

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2914 Session of
1996

INTRODUCED BY REINARD, CONTI AND STEIL, OCTOBER 1, 1996

REFERRED TO COMMITTEE ON EDUCATION, OCTOBER 1, 1996

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," further providing for background
6 checks of prospective employees.

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

9 Section 1. Section 111(i) of the act of March 10, 1949
10 (P.L.30, No.14), known as the Public School Code of 1949,
11 amended December 19, 1990 (P.L.1362, No.211), is amended to
12 read:

13 Section 111. Background Checks of Prospective Employees;
14 Conviction of Employes of Certain Offenses.--* * *

15 (i) Notwithstanding subsections (b) and (c), administrators
16 may employ applicants on a provisional basis for a single period
17 not to exceed [thirty (30)] sixty (60) days or, for out-of-State
18 applicants, a period of ninety (90) days, except during a lawful
19 strike proceeding under the provisions of the act of July 23,

1 1970 (P.L.563, No.195), known as the "Public Employe Relations
2 Act," provided that all of the following conditions are met:

3 (1) the applicant has applied for the information required
4 under subsection (b) and, where applicable, under subsection (c)
5 and the applicant provides a copy of the appropriate completed
6 request forms to the administrator;

7 (2) the administrator has no knowledge of information
8 pertaining to the applicant which would disqualify him from
9 employment pursuant to subsection (e);

10 (3) the applicant swears or affirms in writing that he is
11 not disqualified from employment pursuant to subsection (e);

12 (4) if the information obtained pursuant to subsection (b)
13 or (c) reveals that the applicant is disqualified from
14 employment pursuant to subsection (e), the applicant shall be
15 suspended and subject to termination proceedings as provided for
16 by law; and

17 (5) the administrator requires that the applicant not be
18 permitted to work alone with children and that the applicant
19 work in the immediate vicinity of a permanent employe.

20 Section 2. This act shall take effect immediately.