**ACT153 Clearances FAQ:**

*Updated 4/18/18*

1. **What is ACT 153 and why/when was it enacted?**

In an effort to strengthen protections for children in the PA Child Protective Services Law (CPSL), Pennsylvania ACT 153 went into effect on December 31, 2014. Pennsylvania ACT 153 requires colleges and universities to obtain background clearances for any individuals having routine interaction with children/minors (under the age of 18) at the university or in a university-sponsored program, activity, or service.

1. **Who is required to complete the ACT 153 clearances?**

This requirement applies to university employees, volunteers, independent contractors, and students who have routine interaction with children/minors (under the age of 18). Routine interaction is defined as regular and repeated contact that is integral to a person’s employment or volunteer responsibilities.

1. **How much history will the background check cover?**

Any conviction history that is prohibited by the Child Protective Services Law will be considered during the background check assessment, regardless of when the conviction occurred (such as child abuse, kidnapping, rape, homicide, etc.).

1. **Who will cover the costs of these clearances?**

For volunteers, there is no cost. For paid employees, Misericordia University will cover the cost of obtaining ACT 153 clearances. The PA State Police Criminal Record clearance will be completed by our Campus Safety department and will be paid for by Misericordia at that time. The PA Child Abuse History Certification and the FBI Fingerprint Based Criminal History Report receipts should be submitted to the Human Resources department at the time you submit your official results. Once Human Resources verifies the official results, your receipt(s) will be processed for reimbursement.

1. **How long are these clearances valid?**

At this time, all three required ACT 153 clearances are valid for five years.

1. **How long does this process take?**

This process can take weeks. The PA State Police Criminal Record clearance and the PA Child Abuse History Certification can be done rather quickly and completely online.

The FBI Fingerprint Based Criminal History Report can take weeks if fingerprint scans are needed.

Paid employees or anyone who resides or has resided outside of Pennsylvania within the last 10 years, fingerprint scans will be required. However, volunteers that have resided in Pennsylvania for the past 10 years, you can review the affirmation form, and if applicable, sign and return this form as an exemption to having your fingerprints scanned.

1. **Where do I submit my clearances?**

The official results of your clearances can be submitted to the Human Resources department, located in Mercy Hall, on the ground floor.

PA State Police Criminal Record:

Paid employees will have their PA State Police Criminal Record processed through the Campus Safety Department, therefore, we will receive those results directly. For volunteers, the PA State Police Criminal Record can be submitted electronically via email to hr@misericordia.edu.

PA Child Abuse History Certification:

Submit electronically via email by retrieving your results online, saving the results as a PDF document, and emailing them to hr@misericordia.edu.

 FBI Fingerprint Based Criminal History Report:

The FBI Fingerprint Report will be mailed to your home address. Those official results need to be submitted to the Human Resources department.

1. **Can I submit copies of my clearances?**

No. Original results are required. The PA State Police Criminal Record and the PA Child Abuse History Certification can be submitted electronically by retrieving your results online, saving the results as a PDF document, and emailing them to hr@misericordia.edu. The official results for the FBI Fingerprint Based Criminal History Report will be mailed to your home address. Those official results need to be submitted to the Human Resources department.

1. **What if I have an Affirmation form for my FBI clearance?**

If you are a volunteer and have lived in PA for the last 10 years, you can sign and submit your Affirmation form to Human Resources.

1. **What if I have a fingerprint card?**

When pre-registering on the Identogo site, there is an area you can choose if you already have a fingerprint card, instead of choosing ‘Digital Fingerprinting.’

