

General FBI Criminal History Background Check:

1. Are individuals allowed to go to an IdentoGO fingerprinting site while the state is under the Governor's Stay at Home Order?

Yes. If an FBI Criminal History Background Check is required for employment, individuals may travel to an IdentoGO location to have their fingerprints taken. The [Order](#) of the Secretary of the Pennsylvania Department of Health requires everyone to wear a cloth face covering / mask while visiting essential businesses, this includes all IdentoGO locations. More information about masks is available [here](#).

Due to the impact of the COVID-19 pandemic, there is a temporary reduction in the number of centers available for fingerprinting appointments. You must pre-enroll with IdentoGO to have your fingerprints taken by going to their [website](#) prior to going to a location. Individuals may call IDEMIA Customer Service using the toll-free number, (844) 321-2101 to confirm a location's operating status prior to scheduling their appointment. In an effort to comply with all established safety precautions, walk-in services may be limited or unavailable at many fingerprint locations. An appointment is encouraged and pre-enrollment is always required. More information on fingerprinting can be found on the Keep Kids Safe [website](#).

2. Where can I go for fingerprinting services to obtain my FBI Criminal History Background Check?

The Commonwealth contracts with [IdentoGO](#) by IDEMIA (also referred to as "MorphoTrust") for digital fingerprinting services. Please note that the IdentoGO website currently shows all locations as operating. However, as of April 29, 2020 more than half of the locations across the state are closed due to the COVID-19 pandemic. Individuals may call IDEMIA Customer Service using the toll-free number, (844) 321-2101 to confirm a location's operating status prior to scheduling their appointment. A map of open IdentoGO locations can be found on the Department of Human Services' (DHS) website [here](#).

Please note: This map is not updated daily. The Commonwealth cannot guarantee that a location is open as a site's operating status can change at any time and locations are not required to notify DHS of their operating status. Always call IDEMIA first to check a location's status prior to scheduling an appointment online and traveling.

The Department of Human Services is hopeful that as counties begin to move into the [yellow phase](#) of the Governor's plan to reopen Pennsylvania that more IdentoGO locations will make the decision to reopen as well.

3. Am I required to wear a mask while onsite at an IdentoGO location?

Yes. The [Order](#) of the Secretary of the Pennsylvania Department of Health requires everyone to wear a cloth face covering / mask while onsite at an IdentoGO location. More information about masks is available [here](#). Only the scheduled applicant will be allowed to enter. This directive will remain in place until the Commonwealth of Pennsylvania advises otherwise.

Mobile Fingerprinting:

1. Are there options for mobile fingerprinting services?

Yes, the contract with IDEMIA allows for mobile fingerprinting services for large groups (defined as 20 or more people) as scheduled by the requesting agency for a designated location. IDEMIA shall acknowledge all mobile service requests within 48 hours and provide mobile services within two (2) weeks of the request. This two (2) week timeline begins once the requesting agency and IDEMIA agree to all arrangements.

2. What is the cost for a mobile fingerprinting event?

There is a 200-dollar per event Acknowledgement Fee, even if the event is scheduled for multiple days at same location. The requesting agency's established Point of Contact (POC) for each mobile event will be required to submit the fee payment to IDEMIA 10 days prior to the date of the requested Mobile event.

Acknowledgement Fee:

- The Acknowledgement Fee is paid in advance by the requesting agency, as noted above. The Acknowledgement Fee Form must be completed and returned to secure a date for your event.
- This fee may be non-refundable in the event customer cancellation occurs less than 10 business days prior to the scheduled event.
- The Acknowledgement Fee billing will be arranged through IDEMIA's Finance department.

Fingerprinting Fees:

- The Fingerprint Fees are paid individually with each applicant processed.
- Options for payment include all standard payment options, including but not limited to onsite Credit Card, Money Order, or No Charge Authorization Coupon (NCAC). Cash and personal checks will not be accepted.
- Each applicant must have an individual method of payment. IDEMIA cannot accept a singular payment for multiple applicants.

No other fees are authorized as per contractual requirements.

