University of Pittsburgh
Protection of Children from Abuse Procedure
Procedure CS 17

Implementing Executive: Senior Vice Chancellor for Business & Operations
Responsible Unit: Office of Human Resources
Category: Community Standard
Effective Date: February 11, 2022

I. Purpose

This Procedure defines the processes for obtaining and recertifying Child protection clearances and effectuates the standards for the protection of Children at the University of Pittsburgh ("University") as established in the Protection of Children from Abuse Policy (Policy CS 17).

II. Definitions

Please refer to Policy CS 17, Protection of Children from Abuse, for definitions of the terms used in this Procedure.

III. Procedures

The Procedures below provide detail on:

- Employees and Appointees Who Must Obtain Clearances (Section III. A.)
- How to Apply for Clearances (Section III. B.)
- Recertification of Clearances (Section III. C.)
- Portability of Clearances (Section III. D.)
- Reporting Arrests, Convictions, or Substantiated Child Abuse (Section III. E.)
- Programs Involving Children on Campus (Section III. F.)
- Reporting Child Abuse (Section III. G.)

A. Employees and Appointees Who Must Obtain Clearances and Complete Training

Employees and appointees who must obtain clearances and complete training include, but are not limited to, those who have Direct Contact with Children at University-Affiliated or Non-University Affiliated Program, including, but not limited to the following:

- In a traditional Childcare or elementary/secondary school setting.

- In a clinical practice or while engaged in research involving Children.
- In accelerated programs that are open University classes and programs to Children who are also enrolled in a secondary school.
- In connection with any camp, clinic, mentoring program, or similar activity with Children, such as a summer camp or laboratory experiences.
- In connection with off-campus recruitment of prospective students.
- In any other manner not referenced above.

If the position requires clearances, the employee or applicant must coordinate with the Office of Human Resources ("OHR") and/or its designee[1] to submit the required clearances as outlined in Policy CS 17 Section IV(A).

B. Applying for Clearances and Required Training

After a new employee accepts an offer of employment for a position that requires Child protection clearances, and pursuant to Policy CS 17 Section IV(B), the Responsibility Center Head for that new employee must coordinate with OHR and/or its designee to initiate the Child protection clearance process, including training, for that new employee.

Detailed guidance on this process can be found on the Office of Human Resources website under "Applying for Child Protective Clearances".

C. Recertifications of Clearances and Training

Employees requiring clearances must renew such clearances every 60 months (i.e., five years) from the date of the employee's oldest certification.

All three clearances must be completed at the same time regardless if there is variance in the expiration dates for those three clearances.

Additionally, as part of the recertification of clearances, employees requiring recertification must complete training administered by the Office of Human Resources.

Detailed guidance on this process can be found on the Office of Human Resources website under "Recertification of Clearances."

D. Portability of Clearances

Employees and Paid Appointees: New and current employees and paid appointees may use previously obtained clearances outlined in Policy CS 17, Section IV(A), so long as the clearances are less than 60 months old and they were obtained for employment purposes (i.e. clearances obtained for volunteer purposes will not be accepted). However, all employees and paid appointees who use clearances less than 60 months old that were originally obtained for another

[1] For more information on OHR's current designee/third party provider, please visit: https://www.hr.pitt.edu/clearances-training/clearances

employer must also sign a Portability Statement to swear or affirm that they have not committed a disqualifying offense. Both the Portability Statement and copies of the clearances must be submitted to OHR or its designee. If any of the necessary clearances are out of date or missing, the applicant will be required to obtain all new clearances.

Unpaid Volunteers and Unpaid Appointees: Volunteers may use previously obtained clearances outlined in Policy CS 17, Section IV(A) that are less than 60 months old regardless of whether the clearance was previously obtained for the purpose of employment or volunteer service. However, prior to the commencement of service, an individual who relies upon a clearance originally obtained for another entity must sign a Portability Statement to swear or affirm that they have not committed a disqualifying offense. Both the Portability Statement and copies of the clearances must be submitted to OHR or its designee. If any of the necessary clearances are out of date or missing, the applicant will be required to obtain all new clearances.

E. Reporting Arrests, Convictions, or Substantiated Child Abuse

Employees, appointees, and Volunteers who have Direct Contact with Children must provide written notice within 72 hours of any arrest or conviction that would constitute grounds for denying employment or participation in a program, activity or service, or of any finding that the individual is a perpetrator in a founded or indicated report of Child Abuse. All written reports must be submitted to:

Employee & Labor Relations, Office of Human Resources
University of Pittsburgh
502 Craig Hall, 200 S. Craig Street
Pittsburgh, PA 15260

Phone: 412-624-4645
Website:
https://www.hr.pitt.edu/sites/default/files/assets/ChildProtection_SelfReporting.pdf

Disqualifying Offenses
Employment, appointment, or volunteer service must be denied if the Department of Human Services has verified that the individual is named in the Statewide database as the perpetrator of a founded report of child abuse committed within the past five-years. In addition, an individual is disqualified from employment, appointment, or volunteer service if the State Police or FBI Criminal Record checks indicate that the individual has been convicted of one or more of the following offenses under Pennsylvania law or an offense similar in nature under Federal law, the law of another state or the law of any other foreign or domestic jurisdiction:

