



Policy Number:	5521-19	Policy Section:	Institutional Support
Original Effective Date:	April 26, 2011	Policy Title:	Background Checks
Date Last Revised:	November 8, 2022	Department:	Human Resources

Purpose:

The University aims to make well-informed decisions when selecting individuals to serve in faculty, staff, student worker, and volunteer positions. Individuals selected to fill positions will undergo background checking based on the standards applicable to the position for which they are being considered. This includes the determination of the degree to which the position’s duties will include direct contact and routine interaction with minors.

Definitions:

Background Checks/Checking: For purposes of this policy, this term refers to the process used and information retrieved with regard to criminal and child abuse history. Some or all such information may be sought depending on the position for which an individual is being considered. Additionally, if the individual will be expected to drive a University vehicle for business-related trips, driving history background checks will be conducted. This policy does not address reference checking or verifications of employment.

Contact with Minors: The University complies with PA Act 153 which requires background checks for individuals whose positions involve either of the following:

- Direct contact with minors (children under the age of 18)*. Direct contact refers to positions which may have direct contact with children because they provide care, guidance, supervision, or control of children; or
- Routine interaction with minors, which applies to those whose role may involve contact with minors that is regular, ongoing, and integral to their day-to-day responsibilities. For purposes of this policy, individuals at the University determined to have, or likely to have, direct, routine, and regular contact with minors will be required to have child abuse and FBI background check clearances.
- *Exceptions:
 - Those who have regular but casual contact with minors (those in administrative positions, for example) are exempt from the requirement to acquire child abuse and FBI clearances.
 - Those whose regular contact with minors is limited to minors who are matriculated students or minors who visit the University for recruiting purposes, are exempt from the requirement to acquire child abuse clearances.

Policy:

The University requires a PA Criminal History Background Check clearance. This clearance, obtained through the Pennsylvania State Police (PSP) is also known as the P.A.T.C.H. clearance (Pennsylvania Access To Criminal History). This clearance is required for:

- employees,
- volunteers, and
- student workers who are likely to have regular contact with individuals under the age of 18.

The PSP clearance must be obtained before the individual may begin work or volunteer service. The University is required to maintain a copy of the background clearance report.

In addition to the PSP clearance, employees and student workers who are required to have direct contact or routine interaction with individuals under the age of 18, as a regular part of their assigned duties, are required to have two additional background check clearances:

1. Child Abuse History Clearance
2. FBI Federal Criminal History (which requires fingerprinting)*

Proof of application for these clearances must be submitted before the individual may begin work or service. The clearance results must be within 90 calendar days from the date the individual begins work or service. The University is required to maintain copies.

*Volunteers may be exempted from the requirement to complete the FBI check when the individual:

- has been a PA resident continuously for the past 10 years, and
- signs a disclaimer affirming continual residency and attesting that there are no charges in other states which would prohibit his/her selection as a volunteer to work with minors.

Procedure:

1. Identification of Background Checks Needed for Each Position
 - 1.1.1 The Department of Human Resources works with overseeing Administrators and their Deans and Directors to evaluate regular, student worker, temporary, and volunteer positions to determine those roles which have regular contact with minors.
 - 1.1.2 Individuals considered for faculty/staff and volunteer positions which do not include the expectation for regular contact with minors (as defined above) will be required to obtain the PSP only.
 - 1.1.3 Individuals considered for faculty/staff and volunteer positions which do include the expectation for regular contact with minors (as defined above) will be required to obtain the PSP and the Child Abuse History and the FBI clearance.
 - 1.1.4 The Department of Human Resources is responsible for providing background check instructions appropriate for the person's role.
2. Instructions for Completion of the Background Check(s)
 - 2.1 Instructions are included as an addendum to this policy.
 - 2.2 Responsibilities to provide instructions:

The Department of Human Resources is responsible for providing background check instructions appropriate for the person's role to:

