



Mid-Atlantic Robotics, A NJ Non-Profit Corporation

Procedure for Implementation of Pennsylvania Act 153 Volunteer Clearances

Article I - Purpose and Overview

In an effort to comply with PA Act 153 for Volunteer Clearances, Mid-Atlantic Robotics (MAR), d.b.a. *FIRST* Mid-Atlantic, has created this procedure to define its procedure for collection, storage, and tracking of required Clearances.

Definitions

Volunteer. An unpaid event personnel at an official MAR FRC Event.

Volunteer Coordinator. The event volunteer coordinator is responsible for ensuring volunteers have submitted their Act 153 clearances prior to assigning roles.

Clearances. The clearances, herein this procedure, refer to the three Clearance referenced in PA Act 153 or the Affidavits. The Clearances include:

- Pennsylvania Child Abuse History Clearance
- Pennsylvania State Police Criminal Record Check
- Federal Bureau of Investigation Criminal Background Check

Drop-Off Site. The location the Volunteer may submit their clearances to a MAR Representative. Locations include Off-Season FRC Competitions, Local Kickoffs, and Designated Drop-off Locations. All locations shall be listed on www.midatlanticrobotics.org/volunteer-clearances.

Drop Box. A secured box that all clearances will be stored. Only approved MAR Representatives will have access to the contents.

Article II – Clearance Tracking Procedure

MAR will collect and log the Clearances at designated Drop-Off Sites. The Volunteer shall make all attempts to submit the clearances prior to the event to allow the Volunteer Coordinator to verify the Volunteer passes Act 153 Clearances. The Information Technology Committee will maintain an electronic system that lists only the following information:

- Volunteer name & email
- Expiration date of Clearances (60 Months after earliest Clearance issuance date or date of Affidavit)

The system shall be accessible by only Volunteer Coordinators and MAR Representatives. At the conclusion of each FRC Season, the Drop Boxes will be emptied and the Clearances will be sent to an off-site secure document retention location. All Clearances will be destroyed after 60 months.

MAR understands that personal information is included on Clearances. MAR will take all measures to keep documents secure. No Clearances will be accepted electronically nor will Clearances be scanned for electronic storage in an effort to protect Volunteer identities.

Article III – Reimbursement Procedure

On August 23, 2016, the Board of Directors approved the “*Resolution to Reimburse for MAR Event Volunteer Incurred Costs for Pennsylvania Act 153 Clearances*”. MAR will reimburse the costs of the FBI Clearance (up to \$27.50) to any official MAR event Volunteer who is assigned a volunteer role in VIMS (Volunteer Information Management System) at a Pennsylvania Event. When submitting the three clearances at the Drop-Off Site, the Volunteer must attach the Reimbursement Form to the clearances.

At the conclusion of the FRC season, the Senior Volunteer Coordinator shall approve all reimbursement forms. MAR will then send out all reimbursements by May 31 of each calendar year.

Article IV – Forms

The following forms are available at www.midatlanticrobotics.org/volunteer-clearances/

- Cover Sheet
- Form A – PA Resident – Volunteer Affirmation
- Form B – Out-of-State Resident – Volunteer Affirmation
- Form C – FBI Clearance – Reimbursement Form

Appendix A – Volunteer Clearance Requirements

FIRST Mid-Atlantic’s priority is the safety and well-being of all students who attend our competitions. *FIRST* requires that all volunteers be screened under its Youth Protection Policy (“YPP”). In addition, and separate and apart from YPP screening, all volunteers must also comply with state laws governing volunteers who work with children. In 2014, Pennsylvania changed its Child Protective Services Law, known as Act 153, to require volunteers working with children to complete specific screening requirements.

Act 153 states that volunteers who work with children are required to obtain clearances that may include some or all of the following, depending upon the individual volunteer’s circumstances:

- Pennsylvania Child Abuse History Clearance;
- Pennsylvania State Police (PSP) Criminal Record Check; and
- Federal Bureau of Investigation (FBI) Criminal Background Check.

What, as a volunteer in *FIRST* Mid-Atlantic, will you need to do? By answering the following questions, you can determine what, if anything, you must do to comply with Act 153.¹

1. Are you volunteering at a Pennsylvania event?

a. **No:** If you are *not* volunteering at a Pennsylvania event you do not need to do anything to comply with Act 153. You will, however, still be automatically screened through the *FIRST* YPP process when you sign up in VIMS. No further action is required on your part.

b. **Yes:** If you are volunteering in Pennsylvania, you will have to comply with certain aspects of Act 153. To determine your compliance requirements, proceed to Question 2.

