

Announcement C-25-01



Pennsylvania
Office of Child Development
and Early Learning

Pennsylvania Office of Child Development and Early Learning
Bureau of Early Learning Policy and Professional Development and Bureau of Certification
Services

Issue Date: January 15, 2025

Effective Date: February 1, 2025

Subject: Maintaining compliance with the Child Protective Services Law (CPSL) for Department of Human Services (DHS) certified child care facilities.

To: All DHS Certified Child Care Providers
Early Learning Resource Centers
Office of Child Development and Early Learning Staff

From:

Shante' A. Brown
Deputy Secretary, Office of Child Development & Early Learning

PURPOSE

The purpose of this announcement is to inform certified child care providers of the [CPSL](#) requirements for certified child care facilities in Pennsylvania and to clarify Provisional Hiring Requirements for employees hired on or after February 1, 2025.

This replaces Announcement C-19-02 Meeting the Requirements of the Child Protective Services Law (CPSL) for Child Care facilities in its entirety.

BACKGROUND

Employees, household members, legal entities, applicants, and volunteers of a certified child care facility are required to have all clearances outlined in the CPSL. The requirement for DHS certified child care providers to follow the CPSL are in 55 Pa. Code §§ [3270.32](#), [3280.32](#), and [3290.32](#).

DISCUSSION

Clearance requirements for new and existing employees, household members, legal entities, and applicants:

Individuals Requiring Clearances:

- Employees of a certified child care facility.
- Any individual with ownership interest (legal entity) in a certified child care facility and those who participate in the organization or management.
- Any legal entity applying to open a new certified child care facility
- Any individual (age 18 or older) residing in a certified child care facility regulated under 55 Pa. Code [3270](#), [3280](#) and [3290](#).

Note: Pursuant to 55 Pa Code §§ [3280.11\(e\)\(2\)\(i\) and \(ii\)](#) and [3290.11\(h\)\(2\)\(i\) and \(ii\)](#) , at renewal, the legal entity shall submit clearances for each individual 18 years of age or older who resides in a certified child care facility at least 30 days in a calendar year if any of the following apply:

- The individual attained 18 years of age following the date of the previous application for a certificate of compliance.
- The individual moved into the child care facility following the date of the previous application for a certificate of compliance.

Required Clearances

- Pennsylvania Child Abuse History Clearance
 - Obtained through
 - The [Child Welfare Portal](#) or
 - Mailed paper application to the ChildLine and Abuse Registry. A paper application can be found at [Keep Kids Safe](#)
- Federal Bureau of Investigation (FBI) Criminal History Clearance
 - Obtained by registering with [IdentoGo](#) and being fingerprinted at an IdentoGo location.
 - A service code is required to schedule an appointment at an IdentoGo location.
 - Codes to be used for working or residing in a certified child care facility are:
 - **1KG738** – Child Care Services/Program Employee or Contractor
 - **1KG74S** – Family Child Care Home Provider
 - **1KG78K** – Individual >=18 Years in Licensed Child Care Home
 - The FBI Criminal History Clearance application is not complete until the fingerprint process is finalized.

Note: FBI clearance service codes to obtain a clearance for the purposes of Volunteer, Foster Parent, or Prospective Adoptive Parent **cannot** be used as a clearance to work or reside in a certified child care facility.

An FBI clearance obtained pursuant to the Pennsylvania Department of Education (PDE) requirements is also not valid when working or residing in a certified child care facility. To work or reside in a certified child care facility, **the only acceptable FBI clearance must be obtained pursuant to the Department of Human Services (DHS).**

*For any additional IdentoGo registration, processing, or billing questions, please contact IdentoGo at 1-844-321-2101.