(1) An offense under one or more of the following provisions of Title 18 of the Pennsylvania Consolidated Statutes:

A. Chapter 25 (relating to criminal homicide).

B. Section 2702 (relating to aggravated assault).

C. Section 2709.1 (relating to stalking).

D. Section 2901 (relating to kidnapping).

E. Section 2902 (relating to unlawful restraint).

F. Section 3121 (relating to rape).

G. Section 3122.1 (relating to statutory sexual assault).

H. Section 3123 (relating to involuntary deviate sexual intercourse).

I. Section 3124.1 (relating to sexual assault).

J. Section 3125 (relating to aggravated indecent assault).

K. Section 3126 (relating to indecent assault).

L. Section 3127 (relating to indecent exposure).

M. Section 4302 (relating to incest).

N. Section 4303 (relating to concealing death of child).

O. Section 4304 (relating to endangering welfare of children).

P. Section 4305 (relating to dealing in infant children).

Q. A felony offense under section 5902(b) (relating to prostitution and related offenses).

R. Section 5903(c) or (d) (relating to obscene and other sexual materials and performances).

S. Section 6301(relating to corruption of minors).

T. Section 6312 (relating to sexual abuse of children).

U. The attempt, solicitation or conspiracy to commit any of the offenses set forth above.

(2) A felony offense under the act of April 14, 1972 (P.L. 233, No. 64), known as "The Controlled Substance, Drug, Device and Cosmetic Act" (35 P.S. 780-101 et seq.) committed within the past five years.

F. Programs Involving Children on Campus

All University-Affiliated programs, including camps, clinics, grant funding, research, and similar programs that are owned and/or operated by the University, with Children in attendance must be registered with OHR or its designee. This registration process can be found at: https://www.hr.pitt.edu/clearances-training/programs

All Non-University Affiliated and operated programs taking place on University campuses or University leased properties are required to register with OHR or its designee. This registration process can be found at: https://www.hr.pitt.edu/clearances-training/programs .

In all cases, no Employees or Volunteers are permitted to have Direct Contact with Children in connection with a program until OHR or its designee has reviewed the required clearances and approved each such individual. In cases of Children staying overnight on campus or needing transportation, the department must consult with Panther Central and Student Affairs.

Note: If a department or unit has clearance requirements that differ from Policy CS 17 and/or this Procedure, Policy CS 17 and this Procedure shall take precedence. If, however, a department or unit has more stringent clearance requirements than those outlined in Policy CS 17 and this Procedure, individuals must follow Policy CS 17 and this Procedure and must also fulfill the more stringent department or unit requirements.

Note: Just as employment clearances can be submitted for use with a Program, a department or unit has the discretion to require employment level clearances rather than volunteer level clearances based on the needs and mission of their Program

Note: Volunteers using this exemption are still required to submit a Pennsylvania State Police Criminal Record Check and a Pennsylvania Child Abuse History Clearance.

Disclosure Statements are not applicable for Programs involving minors on campus and should not be submitted when registering Programs. Opting out from the FBI clearance. http://www.keepkidssafe.pa.gov/cs/groups/webcontent/documents/document/c_160267.pdf)

The law permits unpaid Volunteers to use clearances that are less than 60 months old; if the clearances are set to expire during the duration of the program, they will not be accepted and the Volunteer will need to provide updated clearances. This is regardless of whether the clearance was previously obtained for the purpose of employment or volunteer service. Additionally, prior to commencement of the Program, an individual who relies upon a clearance originally obtained for another entity must sign a Portability Statement to swear or affirm that they have not committed a disqualifying offense. The third-party provider will facilitate the process for the Portability Statement.

Disclosure Statements are not applicable for Non-University Affiliated Programs involving Children on campus and should not be submitted during registration.

License agreements must be submitted to OHR or its designee. Any questions about licensing agreements should be directed to the Responsibility Center Head who must work with the Office of University Counsel.

Additional guidance on the University Affiliated Program and Non-University Affiliated Program registration process is located on the Office of Human Resources website at: https://www.hr.pitt.edu/clearances-training/programs

G. Reporting

For details on reporting child abuse requirements, see Section IV. C., of University Policy CS 17. As specified there, suspected child abuse must be reported to both University Police by calling 412-624-2121 and to ChildLine either electronically at https://www.compass.state.pa.us/cwis/public/home or by calling 1-800-932-0313.

Additional resources on reporting child abuse are also available at the state's Keep Kids Safe site. To report retaliation for making a good faith report of suspected child abuse or for participating in a related investigation, please submit a report through the Pitt Concern Connection linked here: Make a Report | Office of Compliance, Investigations and Ethics.

IV. Contact Information/Public Accessibility

This Procedure is posted under Community Standard Policies on the Office of Policy Development and Management's website and can be found at: https://www.policy.pitt.edu .

For specific questions related to this Procedure or the protection of children from abuse at the University of Pittsburgh, please contact the Office of Human Resources at: https://www.hr.pitt.edu/

V. Related Authorities

Policy CS 17, Protection of Children from Abuse