2. Do you live in Pennsylvania?

a. **No:** If you do *not* live in Pennsylvania, but you are volunteering in Pennsylvania, you will need to do one of the following:

(1) complete a form affirming you are in compliance with the laws in your domiciled (home) state, if any, that govern people who work or volunteer with children; or

(2) provide a copy of clearance forms you may already have obtained from your domiciled (home) state indicating that you are in compliance with the laws governing individuals who work or volunteer with children in that state²; or

(3) complete the three clearances as required under the new law in Pennsylvania, which are described below.

b. **Yes:** If you are volunteering in Pennsylvania *and* you live in Pennsylvania, proceed to question 3.

3. Have you been a resident of Pennsylvania Pennsylvania for 10 years or more?

a. **No:** If you have **not** been a resident of Pennsylvania for at least 10 years, you will need to complete all three screening requirements for volunteers under Act 153. Again, those requirements are:

- Pennsylvania Child Abuse History Clearance
- Pennsylvania State Police Criminal Record Check
- Federal Bureau of Investigation Criminal Background Check, which includes fingerprinting.

The first two clearances are free for volunteers. The third clearance includes a fee for fingerprinting, which we estimate to be \$27.50.

b. **Yes:** If you have been a resident of Pennsylvania for 10 years of more, you will need to complete only the first two screening requirements for volunteers under Act 153:

- Pennsylvania Child Abuse History Clearance
- Pennsylvania State Police Criminal Record Check

You will not need to complete the FBI check or fingerprinting, but you will need to affirm in writing that you are no disqualified from volunteering with children because of a felony conviction within the past five years under The Controlled Substance, Drug, Device and Cosmetic Act, committed within the five-year period immediately preceding verification under this section. *FIRST* Mid-Atlantic will provide a form for you to fill out for this purpose.

¹ This discussion assumes that all volunteers in Pennsylvania will be volunteering for no more than 30 days in a calendar year. If your volunteer period will exceed 30 days, your screening requirements will be different.

² The long answer: Act 153 states, at 23 PA CS § 6344.2 (f), that volunteers may “serve on a provisional basis not to exceed a total of 30 days in a calendar year if the volunteer is in compliance with the clearance standards under the law of the jurisdiction where the volunteer is domiciled.”

FAQ's:

What's the difference between screening and clearances?

- For our purposes, clearances refer to PA Act 153. Screening refers to the FIRST Youth Protection Policy (YPP).

Who needs clearances under PA Act 153?

- Any adult in direct contact with children at a Pennsylvania competition will need to be cleared.

How do I get the clearances?

- First, make sure you sign up to volunteer at https://my.firstinspires.org/FIRSTPortal/Login/VIMS_Login.aspx.
- For the PSP Criminal Record check, go to <https://epatch.state.pa.us/Home.jsp>.
- For the PA Child Abuse History Clearance, go to <https://www.compass.state.pa.us/cwis/>.
- For the FBI Criminal History Check, go to https://www.pa.cogentid.com/index_dpwNew.htm. You will use this website to register, then you can go to any Cogent site for fingerprinting (found on the website). Cogent is the service provider for fingerprinting services in PA.

When do I need to obtain the required clearances by?

- You have until July 1st, 2016, to obtain your PA Act 153 clearances.

How often do I need to renew my clearances?

- Clearances are valid 60 months from their issue date.

How much do the clearances cost?

- The FBI Criminal History Check currently costs \$27.50. All other clearances are free for volunteers.

As a volunteer, do I obtain my FBI Criminal History Check through the Department of Education or the Department of Human Services?

- For FIRST Mid-Atlantic, you should get your clearances through the Department of Human Services. However, if you have already been cleared by the Department of Education, that will fulfill these requirements.

I am 18 years old, but still in high school. Do I need to get any clearances?

- Nope. If you're still in high school, this law views you as a student and you are not required to provide clearances to FIRST Mid-Atlantic.

I already have my Pennsylvania clearances (under Act 153) for work or another volunteer role. Can I submit those clearances to FIRST Mid-Atlantic?

- Yes! As long as your current clearances are valid (less than 60 months old), you can submit those clearances.

I have all my clearances. What do I do with them?

- Before the event, you can send them to twexler@midatlanticrobotics.org in PDF form. At the event, please bring them to the Event Volunteer Coordinator to be scanned and stored.

Why do I need to get these new clearances?

- Starting in 2013, Pennsylvania passed a combination of 23 different laws to better protect children in the Commonwealth. Act 153 of 2014 and Act 15 of 2015 addressed adults who volunteer their time with children in the Commonwealth, setting new rules for clearances. FIRST Mid-Atlantic is required by law to make sure that our volunteers in Pennsylvania are in compliance.

What if I still have questions?

- Questions about the FBI Fingerprinting Process – https://www.pa.cogentid.com/ohio/DPW/DPW_docs/PA_DPW_FAQs.htm
- Questions about the Laws themselves – <http://keepkidssafe.pa.gov/>
- Additional questions – Contact teamsupport@midatlanticrobotics.org