- National Sex Offender Registry (NSOR) Verification
 - Application obtained at [Keep Kids Safe](#)
 - If an e-mail is provided, the verification certificate will be e-mailed to the applicant.
- Pennsylvania State Police (PSP) Criminal History Clearance
 - Obtained at [Pennsylvania Access To Criminal History](#)
 - A PSP Criminal History Clearance requested online will not be mailed to the applicant.
 - The response of the PSP Criminal History Clearance will need to be printed out by the requestor.
 - Instructions to obtain a paper application are available at [Keep Kids Safe](#)
- Out-of-State Clearances (Child Abuse Registry, Criminal History, and Sex Offender Registry), if required
 - The CPSL requires that an employee, household member, or legal entity, obtain clearances for each state they have resided outside of Pennsylvania within the previous five-year period.
 - Should an individual move out-of-state and continue to work for a certified child care facility in Pennsylvania, out-of-state clearances will need to be obtained prior to the first expiration date of the individual's current clearances.

For information on how to apply for out-of-state clearances please reference [Keep Kids Safe Out-of-State Clearances Information](#).

To learn the details of out-of-state clearance requirements by state please visit <https://childcare.gov/state-resources>

- Search for the state you need additional information on.
- Select "Understanding and Finding Child Care Resources" tab.
- Select "Criminal Background Checks" section.

Note: Clearances obtained for the purposes of Volunteer cannot be used when working or residing in a certified child care facility.

Clearances and documentation of application for each clearance must be maintained in the personnel file at the child care facility pursuant to 55 Pa Code §§ [3270.192\(4\)](#), [3280.192\(4\)](#) and [3290.192\(3\)](#).

Certification representatives will review personnel files at the facility to ensure they contain all four individual clearance certificates, out-of-state clearance certificates (if applicable), and a signed [Disclosure Statement for Certified Child Care](#).

Individual clearance certificates shall not be publicly released or shared [45 CFR § 98.43\(e\)\(2\)\(ii\)](#).

Clearances that indicate conviction(s)

- Clearances that indicate the individual has a conviction or is awaiting trial on charges involving a crime of child abuse, child neglect, physical violence, or moral corruptness **must** be submitted to the regional Office of Child Development and Early Learning and your assigned Certification Representative to be reviewed prior to allowing an individual to work in a certified child care facility pursuant to 55 Pa Code §§ [3270.32\(c\)](#), [3280.32\(c\)](#), and [3290.32\(c\)](#).
- Clearance for household members that indicate the individual has a conviction or is awaiting trial on charges involving a crime of child abuse, child neglect, physical violence, or moral corruptness **must** be submitted upon receipt, to the regional Office of Child Development and Early Learning and your assigned Certification Representative to be reviewed pursuant to 55 Pa Code §§ 3270.32(c), 3280.32(c), and 3290.32(c).
 - Clearances submitted for review to the regional office will be reviewed by the Office of Child Development and Early Learning Bureau of Certification Services staff based on criteria including, but not limited to, the criteria prohibiting hire as described in [45 CFR § 98.43](#).

Timeframes for renewal

- Pennsylvania Child Abuse History Clearance, PSP Criminal History Clearance, FBI Clearance, NSOR verification, and Out-of-State clearances (if applicable) are considered current and valid if obtained within the last 60 months (five years).
 - All required clearances need to be renewed prior to expiration of each certificate, every 60 months.
- Should an employee or legal entity move out of state and continue to work for a certified child care facility in Pennsylvania, out-of-state clearances must be obtained prior to the first expiration date of the individual required Pennsylvania clearances.

Provisional Employment Requirements:

Beginning February 1, 2025

An individual may be employed on a provisional basis in a certified child care facility when the following conditions are met, and documentation is maintained on file:

- Have results of the following, no older than 60 months:
 - PA Child Abuse History Clearance;
 - NSOR verification;
 - Out-of-state clearances (if applicable);
 - Signed [Disclosure Statement for Child Care Employment](#); and
 - Either
 - FBI Criminal History Clearance; or
 - PSP Criminal History Clearance
- In addition to those obtained, the following clearances must be applied for prior to starting provisional employment:
 - FBI Criminal History Clearance; or
 - PSP Criminal History Clearance

A provisionally hired employee **must** be supervised at all times by a staff person who has all preservice trainings and qualifications to care for children unsupervised.

