

# Working with Minors Clearances FAQs

## **What types of background checks are required for working with minors?**

Successful clearance of the Pennsylvania Criminal Record Search, FBI Criminal Record Fingerprinting Check, and the Pennsylvania Child Abuse Clearance Check are required to work with minors.

## **Who must undergo these background checks?**

All Saint Joseph's University employees, volunteers, vendors, independent contractors, and students who are working with activities and programs taking place on Saint Joseph's campus, or University-sponsored off-campus activities, in which Minors will be physically present and participating as described under our [Minors on Campus Policy](#).

## **How do I process these background checks?**

For all SJU employees and volunteers, the checks are coordinated through Employment Services in the Office of Human Resources. Vendors and independent contractors are responsible for certifying that the clearances have been successfully completed for their staff. Students are responsible for providing the results of their background checks to Employment Services in the Office of Human Resources (information on how to obtain these clearances is available through the departments sponsoring student programs or through Employment Services in the Office of Human Resources).

## **How is the information contained in these reports received and stored in the Office of Human Resources?**

The reports are retrieved in the following way:

- Pennsylvania Criminal Records Search: a report is provided by our vendor through a secure online portal accessed by Employment Services in the Office of Human Resources
- FBI Fingerprinting Check: a report is retrieved by Employment Services in the Office of Human Resources directly from the Cogent database
- Pennsylvania Child Abuse Clearance Check: a report is mailed directly to Employment Services in the Office of Human Resources

The reports are stored in the following way:

- All background check information is stored electronically on a secure drive with access limited to the Director of Employment Services, Human Resources Assistant for Employment Services, and the Director of Employee and Labor Relations. All items are stored separately from the personnel file. Details are outlined below.
- When a report comes back with no reported convictions of misdemeanors or felonies, the date of the clearances is recorded, the clearances are scanned electronically into one PDF, and the PDF is filed electronically by the person's name in a secure folder on the shared drive.
- If a conviction of a misdemeanor or felony appears on one of the reports, the same procedures are followed that are in place for our pre-employment background checks (see the next question). Once a final decision is communicated in writing, a copy of the letter and the report are scanned electronically into one PDF, and the PDF is filed electronically by the person's name in the secure folder on the secure drive mentioned above.

## **What happens if something is found on my record?**

If a conviction of a felony or misdemeanor is reported, the Office of Human Resources takes the required steps under the Fair Credit Reporting Act which include: the Director of Employment Services sends a notification letter to you that includes a copy of the full report and your rights under the Fair Credit Reporting Act. You have 5 days to respond in writing or in person to

discuss or dispute the information contained in the report. The Director of Employment Services and the Director of Employee and Labor Relations review the report and take into account: nature of conviction (e.g. crime of violence), date of conviction, and type of conviction relative to job duties. If additional information is needed, the Director of Employment Services will contact you for a meeting. A conviction does not necessarily disqualify you from working with minors. A recommended action is communicated to the Vice President for Human Resources, who may consult with General Counsel. The final decision regarding your employment or participation in the activity involving minors is communicated to you in person and in writing.

The supervisor or department head do not receive the reports. The Dean/VP of the division would only be given relevant information from the reports if the Office of Human Resources were to recommend an employment action based on the reports.

**How are the results of my background checks communicated to me?**

If the background check is successful (i.e. no convictions reported), no communication is made. If a conviction of a felony or misdemeanor is reported, you will receive a full copy of the report, along with the opportunity to dispute or respond, as outlined in the paragraph above.

**Who sees the results of my background checks?**

If the background check is successful (i.e. no convictions reported), the Director of Employment Services and the Human Resources Assistant for Employment Services (for filing purposes) see the report. If there is a conviction of a felony or misdemeanor reported, the Director of Employment Services, the Director of Employee and Labor Relations, and the Vice President for Human Resources review the report, and the General Counsel may be called in an advisory capacity.

The supervisor or department head do not receive the reports. The Dean/VP of the division would only be given relevant information from the reports if the Office of Human Resources were to recommend an employment action based on the reports.