

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2807 Session of
2008

INTRODUCED BY DeLUCA, BIANCUCCI, BENNINGTON, BOBACK, BOYD,
CUTLER, DePASQUALE, DONATUCCI, J. EVANS, FRANKEL, GILLESPIE,
GRUCELA, HARHAI, HARKINS, HARPER, HORNAMAN, JOSEPHS, KING,
LEVDANSKY, MAHONEY, MANN, McGEEHAN, MICOZZIE, MILLARD, MURT,
MUSTIO, M. O'BRIEN, PAYNE, PETRONE, RAPP, READSHAW, ROCK,
SCAVELLO, SOLOBAY, SONNEY, SWANGER, R. TAYLOR, TRUE,
J. WHITE, PASHINSKI, FLECK, SHAPIRO, CREIGHTON AND SIPTROTH,
SEPTEMBER 29, 2008

REFERRED TO COMMITTEE ON EDUCATION, SEPTEMBER 29, 2008

AN ACT

1 Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An
2 act relating to the public school system, including certain
3 provisions applicable as well to private and parochial
4 schools; amending, revising, consolidating and changing the
5 laws relating thereto," providing for background checks for
6 sporting event officials.

7 The General Assembly of the Commonwealth of Pennsylvania
8 hereby enacts as follows:

9 Section 1. Section 111(a.1) and (f) of the act of March 10,
10 1949 (P.L.30, No.14), known as the Public School Code of 1949,
11 added July 11, 2006 (P.L.1092, No.114), are amended to read:

12 Section 111. Background Checks of Prospective Employes;

13 Conviction of Employes of Certain Offenses.--* * *

14 (a.1) Beginning April 1, 2007, this section shall apply to
15 all prospective employes of public and private schools,
16 intermediate units and area vocational-technical schools,
17 including, but not limited to, teachers, substitutes, janitors,

1 cafeteria workers, sporting event officials, independent
2 contractors and their employes, except those employes and
3 independent contractors and their employes who have no direct
4 contact with children.

5 (1) Beginning April 1, 2007, this section shall apply to bus
6 drivers offered employment by a school district, private school,
7 nonpublic school, intermediate unit or area vocational-technical
8 school or by an independent contractor.

9 (2) Beginning April 1, 2007, this section shall apply to
10 student teacher candidates assigned to all public and private
11 schools, intermediate units and area vocational-technical
12 schools.

13 (3) For purposes of this section, "student teacher
14 candidate" shall mean an individual participating in a classroom
15 teaching, internship, clinical or field experience who, as part
16 of a program for the initial or advanced preparation of
17 professional educators, performs classroom teaching or assists
18 in the education program in a public or private school,
19 intermediate unit or area vocational-technical school under the
20 supervision of educator preparation program faculty.

21 (4) Prior to a student teacher candidate's participation in
22 any classroom teaching, internship, clinical or field
23 experience, that candidate shall provide to the administrator of
24 his or her educator preparation program all criminal history
25 record information required of an employe or prospective employe
26 who is subject to this section.

27 (5) The student teacher candidate may not participate in any
28 classroom teaching, internship, clinical or field experience if
29 this section would prohibit an employe or prospective employe
30 subject to this section from being employed under those

1 circumstances.

2 (6) During the course of a student teacher candidate's
3 participation in an educator preparation program, the
4 administrator of the student teacher candidate's educator
5 preparation program shall maintain a copy of the criminal
6 history record information that was provided by the student
7 teacher candidate. The penalty provisions of subsection (g)
8 shall be applicable to the administrator of a student teacher
9 candidate's educator preparation program.

10 (7) If a student teacher candidate is continuously enrolled
11 in an educator preparation program, the criminal history record
12 information initially submitted by that candidate to that
13 program shall remain valid during that period of enrollment. If
14 a student teacher candidate's enrollment in an educator
15 preparation program is interrupted or if that candidate
16 transfers to another educator preparation program, the candidate
17 shall provide to the administrator of his or her educator
18 preparation program all criminal history record information
19 required of an employe who is subject to this section.

20 * * *

21 (f) [The] Except for sporting event officials, the
22 requirements of this section shall not apply to employes of
23 public and private schools, intermediate units and area
24 vocational-technical schools who meet all the following
25 requirements:

26 (1) The employes are under twenty-one (21) years of age.

27 (2) They are employed for periods of ninety (90) days or
28 less.

29 (3) They are a part of a job development and/or job training
30 program funded in whole or in part by public or private sources.

1 * * *

2 Section 2. This act shall take effect immediately.