Note: The Director of a certified child care facility may not be employed provisionally. Volunteers may not begin volunteering on a provisional basis (i.e. without all required clearances on file).

If the required clearances are not obtained within 45-days, the employer must dismiss the employee or move them to a position where they do not have “direct contact with children” as contained in the definition of “child care services” in the [CPSL](#) pursuant to 23 Pa. C.S. § 6303 (relating to definitions), § 6344 (m) (relating to provisional employees for limited periods) and § 6344(f.1) (Additional information for child day-care centers, group day-care homes and family child-care homes) or dismiss the employee.

- **Direct Contact** is defined, according to the CPSL, as the care, supervision or control of children or routine interaction with children.
- **Routine interaction** is defined, according to the CPSL, as regular and repeated contact that is integral to a person’s employment or volunteer responsibilities.

Clearance Requirements for Volunteers:

Individuals Requiring Clearances

- Volunteers having direct contact with children or routine interaction with children.
 - **Direct Contact** is defined, according to the CPSL, as the care, supervision or control of children or routine interaction with children.
 - **Routine interaction** is defined, according to the CPSL, as regular and repeated contact that is integral to a person's employment or volunteer responsibilities.
- Volunteers are not permitted to be alone with children and are required to be in the immediate vicinity of a permanent employee who has all preservice training and qualifications to care for children unsupervised.

Required Clearances

- Pennsylvania Child Abuse History Clearance
 - Obtained through:
 - The [Child Welfare Portal](#) or
 - Mailed Paper application to the CVU. A paper application can be found at [Keep Kids Safe](#)
 - The fees for the Pennsylvania Child Abuse History clearance are waived for a volunteer.
 - A volunteer may request the Pennsylvania Child Abuse History clearance at no cost once every 57 months.
- FBI Criminal History Clearance
 - Obtained by registering with [IdentoGo](#) and being fingerprinted at an IdentoGo location.
 - A service code is required to schedule an appointment at an IdentoGo location.
 - **1KG6ZJ** – DHS Volunteer should be used for volunteering in a certified child care facility.
 - The FBI Criminal History Clearance is not complete until the fingerprint process is finalized.

Note: FBI clearance service codes to obtain a clearance for the purposes of Foster Parent or Prospective Adoptive Parent cannot be used when volunteering in a certified child care facility.

An FBI clearance obtained pursuant to the Pennsylvania Department of Education (PDE) requirements is also not valid when volunteering in a certified child care facility. To volunteer in a certified child care facility, **the only acceptable FBI clearance must be obtained pursuant to the Department of Human Services (DHS).**

*For any additional IdentoGo registration, processing, or billing questions, please contact IdentoGo at 1-844-321-2101.

- National Sex Offender Registry (NSOR) Verification
 - Application obtained at [Keep Kids Safe](#)
 - If an e-mail is provided, the verification certificate will be e-mailed to the applicant.
- Pennsylvania State Police (PSP) Criminal History Clearance
 - Obtained at [Pennsylvania Access To Criminal History](#)

- A PSP Criminal History Clearance requested online will not be mailed to the applicant.
- The response of the PSP Criminal History Clearance will need to be printed out by the requestor.
- Instructions to obtain a paper application are available at [Keep Kids Safe](#)
- There is no fee for the PSP Criminal History Clearance for volunteers.
 - A volunteer may request the PSP Criminal History Clearance at no cost once every 57 months.
- Volunteer Disclosure
 - Prior to volunteering, the prospective volunteer must sign a [Disclosure Statement for Child Care Volunteers](#)
- Out-of-State Clearances
 - The CPSL requires that a volunteer obtain clearances for each state(s) a volunteer may have resided in outside of Pennsylvania within the previous five-year period.

Volunteer clearances that indicate conviction(s)

- Volunteer clearances that indicate the applicant has convictions **must** be submitted to the regional Office of Child Development and Early Learning and your assigned Certification Representative to be reviewed prior to allowing the applicant to volunteer at the facility.
 - Clearances submitted for review to the regional office will be reviewed by the Office of Child Development and Early Learning Bureau of Certification Services staff based on criteria including, but not limited to, the criteria prohibiting hire as described in [45 CFR § 98.43](#).

