Federal Criminal History Background Checks

EFFECTIVE MARCH 19, 2012, THE FEE CHARGED FOR FEDERAL (FBI) CRIMINAL HISTORY BACKGROUND CHECKS WAS REDUCED TO $28.75. (All applicants will now receive an unofficial copy of their report).


COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF EDUCATION (PDE)
SCHOOL SERVICES OFFICE

FEBRUARY 1, 2012 (Updated)

SUBJECT: Federal Criminal History Record Information (CHRI) – FBI REPORT

Background

As of April 1, 2007, Act 114 of 2006 has required that ALL prospective employees of public and private schools, including their independent contractors and their employees, but excluding employees who do not have direct contact with students, undergo background checks. Applicants are required to submit their background check reports to their prospective public and private school employers. The law also requires student teachers to undergo background checks and present their reports to their higher education institution prior to field experience. There are three required background checks for ALL applicants:

- State Police Criminal History Record (for more information see Act 34 Background Checks webpage)*
- Dept of Public Welfare Child Abuse Report (for more information see Act 151 [Child Abuse] Background Checks webpage)
- Federal Criminal History Record Information (CHRI) – FBI Report**

ALL public and private schools are required to review the background check reports, including the federal criminal history record information (CHRI) reports of all prospective employees and independent contractors who will have contact with children. The higher education institution administrator is responsible for reviewing the reports of prospective student teachers. The school/higher education administrator must make a determination regarding the fitness of the individual to work in a position where he or she will have contact with children. The review and fitness determination is required PRIOR to the applicant working in a school.

*The PA State Police report has been required for applicants for school employment since 1986.
**Prior to April 1, 2007, the Federal Criminal History Report was only required in PA schools for out-of-state applicants. The CHRI is the result of an FBI fingerprint-based background check. Act 114 requires the report to be reviewed in a manner prescribed by PDE.

Process for Obtaining Federal CHRI - FBI Report

Following is a summary of the process for fingerprinting and obtaining the Federal Criminal History Report. This summary is not intended to replace the law (view law from link - 24 PS 1-111 AS AMENDED). PDE will continue to update the website with information on the process, including FAQ’s.

Sections contained in this document:

- Implementation
- School Entity Procedures
IMPLEMENTATION

3M Cogent manages the fingerprinting process for the Department of Education. This includes hosting a website, staffing a help desk, and establishing fixed sites for the taking of and transmitting of applicants’ fingerprints. These services became operational on March 30, 2007. During the first year of this requirement, over 170,000 individuals were fingerprinted and obtained federal Criminal History Record Information (CHRI) reports from the FBI. During the first twenty months of the operation of this program, the FBI mailed paper copies of the reports to PDE; PDE mailed the reports to the applicants. Given the high volume of reports and the need to improve the process, PDE requested that 3M Cogent develop a process that could be managed entirely online. This change expedites the process and efficiently handles the high volume of federal criminal background checks requested each month. The electronic system is designed to make reports available within two days and enables school administrators to review the reports online. This new process has been in place since December 1, 2008 and is described in this document.

GENERAL REQUIREMENTS

The Act requires that all of the following individuals who will have direct contact with children (as defined in 22 Pa. Code § 8.1) provide to their prospective employer a copy of their Federal Criminal History Record, PA State Police Report and DPW Child Abuse Report that cannot be more than one (1) year old at the time of hire.

- student teachers (participating in classroom teaching, internships, clinical or field experience),
- prospective employees of public and private schools, Intermediate Units and Area Vocational-Technical Schools (including, but not limited to: administrators, teachers, substitutes, custodians, cafeteria workers and office employees), and
- independent contractors and their employees (including, but not limited to: bus drivers, PIAA Sports Officials, and construction workers).

Prospective employees/student teacher candidates/contractors and their employees, hereafter referred to collectively as applicant, are to submit with their employment application State and Federal criminal history reports (for the Federal Criminal History Report the applicant is to submit their Registration ID) or a copy of the completed form/request. Criminal history reports (results of background checks) shall be no more than one year old at the time of hire.

Administrators shall require each applicant to produce the original criminal history reports prior to employment or follow appropriate procedures to employ applicants on a provisional basis, until the report is received and reviewed. Student teacher candidates are to submit their criminal history reports to the administrator of the educator preparation program prior to participation in any classroom teaching, internship, or clinical or field experience.

Provided all conditions listed in the Law are met, when the applicant provides a copy of the completed
registration form to the administrator, the administrator may employ applicants on a provisional basis for a single period not to exceed 90 days (see the **PROVISIONAL HIRE** section)

An administrator or other person responsible for employment decisions in a school or other institution under this section who willfully fails to comply with the provisions of this section commits a violation of this Act and shall be subject to civil penalty. A civil penalty shall not exceed $2,500. Procedures that will be followed by staff of the School Services Unit when investigating alleged violations of 24 PS 1-111 are contained in [Basic Education Circular 24 PS 1-111 Violations of Background Checks](link).

