

Teaching in PA

Background Check - Frequently Asked Questions

[\[Printable Version\]](#)

Act 114 - 24 PS 111 Frequently Asked Questions

1. Why conduct FBI background checks?

Section 111 of the Public School Code was amended (Act 114 of 2006) effective April 1, 2007. All student teacher candidates (participating in classroom teaching, internships, clinical or field experience) and prospective employees (including but not limited to administrators, teachers, substitutes, janitors, cafeteria workers, office employees) of public and private schools, Intermediate Units and area vocational-technical schools, including independent contractors and their employees and bus drivers, who have direct contact with children, must provide to their employer a copy of their Pennsylvania State Criminal History Background Check and their Federal Criminal History Record that cannot be more than one (1) year old. The amendment (Act 114 of 2006) only applies to employees hired on or after April 1, 2007.

2. When does the new amendment to the law begin?

April 1, 2007.

3. What's the process?

First, you must register with Cogent Systems at <https://www.pa.cogentid.com> before being fingerprinted. Then, you may choose to visit any site for fingerprinting-there are no restrictions based on your home address or school district. However, some fingerprinting sites require an appointment to be made. Visit <https://www.pa.cogentid.com> and look under "Print Locations" for more information.

Payment arrangements must be made prior to having fingerprinting completed. Upon arriving to the site, you must have paid in advance online or brought a money order or cashier's check with you in order to have your prints completed.

Be advised that fingerprint traffic is typically heavy. Plan your visit to fingerprint locations accordingly. Do not send large groups of employees at one time. Plan to send employees to print locations over weeks, not hours. Contact the fingerprint site nearest you if you require a large group of employees to be printed. Ask the fingerprint site how they want to handle the processing of prints. Some sites may be able to provide mobile printing. Visit <https://www.pa.cogentid.com> to learn which sites offer mobile printing.

4. What if I am an out-of-state applicant?

All fingerprints must be taken at a Cogent Pennsylvania site. Arrange to have your fingerprints taken when you are in PA during your job interview. Applicants should be aware that the law allows schools, based upon the policy of the school, to hire an individual on a provisional basis. See question #22 for more information.

5. Are volunteers required to obtain criminal background records?

No, Act 114 - 24 PS 1-111 does not apply to volunteers. However, 23 PS 17-1724A requires individuals who volunteer to work on a full-time or part-time basis at a Charter School to obtain

criminal background records.

6. Are substitutes required to obtain criminal background records annually?

This is a school policy issue.

If they have submitted all criminal reports, employment is automatically continued, and they have worked during each school year (at least one day), the school policy might allow that the criminal reports are not required.

If the school's policy discontinues employment or the substitute did not work at least one day during the school year, causing a break in service, criminal background records would be required.

7. Are substitutes required to obtain criminal background records when applying for a permanent position?

This is a school policy issue.

If the school policy considers this a transfer, new criminal reports may be required: 24 PS 1-111 (h) No person employed in a public or private school on the effective date of this section shall be required to obtain the information required herein as a condition of continued employment. Any person who has once obtained the information required under this section may transfer to another school in the same district or established and supervised by the same organization and shall not be required to obtain additional reports before making such transfer.

If the school policy considers this a new hire the Child Abuse, State Criminal and Federal Criminal records would be required: <http://www.teaching.state.pa.us/teaching/cwp/view.asp?a=13&q=32413>

8. Where do I register for fingerprinting?

Registration is best conducted online at <https://www.pa.cogentid.com>. This way you can insure the correctness of all demographic information you submit. Registration involves collecting pertinent demographic information that is required by law from each applicant. During registration you will also be given the chance to pay electronically for your background check. Online registration alleviates many data collection problems and effectively speeds processing at the fingerprint site.

You may also register by phone at 1-888-439-2486.

9. What if I make a mistake on my registration?

If you discover a mistake on your registration prior to being fingerprinted, you may re-register at no additional cost. This re-registration will cancel out the initial registration.

Registrations and payments are linked via the applicant's social security number. As long as changes are made to the registration and the social security number is kept the same, payment will not be affected. Payment is only taken after prints are collected and sent to the FBI.