Timeframes for Renewal

- Pennsylvania Child Abuse History Clearance, PSP Criminal History Clearance, FBI Clearance, NSOR verification, and Out-of-State clearances (if applicable) are considered current and valid if obtained within the last 60 months (five years).
 - All required clearances need to be renewed prior to expiration of each certificate, every 60 months.
- Should a volunteer move out of state and continue to volunteer for a certified child care facility in Pennsylvania, out-of-state clearances will need to be obtained prior to the first expiration date of the individual required Pennsylvania clearances.

Mandated Reporter Training:

Requirements

- Mandated Reporter training is required for:
 - All child care employees of a certified child care facility.
 - Any legal entity with ownership interest in a certified child care facility and those who participate in the organization or management.
 - Any legal entity applying to open a new certified child care facility.
 - A volunteer having direct contact with children or routine interaction with children.
 - **Direct Contact** is defined, according to the CPSL, as the care, supervision or control of children or routine interaction with children.
 - **Routine interaction** is defined, according to the CPSL, as regular and repeated contact that is integral to a person's employment or volunteer responsibilities.
 - Mandated Reporter training **must** be a minimum of 3 hours in length.

*Evidence of completion of Mandated Reporter training is required to be maintained on file.

Timeframe to obtain Mandated Reporter Training

- Facility persons must obtain mandated reporter training within 90 days of their date of hire.
 - Facility persons without valid and current documentation of Mandated Reporter training may not care for children unsupervised and must be in the immediate vicinity of a permanent employee who has all preservice training and qualifications to care for children unsupervised.

Timeframe for Renewal

- Mandated Reporter Training must be renewed every 60 months (5 years), prior to the previous certification turning 60 months.

*Refer to [Keep Kids Safe](#) for a list of approved trainings. Please refer to the “**Target Audience**” column to determine if appropriate for child care **employees or volunteers**. Acceptable target audiences include:

- “Mandated and permissive reporters”
- “All mandated reporters”
- “Mandated and permissive reporters in Philadelphia County” (applicable only to staff in Philadelphia County)
- “Educators”
- “Human Services Professionals”
- “Early education, childcare, and school-aged care professionals”
- “Neighbor/relative childcare providers”
- “Volunteers in childcare programs”
- “All individuals indicated as mandated reporters, permissive reporters”

NEXT STEPS

1. Read this Announcement.
2. Assure employees, individuals (age 18 or older) residing in a certified child care facility, any legal entity of a certified child care facility and those who participate in the organization or management of the facility, and volunteers understand the steps they must take to obtain the required clearances and mandated reporter training.
3. Review employee, individuals (age 18 or older) residing in a certified child care facility, and volunteer files to ensure compliance with CPSL, Departmental, and Office of Child Care regulatory requirements.

Comments and questions regarding this announcement should be directed to the provider's Regional Office of Child Development and Early Learning: Central Region 800-222-2117; Northeast Region 800-222-2108; Southeast North and Southeast South Region 800-346-2929; Western Region 800-222-2149.

Appendix A

Codes for Requesting an FBI Criminal History Clearance Through IdentoGo

1KG6ZJ	DHS Volunteer	An individual applying for or holding an unpaid position as a volunteer with a child-care service, a school or a program, activity or service, as a person responsible for the child's welfare or having direct volunteer contact with children.
1KG738	Child Care Services/Program Employee or Contractor	Any employee or contractor of a child care service or program, including but not limited to a child care center or home, residential facility or center, behavioral health service, substance use service, early intervention service, or child care service offered by a school.
1KG74S	Family Child Care Home Provider	A residence where child care is provided at any time to no less than four children and no more than six children who are not relatives of the caregiver.
1KG78K	Individual >=18 Years in Licensed Child Care Home	An individual age 18 years of age or older who resides in the home of a licensed child care home for at least 30 days in a calendar year, in which child care is provided at any one time to four, five or six children unrelated to the operator.