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House of Representatives
COMMONWEALTH OF PENNSYLVANIA
HARRISBURG

MEMORANDUM

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PA HEALTH CARE COST CONTAINMENT
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TO: ALL HOUSE MEMBERS

FROM: REPRESENTATIVE MATT BAKER

RE: REINTRODUCTION OF LEGISLATION (FORMER HB 335-- CRIMINAL BACKGROUND CHECKS FOR COLLEGES AND UNIVERSITIES)

DATE: DECEMBER 15, 2010

When session begins, I am planning to reintroduce former HB 335. This bill passed in the House unanimously during the 2005-06 session (194-0) as HB 564. This legislation would give colleges and universities the authority to require criminal history background information and establish self-disclosure requirements for full-time faculty and staff members. This authority would be discretionary: colleges and universities would not be mandated to set such requirements.

This legislation was drafted in response to the situation involving a former professor at Penn State University who did not disclose to university officials that he had been convicted of a triple murder and was on parole from the state of Texas.

The bill would allow colleges and universities to establish policies requiring final candidates for full-time faculty or staff positions to undergo criminal history background checks. At a minimum, such checks would seek information on felony convictions or other crimes involving sexual offenses or misappropriation of funds. The school could then decide whether or not to hire a final candidate based on the result of the background check.

This initiative would also allow colleges and universities to require persons offered full-time employment to self-disclose criminal history information on a form provided by the school. Such self-disclosure would have to include federal and state felony convictions as well as any convictions relating to sexual offenses or misappropriation of funds. Failure to self-disclose or providing false information could result in termination.

A college or university which decides to conduct background checks would be required to develop a written policy regarding criminal history record information and hiring practices for dissemination to all faculty and staff members and final candidates for employment. In addition, a school would be required to state whether or not it has established such a policy in its informational materials and other literature made available to prospective students.

If you care to co-sponsor this legislation, please contact my secretary **Gina Strine** via email at Gstrine@pahousegop.com.

FORMER COSPONSORS: CLYMER, MAJOR, ADOLPH, BARRAR, BELFANTI, BEYER, BOYD, BRENNAN, CAUSER, DALEY, FLECK, GEORGE, GINGRICH, GROVE, GRUCELA, HESS, JOSEPHS, KAUFFMAN, KORTZ, LONGIETTI, MILLARD, MILLER, MOUL, MURT, ONEILL, PAYNE, PEIFER, PHILLIPS, PICKETT, QUINN, RAPP, ROHRER, SIPTROTH, SMITH, STERN, SWANGER, TRUE, VULAKOVICH, WATSON