 - 2.2.1 new regular faculty members;
 - 2.2.2 new regular and temporary staff employees;
 - 2.2.3 post-graduate interns and graduate assistants;
 - 2.2.4 volunteers;
 - 2.2.5 regular and continuing employees (faculty and staff) on an established 5-year re-check schedule.
 - 2.3 Supervisors (Deans and Directors) are responsible for informing the Department of Human Resources of student workers, volunteers, or other individuals being considered for roles at the University to discuss and determine what background checks are appropriate. The Department of Human Resources will directly, or indirectly through the supervisor, provide required background check instructions to individuals being considered for these roles.
3. Provisional Status Pending Receipt of Results
 - 3.1 Individuals required to complete the Child Abuse History and FBI Background Checks must present the results of the PSP clearance and proof that they have initiated the Child Abuse History and FBI clearances on or before the date they begin employment or service. If the results of the background checks for the Child Abuse History and FBI clearances have not been

received as of the date employment or service begins, the individual may serve in a single period of provisional status, not to exceed 90 calendar days, until satisfactory clearance results are presented.

- 3.2 Conditions for and during a provisional status:
 - 3.2.1 A copy of proof of application for the required clearances must be presented to the Department of Human Resources;
 - 3.2.2 The individual is not permitted to work alone with minors and must work in the immediate vicinity of a coworker or supervisor who has required clearances;
 - 3.2.3 The University must have no knowledge of information pertaining to the applicant which would disqualify him/her from employment or service;
4. Requirements for Transferability and Renewal of Background Checks
 - 4.1 Individuals who are not expected to have regular contact with minors are required to have their PSP background check (only) renewed every 60 months. The Human Resources department obtains these renewed clearances automatically as they become due.
 - 4.2 Individuals who are expected to have regular contact with minors are required to renew the Child Abuse History and FBI clearances every 60 months. Regular employees and continuing adjuncts, student workers, and volunteers will be notified by the Department of Human Resources 90 days, or as soon as it is known that clearance renewals will need to be submitted. The Human Resources department cannot obtain these renewed clearances; the renewal must be processed by the individual.
 - 4.3 Individuals who already received some or all of the required clearances either on their own or through another employer or organization may present the clearance reports for the University's records. These clearances do not need to be obtained again provided that the clearance reports were issued for employment (not volunteer) purposes within a 60 month period immediately preceding the date employment or services will have commenced with the University, or date that a scheduled renewal of the clearances is due.
5. Payment for Background Check(s)
 - 5.1 Clearances are the property of the individual. Background check applications must be completed and initially paid for by the individual. (Exception: 4.1, above)
 - 5.2 Reimbursement for the cost of the background check(s) will be processed by the Department of Human Resources through Business Services.
 - 5.3 Presentation of the final background check clearances and receipts of payment for the background check(s) is required. For the FBI clearance, an IdentoGO receipt containing the clearance ID number and payment confirmation is required. Scanned images are accepted. Reimbursement will be made for all required background checks together, not separately.
6. Reimbursement Taxability and Limitations– from Date of Hire or Date of Renewal Deadline:
 - 6.1 When receipt(s) and clearance(s) are received within 60 days, tax free reimbursements will be made via payroll.
 - 6.2 When receipt(s) and clearance(s) are received after 60 days but within 120 days, reimbursement will be made via payroll, but will be taxed.
 - 6.3 Reimbursement will not be provided for background check costs when:
 - 6.3.1 Clearances and/or receipts are not submitted within 120 days;
 - 6.3.2 Results reveal violations which disqualify the individual for employment or service;
 - 6.3.3 Results are submitted beyond the 90-day provisional period;
 - 6.3.4 Background checks were obtained by the employee even when not required for the position offered, or obtained as renewals when the employee was not requested by the Human Resources department to acquire renewed clearances.
 - 6.4 Reimbursement to employees, including renewals, will be made via payroll on the first available pay date following submission of the receipts.