Registration address in PA does not have to match address of Photo ID.

Photo ID's are only used for verification of likeness, name and social security number.

Livescan operators have been informed that the address need not match. There are many students living at colleges and universities with their home address on their picture identification.

Once you are fingerprinted, no changes can be made without additional payment.

10. I have recently been fingerprinted for other employment, do I need to be printed again?

Yes, in order to comply with PA state law, 24 PS 1-111.

11. I just registered to be fingerprinted and I paid online. How much time do I have to get fingerprinted?

We recommend that printing take place within 60 days of registration, but there is no time limit.

12. How can I pay for my fingerprinting?

Applicant background checks are \$40.00. Payment may be made online at the time of registration using a debit or credit card. Payment may also be made with a Money Order or Cashiers Check at the fingerprint site. Money Orders and Cashiers Checks must be made payable to COGENT SYSTEMS. NO CASH, PERSONAL CHECKS and NO ELECTRONIC PAYMENTS for background checks will be accepted at the fingerprint sites.

Go online at <https://www.pa.cogentid.com> to register and to make payment

13. Can I bill my background check to my employer?

Provisions have been made that would allow billing of an employer to occur. The employer must download an AGENCY BILLING AGREEMENT (available at <https://www.pa.cogentid.com>) and submit a completed copy to Cogent Systems. Once the employer has been approved for billing, an Agency Billing ID (ABID) will be issued to the employer. An ABID entered during applicant registration will allow the transaction to be billed to the employer.

In most cases an employer will want to keep their ABID private. In that circumstance, employers may be required to register the applicants themselves. Speak with your employer to determine if they intend to make the billing of your background check possible. Billing accounts must be established prior to sending applicants to a fingerprint site.

14. Where are the fingerprint locations in my area?

There are fifty-four (54) fingerprint machines established across the State. Fingerprint sites hours of operations and procedures may differ from site to site. Please review the Cogent Systems web site at <https://www.pa.cogentid.com> often and the site specific web page (if provided) to learn more about the site nearest you.

15. What am I required to bring to the fingerprint site?

You must be registered prior to proceeding to a fingerprint site. At the fingerprint site you will be asked to produce a qualified State or Federal photo ID before processing may begin. See "What

to bring" for a list of approved ID types at <https://www.pa.cogentid.com>. Applicants will not be processed if they cannot produce acceptable identification.

For students under 18, the following identifications are required; High school photo ID with a Social Security card and a parent with a valid ID (such as driver's license, state ID or passport).

16. Will applicants receive a receipt verifying that fingerprinting has been completed?

Similar to the PATCH system, Registration Status and Proof of Print Transaction may be viewed on and printed from the Cogent Systems website at <http://www.pa.cogentid.com/>

17. What happens to my fingerprints after they are submitted?

The applicant's scanned fingerprints will be electronically transmitted to the Pennsylvania State Police, who in turn submits the fingerprints and demographic information to the FBI as required by federal statute.

The Pennsylvania Department of Education (PDE) will receive the Federal Criminal History Record from the FBI. PDE's School Services Unit will return the Federal Criminal History Record to the applicant. The Record will be printed on standard 8.5" X 11" paper with the Commonwealth Seal imbedded on the paper. This document constitutes an official Record. If an applicant presents their Federal Criminal History Record and the Commonwealth Seal is not embedded on the paper, it should be considered as invalid and not an official Record.

~~Updated~~ 18. What happens if I do not receive my official Federal Criminal History Record?

After your fingerprints have been submitted, do not contact the fingerprint site. Do not contact Cogent Systems. Cogent Systems does not have the means to give the applicant the status of their background check nor are they involved in the summary execution of your background check.

If the applicant does not receive the Criminal History Record from PDE within three weeks after being fingerprinted, they should call (717) 783-3750 or email PDE at dwolfgang@state.pa.us.

Federal Criminal History Record results are available up to one year from the date an applicant is fingerprinted. If an applicant does not receive the Federal Criminal History Record information, the applicant must contact the PDE before the one year expires.

