

# MEMORANDUM

To: All Staff, All FT Faculty, Adjunct Faculty/Artist Lecturers

From: Jon Conrad, Chief HR Officer

Date: March 11, 2015

RE: **IMPORTANT EMPLOYMENT UPDATE**

Beginning January 1, 2015 and in accordance with Pennsylvania state law (**ACT 153 of 2014**) all Colleges and Universities began complying with certain background clearances on new and current employees. Act 153 has changed the definition of child abuse, expanded the definition of who should report abuse and now includes institutions of higher education in its definition of “school” requiring Moravian College to alter its child abuse reporting and training and expand its background checks.

The new legislation is part of a two-year effort by the state to improve Pennsylvania’s child protection laws. The new law is prompting immediate changes to the College’s policies — particularly the institutional background checking process. Under the new law, all school employees who have or may have routine interaction with children are considered mandated reporters of child abuse, even outside of work, if there is an identifiable child. As such, those employees are required to obtain three background checks from various agencies **every three years**. It also includes volunteers who interact routinely with children on campus.

The mandated clearances include:

- Pennsylvania State Police Criminal History Record Information;
- Child Abuse History to determine if the person is named as a perpetrator of an indicated or founded child abuse report; and
- Federal Criminal History Background Check (FBI check with submission of fingerprints).

**NEW HIRES:** Beginning January 1, 2015, all new hires have been required to undergo these checks as a condition of their employment. An offer of employment is provisional for up to 90-days while awaiting the processing and favorable report of these three clearances through the Office of Human Resources (HR).

## **EXISTING EMPLOYEES:**

As required by law, the mandated clearances must be run on all existing employees by December 31, 2015 (though there is legislation seeking to extend that deadline to December 2016). We are currently in the process of exploring this logistical challenge. When finalized, the process will include the completion and submission of

an **Affidavit of Compliance** and **Employment Inquiry Release** to HR. These documents will allow HR to initiate the process to obtain your mandated checks. Even if you had previously completed an **Employment Inquiry Release** you will be asked to complete a new one.

#### **CAMP COUNSELORS, CAMP COACHES or VOLUNTEERS:**

An **Affidavit of Compliance** and **Employment Inquiry Release** must be completed and submitted to the HR for the processing of the required background checks. All checks must be completed and processed **PRIOR** to the non-Moravian College employee counselor, coach or volunteer working in any camp; no exceptions. Please allow enough time prior to the camp beginning for the completion of the checks. Though HR will process these checks through our provider, the camp will be charged for the cost of the checks.

#### **ADJUNCT FACULTY:**

Existing spring term adjunct faculty or artist lecturers will be contacted under separate cover, and asked to complete both the **Affidavit of Compliance** and **Employment Inquiry Release** so the checks can be completed before the end of the term. Failure to complete the required information could jeopardize future employment by the College, Comenius Center or Seminary. Again, all current adjuncts will be contacted under separate cover.

Obtaining the mandated clearances is a condition of continued or future employment. Current law states that the mandated clearances must be repeated **every 36 months**. Please note that the **Affidavit of Compliance** requires your signature to be witnessed by an HR representative or notarized.

If you have any questions regarding ACT 153 and its mandates, please contact HR. Thank you in advance for helping us to complete the requirements to obtain all the necessary clearances.