

**AFFIRMATION
FOR EXEMPTION OF FINGERPRINTING REQUIREMENT
UNDER ACT 153
(AMENDMENT TO CHILD PROTECTIVE SERVICES LAW)**

Under Act 153 of the Commonwealth of Pennsylvania, the following background check clearances are required of all individuals, 18 years of age or older, who have either direct contact with children or are directly responsible for the welfare of a child or children:

- 1) Report of criminal history from the Pennsylvania State Police; and
- 2) Child Abuse History Clearance from the Department of Human Services.

Additionally, a fingerprint-based federal criminal history (FBI) submitted through the Pennsylvania State Police or its authorized agent is required if:

- a) the position is a paid position; or
- b) the individual has lived outside the Commonwealth of Pennsylvania in the last ten years.

VOLUNTEERS WHO ARE NOT REQUIRED TO OBTAIN AN FBI CLEARANCE BECAUSE THEY ARE APPLYING FOR AN UNPAID POSITION AND HAVE BEEN A CONTINUOUS RESIDENT OF PA FOR THE PAST TEN YEARS **MUST STILL SWEAR OR AFFIRM IN WRITING THAT THEY ARE NOT DISQUALIFIED FROM SERVICE BASED UPON A CONVICTION OF AN OFFENSE UNDER §6344 (see reverse side).**

Therefore, **ALL** individuals, 18 years of age or older, who have direct contact with a child or are directly responsible for the welfare of a child in the course of employment or while participating in any youth program **MUST complete this document and return it to Lakeview Knothole Little League.**

I HEARBY SWEAR AND AFFIRM THAT I (check each that apply):

_____ have been a continuous resident of Pennsylvania for the past ten (10) years; and
_____ am not disqualified from service based upon a conviction of an offense under §6344(c).

(ANY PERSON KNOWINGLY AND WILLFULLY MAKING A FALSE AFFIRMATION ON THIS DOCUMENT MAY BE SUBJECT TO CRIMINAL PENALTIES)

Signature

Printed Name

Date

What is Section 6344(c) ?

Section 6344(c) [23 Pa.C.S. §6344(c)], relates to grounds that must be followed in determining whether a person can be hired for certain positions. If an applicant falls under one of the prohibitions of Section 6344(c), then the employer is required to deny employment of volunteerism in some cases. This Section applies to both paid employees and volunteers.

Section 6344(c) states: In no case shall an employer, administrator, supervisor or other person responsible for employment decisions or involved in the selection of volunteers hire or approve an applicant:

(1) ...where the department has verified that the applicant is named in the Statewide database as the perpetrator of a founded report committed within the five-year period immediately preceding verification pursuant to this section.

(2) ...if the applicant's criminal history record information indicates the applicant has been convicted of one or more of the following offenses under Title 18 (relating to crimes and offenses) or an equivalent crime under Federal law or the law of another state:

Chapter 25 (relating to criminal homicide).

Section 2702 (relating to aggravated assault).

Section 2709.1 (relating to stalking).

Section 2901 (relating to kidnapping).

Section 2902 (relating to unlawful restraint).

Section 3121 (relating to rape).

Section 3122.1 (relating to statutory sexual assault).

Section 3123 (relating to involuntary deviate sexual intercourse).

Section 3124.1 (relating to sexual assault).

Section 3125 (relating to aggravated indecent assault).

Section 3126 (relating to indecent assault).

Section 3127 (relating to indecent exposure).

Section 4302 (relating to incest).

Section 4303 (relating to concealing death of child).

Section 4304 (relating to endangering welfare of children).

Section 4305 (relating to dealing in infant children).

A felony offense under section 5902(b) (relating to prostitution and related offenses).

Section 5903(c) or (d) (relating to obscene and other sexual materials and performances).

Section 6301 (relating to corruption of minors).

Section 6312 (relating to sexual abuse of children).

The attempt, solicitation or conspiracy to commit any of the offenses set forth in this paragraph.

(3) ...if the applicant's criminal history record information indicates the applicant has been convicted of a felony offense under the act of April 14, 1972 (P.L.233, No.64), known as The Controlled Substance, Drug, Device and Cosmetic Act, committed within the five-year period immediately preceding verification under this section.