7. Requirements to Report Changes in Criminal and Child Abuse History Status
 - 7.1 Individuals expected to have regular contact with minors and who are subject to the PSP, Child Abuse History, and FBI background checks, are also required to inform the University of any changes to their clearance status.
 - 7.1.1 If the individual is arrested for or convicted of an offense that would constitute grounds for denying employment or service as a volunteer, or is named as a perpetrator in a founded or indicated report, the individual must provide the University with written notice no later than 72 hours after the arrest, conviction, or notification that he/she is listed as a perpetrator in the Statewide database.
8. Consequences for Failure to Comply with This Policy
 - 8.1 Failure to Complete the Required Background Checks
 - 8.1.1 Failure to complete the required background checks for initial employment or service within the mandated timeframe described above, may result in:
 - 8.1.1 The University's withdrawal of the employment offer or volunteer opportunity;
 - 8.1.2 Suspension of pay pending receipt of the clearances;
 - 8.1.3 Termination of employment.
 - 8.1.2 Failure for current employees to complete newly-required clearances in the mandated timeframe, or failure for continuing employees to renew child abuse and FBI clearances as requested by the Human Resources department, will result in the employee being placed on an unpaid suspension until proof of clearance applications are received, up to a maximum suspension of 30 days. If upon the conclusion of a 30-day suspension required clearances are not provided, employment will be terminated.
 - 8.2 Failure to Produce Clearances with Satisfactory Reports
 - 8.2.1 Until or unless guidelines are provided by the State regarding specific steps employers must take in response to clearance reports which indicate arrests, convictions, or naming of the individual as a perpetrator in a founded or indicated report, the University will make a decision as to the individual's approval, denial, or probationary status for employment or service. The following factors will guide such decisions:
 - 8.2.1.1 The role for which the individual is being considered, and the relation of this role to the severity of the offense(s) on record;
 - 8.2.1.2 The supervision that can reasonably be provided during the individual's employment or service;
 - 8.2.1.3 Knowledge of the individual's background and offenses by those within the University who can serve as a reference or who will oversee the individual's employment or service;
 - 8.2.1.4 The availability, application, and timeframe of any appeal for which the individual has filed to contest the accuracy of the report.
 - 8.3 Failure to Update Clearance Status
 - 8.3.1 If it becomes known that an individual currently employed or serving at the University has failed to make a report as described in 7.1 above, the individual will be placed on an immediate suspension pending termination of employment or service.
 - 8.3.2 Individuals who make a status report as described in 7.1 above in a timely manner, will be evaluated for the potential to continue in the employment or service relationship based on the factors outlined in 8.2 above.
 - 8.4. Decisions for actions relating to an individual's failure to comply with this policy shall be jointly recommended by the Department of Human Resources and the overseeing Administrator, and approved by the President.

9. Procedures for Retaining and Destroying Background Check Reports

The Department of Human Resources will follow strict procedures with regard to retention and destruction of background clearance reports, and creation and upkeep of completion date and renewal logs. This is documented in the Department of Human Resources Background Check procedure.

10. Clearances for Non-employees

The University uses independent contractors to provide a variety of services to the University and its students. Independent contractors are expected to bear responsibility for their own clearances, insurance, and other business-related certifications. In letters of engagement, the University reminds independent contractors of the requirement to acquire and maintain the state-mandated background checks when they are engaged to provide services which involve regular contact with minors.

11. Child Abuse Reporting Training

Employees in positions which require child abuse clearance are also required to obtain training in Recognizing and Reporting Child Abuse, as follows:

- 11.1 Employees shall complete online training available from www.ReportAbusePa.Pitt.edu.
- 11.2 Training may be completed at the time the child abuse background check is requested, but shall be completed not longer than 30 days following the date which appears on the child abuse clearance.
- 11.3 Once the training is completed, the Certificate of Completion must be downloaded and emailed to the Human Resources Department at human.resources@cairn.edu.



President's Cabinet Representative

11/8/2022

Date

Background Check Instructions

PA CRIMINAL HISTORY BACKGROUND CHECK (Pennsylvania State Police)

This clearance must be obtained as soon as an invitation or offer of employment is accepted. Employment applicants are not asked to provide this clearance during the selection or interviewing process. All employees and certain volunteers (as directed) are required to obtain this clearance.