19. What if I received my report and it is lost, damaged or misplaced?"

Another copy of your report cannot be provided to you. Individuals who have lost, damaged or misplaced their reports must re-register and be reprinted. This is necessary because reports from the FBI are effective the date the submission was returned. Please keep in mind, approximately 6,000 new criminal subjects are added to the Fingerprint Identification Records System each day. Fingerprints are destroyed after reports are issued. For current information, fingerprints must be resubmitted.

20. What other clearances do I need and how do I obtain them?

There are three required reports: the State criminal report, the FBI criminal report, and the State Child Abuse report. The procedures for obtaining the FBI report are outlined above, and the

remaining two are:

PENNSYLVANIA STATE CRIMINAL HISTORY RECORD

Fee: \$10.00 payable to Commonwealth of Pennsylvania

<http://www.psp.state.pa.us/psp/cwp/browse.asp?A=15&BMDRN=2000&BCOB=0&C=70427>

or: *Applicants may also use Form SP-164, Pennsylvania State Police Request for Criminal Record Check. <http://www.psp.state.pa.us/psp/cwp/view.asp?A=4&Q=48275>

CHILD ABUSE REPORT

You may obtain forms from schools and the Department of Public

Welfare <http://www.dpw.state.pa.us/ServicesPrograms/ChildWelfare/003671038.htm> For status of a request, please call the Department of Public Welfare, Childline and Abuse Registry at (717) 783-6211.

21. How do I know if my personal information is secure?

Your personal data traveling from the fingerprint equipment is comprehensively secured and regulated by both Cogent Systems and State and Federal regulations governing the use of that data.

The Cogent statewide fingerprint service is housed within a secured network that is protected by firewall devices configured explicitly to allow only permissible protocols and traffic. Cogent ensures that all of the fingerprint machine's background checks submissions adhere to both the FBI's and Pennsylvania State Police's Security requirements. All communication traffic to and from the fingerprint machine is either encrypted or conducted through encrypted ports.

22. Are all contractors and their employees required to obtain criminal background records?

It is the responsibility of the School District/Intermediate Unit/AVTS/CTC, based upon the law, contract and local policy, to determine when contractors and their employees are required to obtain criminal background records.

When new contracts are entered into, any such new contractors and their employees who have direct contact with children must produce the required State and Federal background checks.

Existing contracts can be renewed without Federal background checks for contractors and their employees employed prior to April 1, 2007. If an independent contractor adds any new employee to the work force during the pendency of the contract, State and Federal background checks must be provided prior to the employee being assigned to any work which would bring the employee into direct contact with children

If a new contractor is hired after April 1, 2007 and necessary State and Federal background checks are provided, the contract can be renewed the following year without again requiring background checks on the same individuals.

Contracts should clearly and expressly designate the responsibility for providing background checks and should note that if an independent contractor adds any new employee to the work force during the pendency of the contract, State and Federal background checks must be provided prior to the employee being assigned to any work which would bring the employee into direct contact with children.

23. Is a school required to hire an individual on a provisional basis?

No.

The law allows the school, based upon the policy of the school, to hire an individual on a provisional basis. If the school chooses to hire an employee on a provisional basis they may employ any applicants on a provisional basis for a single period not to exceed ninety (90) days, except during a lawful strike proceeding under the provisions of the act of July 23, 1970 (P.L. 563, No. 195), known as the "Public Employee Relations Act," provided that all of the following conditions are met:

(1) the applicant has applied for the information required under subsection (b) and, where applicable, under subsection (c) or (c.1) and the applicant provides a copy of the appropriate completed request forms to the administrator;

(2) the administrator has no knowledge of information pertaining to the applicant which would disqualify him from employment pursuant to subsection (e);

(3) the applicant swears or affirms in writing that he is not disqualified from employment pursuant to subsection (e);

(4) if the information obtained pursuant to subsection (b), (c) or (c.1) reveals that the applicant is disqualified from employment pursuant to subsection (e), the applicant shall be suspended and subject to termination proceedings as provided for by law; and

(5) the administrator requires that the applicant not be permitted to work alone with children and that the applicant work in the immediate vicinity of a permanent employee.

