members, including those affiliated with a collective bargaining unit, student workers, volunteers, temporary staff, non-employee associates, and final candidates are required to be background screened as required by Act 153 of the Pennsylvania Child Protective Services Law:

- Pennsylvania State Police Criminal Record Check - Act 33
- Pennsylvania Child Abuse History Clearance- Act 34
- FBI Fingerprint Check - Act 114

A volunteer is an adult serving in an unpaid position in which they are individually responsible for the welfare of a child or have “direct contact with children” (care, supervision, guidance or control of children, or routine interaction with children).

The information within this document explains the University’s requirements regarding volunteer’s participation in University programs.

If you have any questions related to the clearances or Act 153 compliance, please contact the Office of Risk & Compliance Management at (570) 408-4554.

**Wilkes University thanks you in advance for volunteering your time to assist our staff and students!**

# Frequently Asked Questions

## **Who needs clearances?**

Beginning July 1, 2015, an adult applying for an unpaid position as a volunteer responsible for the welfare of a child or having direct contact with children will need clearances.

## **What is the definition of child?**

For purposes of clearances, a child is an individual under 18 years of age.

## **How is “direct contact” with children defined?**

Direct contact with children is defined in § 6303 (relating to definitions) as the care, supervision, guidance or control of children or routine interaction with children.

## **Which clearances are needed?**

All prospective volunteers must obtain the following clearances:

1. Act 34 – PA Criminal History Record (PA State Police);
2. Act 151 – PA Child Abuse History Clearance (PA Department of Human Services); and
3. Act 153 Unpaid Volunteer Affidavit – if you have resided in Pennsylvania for the entire previous ten (10) years (see attached);

or

4. Act 114 – FBI Criminal History (Fingerprinting):

Additionally, a fingerprint based federal criminal history (FBI) submitted through the Pennsylvania State Police or its authorized agent is required unless:

- The position the volunteer is applying for is unpaid; and
- The volunteer has been a Pennsylvania resident continuously for the past 10 years.

Volunteers who are not required to obtain the FBI Clearance because they are applying for an unpaid position and have been a continuous resident of Pennsylvania for the past 10 years must swear or affirm in writing that they are not disqualified from service based upon a conviction of an offense under §6344.

## **What is the renewal requirement for clearances?**

Beginning July 1, 2015, all volunteers will be required to obtain clearances every 36 months.

**Will I receive a copy of my clearances?**

You will receive unofficial copies of FBI Federal Criminal History Check directly from the governmental agency. A copy of the FBI Federal Criminal History Check must be submitted to the Office of Risk & Compliance Management. A copy of the PA Criminal clearance can be requested through the Office of Risk & Compliance Management.

**How do I obtain my clearances?**

The Program Director provides the Office of Risk & Compliance Management with a list of all program staff, including volunteers. Once the list is received, your name and email address will be added into an online processing center (CBY Inc.) You will receive email instructions from this processing center that includes detailed instructions and requirements.

**How long does it take to obtain my clearances?**

The length of time it takes to receive your clearances is contingent upon how quickly you complete the online applications. It is also important to note that all potential volunteers across the Commonwealth of Pennsylvania will be applying for clearances as well. We encourage prospective volunteers to begin applying for their clearances as soon as possible.

**Where do I go for fingerprinting?**

The processing center will email you a list of authorized fingerprinting stations, their location, contact information, and a personalized code for obtaining a fingerprint check. This code expires in thirty (30) days from its generation, so time is of the essence when choosing a fingerprinting location.

**Who pays for clearances?**

The University Department will cover the full cost of obtaining these clearances for volunteers.

**Can my clearances be transferred?**

Yes, any person who obtained their clearances within the previous 36 months may serve in a volunteer capacity for any program, activity or service.

**Will I be notified when my clearances are expiring?**

No. Volunteers will only be notified by the University if their background check has expired. At that time, a new clearance process must be initiated.

**What will happen if I refuse to take part in the background check process, and do I have any options?**

This requirement is not optional. In order to comply with PA law, the University is requiring that all faculty, staff, and volunteers participate in the background screening process. Your full participation in obtaining the required clearances is a condition for participating as a volunteer with Wilkes University.