1. Go to <https://www.dhs.pa.gov/KeepKidsSafe/Clearances/Pages/Criminal-Background-Check.aspx>
2. Scroll down to **There are two methods of requesting a Criminal Record.**
 - a. **Online Request** – this method is recommended since it is faster. Online requests require payment via credit card.
 - i. Click on the link to [Pennsylvania Access to Criminal History \(PATCH\) Web Site](#).
 - ii. Click the box, **Submit a New Record Check**.
 - iii. Read through the **Terms and Conditions for the use of PATCH**. Click **Accept**.
 - iv. Next, you'll be given the choice between an Individual Request or a Company Request. Select **Individual Request** since Cairn does not have an organizational account established with PATCH.
 - v. Complete the field in the **Requestor Information** page. Under **Reason For Request**, select **Employment**.
 - vi. Click **Next**, review your information for accuracy, then click **Proceed**.
 - vii. Complete additional information on the **Record Check Request Form**. When finished, click **Enter This Request**. An identical page will appear, ready to accept a second Request. Scroll down and click **Finished**.
 - viii. A **Record Check Request Review** will show you your Request in queue. Click **Submit**.
 - ix. At **Request Checkout**, click **Checkout**. Enter your credit card information, then click **Pay With Your Credit Card**.
 - x. A **Record Check Details** screen will appear. This is your receipt. **Print, or capture an image of, this page!** The University will not provide reimbursement without this receipt.
 - xi. Beneath your personal information, click on **Certification Form**. This is your results. **Print, or capture an image of, this certificate.**
3. Bring your receipt and your Certificate to the Department of Human Resources before employment or volunteer service begins.
4. Employee reimbursements are processed via payroll, on the first pay date on which the new employee is scheduled to be paid.

Background Check Instructions for Child Abuse History and FBI Clearances

will be provided by the Human Resources department if these clearances are required.

CHILD ABUSE HISTORY CLEARANCE

If requested to obtain this clearance, the process must be started before you may begin working or volunteering. If you had a PA Child Abuse Clearance done within the past 90 days with another organization, you can provide the results of that clearance to Cairn. You will need to provide a scanned copy, or present the original report to the University to be scanned.

To complete this clearance electronically

1. Go to <https://www.compass.state.pa.us/cwis> and create a new account. To do that you need to create a Keystone ID (self-assigned), provide basic personal information, and create security questions.
2. After that step has been completed, you will receive two automated emails from the state. (These emails may go to a SPAM or JUNK mail account, so please check those before recreating an account.) One email will include the Keystone ID that you registered; the other email will include a temporary password.
3. Use your Keystone ID and temporary password to log on again at <https://www.compass.state.pa.us/cwis>. This time, create a permanent password.
4. You will then log out and in again - a third time - to <https://www.compass.state.pa.us/cwis> to complete a clearance application.
5. To complete the clearance electronically, you will need a credit or a debit card and an electronic signature. (If you do not have either a credit or debit card and/or do not want to use an electronic signature, you must download, complete, sign, and mail a paper copy of CY113. You will see this link on the **Getting Started** page. You can also follow the directions below.) **Print the Payment**

Completed page – it is your receipt!

6. When asked about the **Purpose for Clearance**, select **School Employment**.
7. You will need to provide addresses where you have previously lived, names of all individuals with whom you have lived, and any previous names you have used or been known by such as nicknames, aliases, or maiden names.
8. When you submit your application, you will receive an email confirming that your application has been successfully received. Save this email as it confirms that you have started the Child Abuse History Clearance. You *will* need to present it if your employment or volunteer service begins before your clearance is received.
9. Your clearance will be mailed to you. If you do not receive your clearance within three weeks, please call 717-783-6211 (or toll-free, 1-877-371-5422) to follow up.
10. Once you have received the results, you may:
 - a. scan and email the clearance and receipt to human.resources@cairn.edu; OR
 - b. upload the clearance and receipt using the secure HR portal at <https://cairn.edu/hr/start/>; OR
 - c. bring the clearance and receipt to the HR department. We will scan and return them to you.The University must receive the original report within 90 calendar days of your first day of work. Please be mindful about scanning and emailing confidential information.
11. Reimbursements to employees are processed via payroll, on the first pay date on which you are scheduled to be paid.