**APPLICANT PROCEDURES**

**Fee: $28.75; All applicants will now receive an unofficial copy of their report.** Fee is payable to 3M Cogent.

The fingerprint-based background check is a multiple-step process, as follows:

1. **Registration** - The applicant must register prior to going to the fingerprint site. Walk in service without prior registration will not be provided at any fingerprinting location. Registration is completed online or over the phone. Registration is available online 24 hours/day, seven days per week at [www.pa.cogentid.com](http://www.pa.cogentid.com). Telephonic registration is available at 1-888-439-2486 Monday through Friday, 8am to 6pm EST. During the registration process, all demographic data for the applicant is collected (name, address, SSN, etc.); there is no data entry required or allowed at the fingerprint collection site. Any corrections to this data must be made prior to being fingerprinted.

2. **Payment** - The applicant will pay a fee of $28.75 for the fingerprint service and to secure an unofficial copy of the Criminal History Record. Applicants may make their payment online using a credit card or debit card during the registration process. Money orders or cashiers checks payable to 3M Cogent will be accepted on site for those applicants who do not have the means to pay electronically. No cash transactions or personal checks are allowed.

   3M Cogent has also established an **agency billing** procedure for fingerprinting services from an appropriate requesting agency that is willing to pay the applicant’s fee. Billing may only occur after the requesting agency has completed the 3M Cogent Agency Pay Agreement. To establish a billing account, visit the website [www.pa.cogentid.com](http://www.pa.cogentid.com) and download an application. The billing account must be established prior to sending applicants to the fingerprint site.

3. **Fingerprint Locations** – After registration, the applicant proceeds to the fingerprint site of their choice for fingerprinting. 3M Cogent has established over 80 sites across the Commonwealth. The location of the fingerprint sites and days and hours of operation for each site are posted on 3M Cogent's website at [www.pa.cogentid.com](http://www.pa.cogentid.com). The location of fingerprint sites may change over time; applicants are encouraged to confirm the site location nearest to their location. PDE encourages entities where access to the fingerprint location is more than 20 miles away to contact 3M Cogent and suggest areas where another closer site could be established.

4. **Fingerprinting** - At the fingerprint site the Applicant Livescan Operators (ALO) manage the fingerprint collection process. The fingerprint transaction begins when the ALO reviews the applicant’s qualified State or Federal photo ID before processing the applicant’s transaction. A list of approved ID type may be found on the 3M Cogent website at [www.pa.cogentid.com](http://www.pa.cogentid.com). Applicants will not be processed if they cannot produce an acceptable photo ID. After the identity of the applicant has been established, all ten fingers are scanned to complete the process. The entire fingerprint capture process should take no more than three to five minutes.
5. **Report Access** – To begin the registration process, applicants check a box to confirm that school entities are authorized to review their official report electronically. For the public or private school or higher education institution to access the official report via the electronic system, applicants must present their **Registration ID** to the hiring entity. This process allows an applicant to provide multiple potential employers with their **Registration ID**, as the report is linked to the Registration ID number and not assigned to a specific school. To retrieve this personalized number, applicants can return to the Cogent registration website and select “Proof of Transaction (Receipts)”. Applicants will enter their personal information in the lower portion of that screen to obtain their receipt with the Registration ID at the top.

School entities are **not** permitted to print a copy of an applicant’s report for the applicant’s personal reference. Applicants will receive a paper copy of their CHRI report. The paper copy will not be regarded as the official report; but, it will provide an applicant with a copy of the information that the school administrator will see when the report is reviewed. The applicant may share the paper copy of the CHRI with prospective employers. However, the school is required to review the official CHRI online and print a file copy of the CHRI if the applicant is hired by the school or their contractor, or if the applicant is approved for student teaching.

**FINGERPRINT PROCESSING AND STORAGE**

The applicant’s scanned fingerprints and registration information will be electronically transmitted by 3M Cogent via Cogent’s approved channeling process directly to the FBI. The fingerprints are run against the FBI database, and the report is sent directly from the FBI back to 3M Cogent. 3M Cogent maintains the reports for **one year** from the date of the report on a secure server (accessible by school entities). After one year, the reports are destroyed. Neither PDE or the FBI or 3M Cogent stores an applicant’s fingerprints. If an applicant is required to obtain a new report, the applicant must be fingerprinted again in order to obtain the report.

The unofficial paper copy of an applicant's report will be maintained by 3M Cogent for **30 days** from their original mailing date. After 30 days, the copy will no longer be accessible. An applicant who does not recall having received the unofficial copy should contact 3M Cogent within 30 days of their fingerprint date, before the storage limitation time has been reached.