3. How are mobile fingerprinting services requested?

To request a mobile fingerprint event, a request must be sent to the Contractor, IDEMIA, at: statemobileservices@us.idemia.com.

Mobile event service requests must include as much information as possible regarding your specific needs. Information should include, at a minimum, the Point of Contact name (and contact information), facility and address that will be hosting the event, the approximate volumes for the mobile service, and the timeline or requested date(s) for the on-site session.

New Hires:

1. Has the requirement for new hires to obtain an FBI Criminal History Background Check prior to commencing employment changed?

Yes. As a result of the COVID-19 pandemic, Governor Wolf signed [Act 18 of 2020](#) on May 8, 2020. This Act allows individuals who must get their FBI Criminal History Background Checks prior to beginning employment as found in [Section 6344](#) of the Child Protective Services Law (“CPSL”) additional time to meet this requirement. The reason the Applicant was unable to obtain the FBI Criminal History Background Check must be a COVID-19 pandemic-related reason. Individuals will have until December 31, 2020 to obtain a copy of their fingerprint-based background check at an approved IdentoGO location.

A citation will be issued when annual inspections resume for any provider who does not ensure all required clearances are obtained and documented in an employee’s file by December 31, 2020.

Please note: The fingerprinting requirement for **new** school employees as governed by the Pennsylvania Public School Code has **not** changed. The Pennsylvania Department of Education published fingerprinting FAQs specific to school employees [here](#).

2. Who is eligible for flexibility around the requirement for new hires to obtain an FBI Criminal History Background Check?

[Act 18 of 2020](#) allows Applicants required by [Section 6344](#) of the CPSL to have an FBI Criminal History Background Check prior to employment to delay this requirement for a COVID-19 pandemic-related reason. Applicants **MUST** obtain their FBI Criminal History Background Check as soon as possible but no later 60 days after the expiration of the declaration of disaster emergency issued by Governor Wolf on March 6, 2020 or December 31, 2020, whichever is sooner. This includes but is not limited to:

- An employee of [child-care services](#);
- A foster parent; and
- A prospective adoptive parent.

The following are also required to meet fingerprinting requirements but are **not** included in the changes made by Act 18 of 2020 to the new hire requirement in the CPSL:

- Volunteers as found in [6344.2](#) of the CPSL;
- Medicaid Providers required by CMS;
- Municipal Police Officers Education and Training Commission (MPOETC);
- The Pennsylvania Department of Education;
- The Pennsylvania Department of Banking and Securities;
- The Pennsylvania Department of Transportation;
- The Pennsylvania Department of Health;
- The Pennsylvania Department of Aging;
- The Pennsylvania Department of Agriculture; and
- The Pennsylvania Gaming Control Board.

A map of open IdentoGO locations can be found on the Department of Human Services’ website [here](#).

Please note: This map is not updated daily. The Commonwealth cannot guarantee that a location is actually open as a site's operating status can change at any time and locations are not required to notify DHS of their operating status. Individuals should call the toll-free IDEMIA hotline at (844) 321-2101 to confirm a location's operating status prior to scheduling their appointment.

3. Has the requirement for new school employees governed by the Public School Code changed?

No. The fingerprinting requirement for new school employees has **not** changed. The Pennsylvania Department of Education published fingerprinting FAQs specific to school employees [here](#).

4. When is it permissible for an employer, administrator, supervisor or other person responsible for employment decisions to hire someone without the FBI Criminal History Background Check?

An employer, administrator, supervisor, or other person responsible for employment decisions may hire an individual prior to the applicant acquiring their FBI Criminal History Background Check if **ALL** of the following statements are true:

- The Applicant has submitted the results of the Pennsylvania State Police Criminal Record Check and the Pennsylvania Child Abuse History Clearance to the employer prior to the applicant's first day of work;
- The Applicant has sworn and affirmed in writing that they are not disqualified from employment based on a conviction of any offense found in Section [6344\(c\)](#) of the CPSL (see [Appendix A](#) of this FAQ); and
- If the Applicant has not been a resident of the Commonwealth during the entirety of the previous 10-year period, the individual has submitted a certification that is equivalent to the Pennsylvania State Police Criminal Record Check from the last state in which the individual was a resident.

