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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 2807 Session of  
2008

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INTRODUCED BY DeLUCA, BIANCUCCI, BENNINGTON, BOBACK, BOYD,  
CUTLER, DePASQUALE, DONATUCCI, J. EVANS, FRANKEL, GILLESPIE,  
GRUCELA, HARHAI, HARKINS, HARPER, HORNAMAN, JOSEPHS, KING,  
LEVANSKY, 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

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REFERRED TO COMMITTEE ON EDUCATION, SEPTEMBER 29, 2008

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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,

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

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

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

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

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

(5) The student teacher candidate may not participate in any classroom teaching, internship, clinical or field experience if this section would prohibit an employe or prospective employe 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 employee 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 employees of  
23 public and private schools, intermediate units and area  
24 vocational-technical schools who meet all the following  
25 requirements:

26 (1) The employees 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.

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2       Section 2. This act shall take effect immediately.