FBI FEDERAL CRIMINAL HISTORY, INCLUDING FINGERPRINTING

If requested to obtain this clearance, the process must be started before you may begin working or volunteering. If you are a volunteer and have been a Pennsylvania resident continuously for at least the past ten years, and can sign an affirmation of clearance, you do not need to obtain this clearance. If you had this background check done within the past 90 days with another organization, you can provide the results of that clearance to Cairn.

Instructions to obtain this clearance:

1. <https://www.identogo.com>.
2. Click **Get Fingerprinted**
3. At **Select a Fingerprinting Service by State**, use the dropdown to select **Pennsylvania** (or the state in which you reside), then click **Go**.
4. Scroll down and click **Digital Fingerprinting**.
5. Enter the service code **1KG6V5** where prompted (this is the code for PDE Private Schools). Click **Go**.
6. If you have a *current* U.S.-issued driver's license or U.S. passport, click **Schedule or Manage Appointment** to begin the registration. If you DO NOT have either of these items, click **What Do I Need to Bring to Enrollment** and enter your birth and citizenship information, then click the dropdown list to see what other forms of identification will be accepted at the fingerprinting site. Once you know what is required, go back to **Schedule or Manage Appointment**.
7. Complete all required personal information on the page (social security number is NOT required) and click **Next**. Be sure to enter email/phone number information you will easily be able to provide at the fingerprinting site, as this information will be used to confirm your identity.
8. Click on the dropdown to select the form of identification you will take with you to the fingerprinting site (i.e. U.S.-issued driver's license **OR** U.S. passport if you have one; other document as determined in step 6 if you do not). Check the box to mark **Yes** or **No** to verify that your identification matches the name under which you are registering. Note: If you check **No** you will be required to provide proof of your name change (i.e. marriage certificate, etc.). Click **Next**.
9. Enter a zip code into the search box to find the closest location to schedule your fingerprinting appointment. A list will be returned and you will see approximately how many appointments are available at each location within the next 7 days.
10. Click on the location you select and a dropdown will open to show you a list of all available appointments. Scroll to select the appointment you choose and click **Submit**.
11. A status screen will appear showing your pre-enrollment information and your scheduled appointment at the location you selected. PRINT THIS INFORMATION and mark your calendar/reminders so you do not miss the appointment!
12. Arrive promptly to the fingerprinting site for your appointment and be sure to bring your required identification and method of payment (major credit card, money order, or cashier's check payable to IDEMIA are accepted).
13. Be sure to obtain a receipt as shown at right. This will allow the University to access your records and reimburse you. Scan the receipt and upload it using the secure HR portal at <https://cairn.edu/hr/start/> or bring it to the HR department.
14. Reimbursements to employees are processed via payroll, on the first pay date on which you are scheduled to be paid.

IdentoGO Center
441 S LongName Blvd
CityName, ST 10111

IdentoGO

Date: 02/07/2015@11:15 AM
Customer: JOHN S. SMITH
UE ID: U11F-19349F
TCN: 00114987524

119891 - Enrollment Service	\$39.95
Subtotal:	\$49.95
Tax	1.24
Credit Card Service Fee:	0.52
Total:	\$51.71
Auth Code	\$10.00
CARD (1111)	\$41.71
Auth Number:	123ABC
Amount Paid:	\$51.71

I agree that I will pay for this purchase in accordance with the issuing bank cardholder agreement.

John Hammond
Signature

Check the status of your service at:
<http://uenroll.identogo.com>

For general information about Federal Criminal History background checks required by PA for school employees, go to <http://www.education.pa.gov/Teachers%20-%20Administrators/Background%20checks/Pages/Federal-Criminal-History-Background-Checks.aspx#tab-1>.