AND

ONE OR MORE of the following statements is true:

- There are no open IdentoGO locations within 25 miles of the Applicant's location; and/or
- The open IdentoGO locations within 25 miles of the Applicant's location do not have any fingerprinting appointments available before an employee is scheduled to begin employment. For example, if an employee is scheduled to begin employment on May 4, 2020 but the first available fingerprinting appointment within 25 miles of the employer's location is not until May 10, 2020 then the Applicant can begin work without having their fingerprint check completed. However, the applicant should schedule the appointment for May 10th and provide the employer with the results of check as soon as they are received.

Employers, administrators, supervisors, or other persons responsible for employment decisions should regularly check the availability of IdentoGO locations within 25 miles by checking the Department of Human Services' website [here](#). As soon as an IdentoGO location opens and/or a

fingerprint appointment can be scheduled, the employee should get the necessary FBI Criminal History Background Check.

5. What documentation is required if an employer hires someone who has not yet submitted their FBI Criminal History Background Check or has not yet received the results of the FBI Criminal History Background Check?

[Act 18 of 2020](#) requires employers to document the COVID-19 related reason an employee was unable to obtain the FBI Criminal History Background Check. The following must be kept in the employee's file:

- Pennsylvania Child Abuse History Clearance;
- Pennsylvania State Police Criminal Record Check;
- The employee's written affirmation that they have not been convicted of any disqualifying offenses found in Section [6344\(c\)](#) of the CPSL;
- The date and COVID-19 related reason the prospective employee was hired without evidence of FBI Criminal History Background Check;
- The date the employee was able to obtain the FBI Criminal History Background Check and a copy of the check;
- An equivalent to the Pennsylvania State Police Criminal Record Check from another state the employee has resided in over the past 10 years (if applicable).

6. Will the Department of Human Services check for this documentation during annual inspections?

Yes. During a provider's annual inspection the Department of Human Services will check for this information and issue a citation if it is not properly documented.

7. If an employer hires someone without the required FBI Criminal History Background Check are the results due within a certain period of time?

Yes. [Act 18 of 2020](#) requires employers to make sure any applicants hired during the COVID-19 pandemic that are unable to obtain the FBI Criminal History Background Check acquire the results of the check as soon as possible but no later than 60 days after the expiration of the declaration of disaster emergency issued by Governor Wolf on March 6, 2020 or December 31, 2020, whichever is sooner.

A citation will be issued during annual inspections for any provider who does not ensure all required clearances are obtained and in an employee's file within the specified time period.

8. How will Act 18 of 2020 affect new volunteers?

New volunteers will need to obtain an FBI Criminal History Background Check if the individual has not lived in the state of Pennsylvania during the entirety of the last 10 years. If a volunteer has lived in the state of Pennsylvania during the entirety of the last 10 years, they will not need to obtain the FBI Criminal History Background Check.

All volunteers are still required to obtain the Pennsylvania State Police Criminal Record Check and Pennsylvania Child Abuse History Clearance prior to being approved as a volunteer and every 60 months thereafter.

Child Care:

1. If an employer hires someone without the required FBI Criminal History Background Check, is this individual permitted to be in a child care role while unsupervised?

No. [Act 18 of 2020](#) requires employees of a child care center, group child care home, and family child care home who have been unable to obtain the FBI Criminal History Background Check prior to beginning employment to be supervised by a staff member who has all their criminal and child abuse background checks on file.

2. If a legal entity submits an initial application packet to open a new child care facility will they need to submit a completed FBI Criminal History Background Check as part of the initial application packet?

A completed FBI Criminal History Background Check will not be necessary as long as the Legal Entity abides by the following:

[Act 18 of 2020](#) requires employers to document the COVID-19 related reason an employee was unable to obtain the FBI Criminal History Background Check. The following must be kept in the employee's file:

- Pennsylvania Child Abuse History Clearance;
- Pennsylvania State Police Criminal Record Check;
- The employee's written affirmation that they have not been convicted of any disqualifying offenses found in Section 6344(c) of the CPSL;
- The date and COVID-19 related reason the prospective employee was hired without evidence of FBI Criminal History Background Check;
- The date the employee was able to obtain the FBI Criminal History Background Check and a copy of the check;
- An equivalent to the Pennsylvania State Police Criminal Record Check from another state the employee has resided in over the past 10 years (if applicable).

