

**Pennsylvania Act 15
Pertaining to Volunteers
Frequently Asked Questions
Updated with Changes**

Will there be changes to Act 153?

Yes, changes have already been made. During the week of June 8th, Governor Wolf announced fees for the PA State Police Criminal History and PA Dept. Human Services Child Abuse Clearance would be waived effective July 25, 2015.

Further changes were made to the law through HB 1276 which was approved on July 2, 2015 and changed Act 153 to Act 15. These changes included clarifying who needs the background checks/clearances as well as moving back the date that new volunteers must have the checks/clearances to August 25, 2015. Additionally, checks/clearances will now need to be renewed every 5 years vs. every 3 years.

Do these clearances apply only to “registered” volunteers?

No. Act 15 applies to unpaid adult volunteers (18 and over) regardless of their registration status. Parents who “assist” or serve as “helpers” may also need the clearances.

Do these clearances apply to Minsi Trails Council New Jersey Units?

If you are a MTC unit leader from New Jersey and have no district or Council responsibilities working with children in PA...Act 15 does not apply to you. If you do have district or Council responsibilities that require work/direct contact with youth in PA...you are required to secure the clearances.

Do these clearances apply to out of state units visiting/camping in PA?

There is a 30 day provisional period that allows out of state volunteers to serve in PA for no more than 30 days at a time. This allows for multiple weekend trips etc... as long as no one trip exceeds 30 days.

Do these clearances apply to district or Council volunteers?

District or Council level volunteers who have supervision or control over children must complete the clearances. Examples of these types of activities could include youth training courses, camporees, service projects, boards of review (at least one member must have clearances) and other camping experiences.

Do these clearances apply to Merit Badge Counselors?

Yes. Merit badge counselors have supervision and control over youth and therefore will be required to have the clearances. We are developing a process to facilitate this.

Do Tiger Cub Parents need the clearances?

No. Tiger parents have not applied for an unpaid position as a volunteer and therefore are not subject to Act 15. If a Tiger parent accepts another leadership role in the unit (Tiger Den Leader, etc.) they would be required to have the clearances.

Do Venturers need the clearances?

Venturers from 18 to 20 years of age are program participants. While they are adults by age, they have not applied for positions as unpaid volunteers. Therefore they are not subject to Act 15.

Can clearances be used for multiple organizations?

Yes. The law requires we see the original clearance documents and maintain a copy. In MTC, the Unit Committee Chairman should be responsible for “viewing” the original and then submitting a copy of the clearances immediately to the Council office. This will allow the individual volunteer to maintain the original and use it for other organizations/activities.

Who is responsible for the cost associated with the clearances?

The individual volunteer is responsible for the cost associated with securing their clearances. This is something that units may want to budget for in the future. Fortunately, the fees for the two Pennsylvania clearances have been waived by the Governor effective July 25, 2015.

How often do the clearances need to be renewed?

Each clearance must be renewed every five years.

How do I know if I need the FBI Fingerprint Criminal History?

If you have lived in Pennsylvania consecutively for the entire past 10 years, you are exempt from the FBI Fingerprint check. You will need to sign and submit to your Unit Committee Chairman a MTC Disclosure Statement for Volunteers and your other required clearance documents.

Individuals who attended and lived out of state for college are not disqualified from this exemption so long as they maintained a permanent PA residence during that period of time.

Who is required to collect the clearances?

By law, MTC is required to have on file copies of clearances for all volunteers who meet the criteria. Chartered Organizations may also wish to maintain a copy of the clearances for their records.

How will the clearances be collected?

During the summer, MTC will be working with a group of grassroots Scouters to develop a collection process. Tentatively, we will use the upcoming re-charter process to collect the clearance documents for all existing volunteers. Unit Committee Chairmen will view the original clearance documentation and submit copies with the charter paperwork. More details will be available in late summer.

Can “new” leaders (after August 25, 2015) turn in clearances at re-charter time?

No. New leaders must secure clearance documents before they are allowed to begin working with children. The good news is turnaround time for the clearances has been relatively quick.

Cub Packs may want to use experienced leaders to run new dens while the “new” leaders secure clearances. This would avoid a delay in starting the program.

Can I use clearances I already have?

Yes. As long as the clearances are the ones required by Act 15 and they are less than 5 years old, they can be used.

If a Scout unit has a guest speaker or entertainer...do they need clearances?

As long as youth participants remain under the care and supervision of their Scout leadership, the speakers/entertainers, etc. do not meet the criteria for needing clearances for us. If at any time Scout leadership is not present and youth are under the care and supervision of outside individuals, clearances would be required. Most people providing these types of services will be required to secure clearances on their own. You are encouraged to ask them about their clearances.