24. What is contained in the FBI criminal report?

An FBI Identification Record, often referred to as a Criminal Applicant Response, Criminal History Record or Rap Sheet, is a listing of certain information taken from fingerprint submissions retained by the FBI in connection with arrests and, in some instances, federal employment, naturalization, or military service. If the fingerprints are related to an arrest, the Identification Record includes name of the agency that submitted the fingerprints to the FBI, the date of arrest, the arrest charge, and the disposition of the arrest, if known to the FBI. All arrest data included in an Identification Record is obtained from fingerprint submissions, disposition reports and other reports submitted by agencies having criminal justice responsibilities.

25. I don't agree with something on my record, who do I contact?

If you have questions about the content of your report, contact your local or State Police. The Department of Education cannot change the content of your report.

26. What is contained in the PA State Police criminal report?

The information provided by the requestor will be checked against the criminal history database maintained by the Pennsylvania State Police Central Repository only, and does not preclude the existence of criminal records which might be contained in the repositories of other local, state, or federal criminal justice agencies.

27. What is the definition of Direct Contact with Children?

22 Pa. Code Chapter 8.

<http://www.pacode.com/secure/data/022/chapter8/chap8toc.html>

Section 8.1 defines "direct contact with children" as follows:

Direct contact with children-Possibility of care, supervision, guidance or control of children by a paid employee or contractor of, or an employee of a person under contract with, a school entity, and routine interaction with children by a paid employee of a school entity or a person under contract with a school entity.

28. Will student teacher candidates transferring from a Community College program to a College/University program need to submit new criminal reports?

A new background check is required if the individual transfers from one program to another. However, if the first background check is less than one year old, it may be used for the new program.

29. Are credit and noncredit instructors that teach youth classes on a college campus required to comply with the Act and obtain their Federal Criminal History?

Maybe. If the courses are part of a school district or private school program and there is a contract or agreement related to the services, then the background check is required.

If there is no involvement on the part of the school district or private school, the background check is not required.

We would suggest that the college discuss the specific details with the School District/Intermediate Unit/AVTS/CTC.

30. The school district hires summer or seasonal students to work in and around the school buildings. Do these students have to comply with the Act and obtain their Federal Criminal History Record?

Maybe. If the person satisfies all three of the following requirements, the individual does not need the background check:

a. The employee is under 21 years of age

AND

b. They are employed for periods of 90 days or less

AND

c. They are a part of a job development and/or job training program funded in whole or in part by public or private sources.

31. Can I have my employees fingerprinted at my company or facility?

If you have a requirement to fingerprint a large group of applicants (example... 300 college education majors, a contractor's entire staff of 120 employees, 50 bus drivers, etc.) mobile fingerprint units may be available. Some fingerprint service sites have the ability to bring portable equipment to your site.

If you are in need of Group Fingerprinting Support, visit <https://www.pa.cogentid.com>. Service sites in your area that have mobile equipment will be listed. NOTE: Mobile service requires the

visited site to provide broadband internet access and access through any network firewall. This is the visited sites responsibility to ensure this network functionality exists. Sites that offer mobile services can provide you instructions, in advance of their visit, that would allow fingerprinting to occur at your site. You must however, plan ahead. Requirements and guidelines for hosting a mobile Livescan operation can be found at <https://www.pa.cogentid.com>.

We encourage you to utilize mobile printing service if it is available but you must plan ahead. Please do not overwhelm the service by sending large groups of applicants to the fixed site locations. If you must send your large group of applicants to a fixed site, please plan for their arrival to occur over days and weeks, not hours.

32. I still have additional questions, who do I call?

The fingerprint sites cannot answer questions except those involving times and locations of their fingerprint machines. All additional information regarding process, policy and print locations may be found at <https://www.pa.cogentid.com>.

Fingerprint applicants should call (717) 783-3750 or email dwolfgang@state.pa.us

Content Last Modified on 6/30/2008 9:36:18 AM