3. Can a child care facility hire a director who has not completed the FBI Criminal History Background Check?

Yes. [Act 18 of 2020](#) requires employers to document the COVID-19 related reason an employee was unable to obtain the FBI Criminal History Background Check. The following must be kept in the employee's file:

- Pennsylvania Child Abuse History Clearance;
- Pennsylvania State Police Criminal Record Check;
- The employee's written affirmation that they have not been convicted of any disqualifying offenses found in Section 6344(c) of the CPSL;
- The date and COVID-19 related reason the prospective employee was hired without evidence of FBI Criminal History Background Check;
- The date the employee was able to obtain the FBI Criminal History Background Check and a copy of the check;
- An equivalent to the Pennsylvania State Police Criminal Record Check from another state the employee has resided in over the past 10 years (if applicable).

Renewal/Recertification:

1. Has the renewal requirement for FBI Criminal History Background Checks been extended or changed?

Yes. As a result of the COVID-19 pandemic, Governor Wolf signed [Act 18 of 2020](#) on May 8, 2020. This Act allows individuals who must get their FBI Criminal History Background Check renewed every 60 months as found in [Section 6344.4](#) of the Child Protective Services Law (“CPSL”) additional time to meet this requirement. Individuals will have until December 31, 2020 to obtain their fingerprint-based background check at an approved Identogo location. The Pennsylvania State Police Criminal Record Check and the Pennsylvania Child Abuse History Clearance are still required to be completed every 60 months.

A citation will be issued during annual inspections for any provider who does not ensure all required clearances are obtained and in an employee’s file within the specified time period.

2. Who is eligible for flexibility around the renewal or recertification requirement for the FBI Criminal History Background Check?

[Act 18 of 2020](#) allows individuals required by [Section 6344.4](#) of the CPSL that are due to have their fingerprint checks renewed during the COVID-19 pandemic to delay this requirement no later than December 31, 2020. This includes but is not limited to:

- School employees;
- An employee of [child-care services](#);
- A foster parent; and
- A prospective adoptive parent.

In order to avoid delays at the end of the year efforts should be made to obtain the FBI Criminal History Background Check **as soon as possible**. A map of open Identogo locations can be found on the Department of Human Services’ website [here](#).

Please note: This map is not updated daily. The Commonwealth cannot guarantee that a location is actually open as a site’s operating status can change at any time and locations are not required to notify DHS of their operating status. Individuals should call the toll-free IDEMIA hotline at (844) 321-2101 to confirm a location’s operating status prior to scheduling their appointment.

3. How will Act 18 of 2020 affect existing volunteers?

Existing volunteers who currently have an FBI Criminal History Background Check that is expiring or has expired and who have not lived in the state of Pennsylvania for the entirety of the last 10 years should obtain an FBI Criminal History Background Check recertification as soon as possible but no later than December 31, 2020.

All volunteers are still required to obtain the Pennsylvania State Police Criminal Record Check and Pennsylvania Child Abuse History Clearance prior to being approved as a volunteer and every 60 months thereafter.

Appendix A

**DISCLOSURE STATEMENT
APPLICATION FOR EMPLOYMENT, INCLUDING PROVISIONAL EMPLOYMENT**

Required by the Child Protective Service Law

23 Pa. C.S. Section 6344 (relating to employees having contact with children; adoptive and foster parents)

I swear/affirm that, if providing certifications that have been obtained within the preceding 60 months, I have not been disqualified from employment as outlined below or have not been convicted of an offense similar in nature to a crime listed below under the laws or former laws of the United States or one of its territories or possessions, another state, the District of Columbia, the Commonwealth of Puerto Rico or a foreign nation, or under a former law of this Commonwealth.

I swear/affirm that I have not been named as a perpetrator of a founded report of child abuse within the past five (5) years as defined by the Child Protective Services Law.

I swear/affirm that I have not been convicted of any of the following crimes under Title 18 of the Pennsylvania consolidated statutes or equivalent crime under the laws or former laws of the United States or one of its territories or possessions, another state, the District of Columbia, the Commonwealth of Puerto Rico or a foreign nation, or under a former law of this Commonwealth.

| | |
|---------------------|---|
| Chapter 25 | (relating to criminal homicide) |
| Section 2702 | (relating to aggravated assault) |
| Section 2709.1 | (relating to stalking) |
| Section 2901 | (relating to kidnapping) |
| Section 2902 | (relating to unlawful restraint) |
| Section 3121 | (relating to rape) |
| Section 3122.1 | (relating to statutory sexual assault) |
| Section 3123 | (relating to involuntary deviate sexual intercourse) |
| Section 3124.1 | (relating to sexual assault) |
| Section 3125 | (relating to aggravated indecent assault) |
| Section 3126 | (relating to indecent assault) |
| Section 3127 | (relating to indecent exposure) |
| Section 4302 | (relating to incest) |
| Section 4303 | (relating to concealing death of child) |
| Section 4304 | (relating to endangering welfare of children) |
| Section 4305 | (relating to dealing in infant children) |
| Section 5902(b) | (relating to prostitution and related offenses) |
| Section 5903(c) (d) | (relating to obscene and other sexual material and performances) |
| Section 6301 | (relating to corruption of minors) |
| Section 6312 | (relating to sexual abuse of children), or an equivalent crime under Federal law or the law of another state. |

In addition to the crimes already outlined above, if I am an individual being employed in a child care center, group child care home, or family child care home, I swear/affirm that I have not been convicted of any of the following crimes under Title 18 of the Pennsylvania consolidated statutes or equivalent crime under the laws or former laws of the United States or one of its territories or possessions, another state, the District of Columbia, the Commonwealth of Puerto Rico or a foreign nation, or under a former law of this Commonwealth.

Section 2718 (relating to strangulation)
Section 3301 (relating to arson and related offenses)
18 U.S.C. Section 2261 (relating to interstate domestic violence)
18 U.S.C. Section 2262 (relating to interstate violation of protection order)

I swear/affirm that I have not been convicted of a felony offense under Act 64-1972 (relating to the controlled substance, drug device and cosmetic act) committed within the past five years.

I understand that I must be dismissed from employment if I am named as a perpetrator of a founded report of child abuse within the past five (5) years or have been convicted of any of the crimes listed above.

I understand that if I am arrested for or convicted of an offense that would constitute grounds for denying employment or participation in a program, activity or service under the Child Protective Services Law as listed above, or am named as perpetrator in a founded or indicated report, I must provide the administrator or designee with written notice not later than 72 hours after the arrest, conviction or notification that I have been listed as a perpetrator in the Statewide database.

I understand that if the person responsible for employment decisions or the administrator of a program, activity or service has a reasonable belief that I was arrested or convicted for an offense that would constitute grounds for denying employment or participation in a program, activity or service under the Child Protective Services Law, or was named as perpetrator in a founded or indicated report, or I have provided notice as required under this section, the person responsible for employment decisions or administrator of a program, activity or service shall immediately require me to submit current certifications obtained through the Department of Human Services, the Pennsylvania State Police, and the Federal Bureau of Investigation. The cost of certifications shall be borne by the employing entity or program, activity or service.

I understand that if I willfully fail to disclose information required above, I commit a misdemeanor of the third degree and shall be subject to discipline up to and including termination or denial of employment.

I understand that certifications obtained for employment purposes may be used to apply for employment, serve as an employee, apply to volunteer and serve as a volunteer.

I understand that the person responsible for employment decisions or the administrator of a program, activity or service is required to maintain a copy of my certifications.

I hereby swear/affirm that the information as set forth above is true and correct. I understand that false swearing is a misdemeanor pursuant to Section 4903 of the Crimes Code.

Name: _____ Signature: _____

Witness: _____ Signature: _____

If the employee is a minor:

Parent/Legal Guardian Name: _____

Signature: _____ Date: _____