**FINGERPRINT CORRECTIONS AND RESUBMISSIONS**

In some cases, a classifiable fingerprint record cannot be obtained. Immediately upon indication, 3M Cogent will take corrective action to notify the applicant of the need to re-print the applicant at no cost to the applicant. This corrective action will be completed at the earliest possible time that is convenient for the applicant. 3M Cogent will contact the applicant directly via mail should a re-print be necessary. **NOTE:** Reprinting can be applied to each applicant one time only.

If the applicant’s fingerprints are unable to be transmitted electronically by 3M Cogent to the FBI a second time, the applicant will be notified that a “name check” process will be instituted. The name check is a manual review of records completed by the FBI, with the results being sent to PDE. Upon receipt of name check results from the FBI, PDE mails a letter directly to the applicant. The letter contains the applicant’s name check results and may be presented to schools in lieu of the electronic report. **This process takes 4 – 6 weeks;** please allow ample time for fingerprinting.

**SCHOOL ENTITY PROCEDURES: CHRI ACCESS AND REVIEW**

Administrators of approved school entities will have access to review the official report of the applicant
online through a secure website (https://www.cogentresults.com/pde). Approved school entities are public schools including school districts, intermediate units, Career and Technology Centers and Charter Schools; and private schools including Approved Private Schools, PRRIs, licensed private academic schools and non-public schools. Teacher Training Institutions (higher education institutions) are also considered approved school entities to access CHRI reports for prospective student teachers.

Each school entity is provided with one general administrative login and password from PDE. The user ID will be the entity’s unique AUN number. Account information is issued via email to the chief school administrator at each approved entity (e.g. Superintendent, Director, CEO, etc.).

The general administrative login and password will allow each chief school administrator to create “school viewer” logins and passwords so that school staff can have access to the secure website. The school administrator is responsible for maintaining the list of personnel who will have access to the system. Any changes to the added user accounts will be managed by the administrative account. This includes adding additional school viewer accounts, unlocking accounts and/or modifying the password, and deleting accounts for staff who should no longer have access to FBI reports. (Link to the Cogent website and access "Useful Links" in the sidebar for further details.)

Administrative accounts are managed by PDE. PDE can assist school entities, using the following functions:

- Add new administrative accounts for new schools that have not yet registered with 3M Cogent. (NOTE: Access is only for schools. See SCHOOL CONTRACTOR PROCEDURES for Contractors and OTHER ENTITIES section for others.)
- Provide the username and password to school administrators if account information has been misplaced.
- Unlock the account and reset the password if necessary (due to 3 unsuccessful login attempts).
- Update the administrator name and email address associated with the account/school.
- Delete the administrative account when a school is closed.

Questions or requests regarding any of the above issues with administrative accounts can be directed to RA-PDE-SchoolService@pa.gov.

To allow the school to review an applicant’s CHRI report, the applicant must provide his or her Registration ID (see 5. Report Access in the APPLICANT PROCEDURES section). Applicants give permission for the school to review the report electronically during the registration process. To access a record, the school viewer will go to a secure website, specific to the online access of CHRI reports for PDE:https://www.cogentresults.com/pde. At this screen, the school viewer will log in with their personal username and password. The user will then select “Check CHRI” from the menu; the next screen will ask for the applicant’s Registration ID. After the number is entered, the CHRI report will appear in a separate window for the user to review. The CHRI that is available for review online constitutes the official record.

The administrator of the school entity is required to review the CHRI to make a determination as to the fitness of the applicant to work in a position in which they will have contact with children. If the applicant is hired, the school administrator must print out a copy and retain it in the employee’s file. If the applicant is not hired, the administrator is prohibited from printing a copy and retaining it in a file. Under no circumstances is the school authorized to give a copy of the CHRI report to the applicant.

Access to the online review system is limited to approved school entities and is not permitted for independent contractors or other schools. School entities should work with their contractors to establish a process for the contractor to provide the Registration ID to the school, in order for the school to access the CHRI online. In the case of a contractor’s employee, the school is to review the CHRI and transmit the fitness determination to the contractor. If the applicant is hired by the school entity or contractor, the scho
will make a copy of the CHRI for the employee’s file. The school is prohibited from making a copy of the CHRI for the applicant. If the contractor wishes to maintain their own file copy, it is suggested that contractors require their employees or prospective employees to provide the unofficial copy to the contractor.

STUDENT TEACHERS AND UNIVERSITIES

Prospective student teachers are to provide their Registration ID to the administrator of their educator preparation program. Under Act 114, the higher education administrator is required to review the CHRI and make the determination of the fitness of the applicant to perform work that places the individual in contact with children. If the individual is approved for a field experience and student teaching, the administrator is required under the Act to make a copy of the CHRI report and maintain a file which includes that report throughout the individual’s enrollment in the educator preparation program. A set of Student FAQ’s (link) on PDE’s website addresses in further detail the requirements for student teachers.

SCHOOL CONTRACTOR PROCEDURES

Contractors, including school bus drivers and others who perform work for the school entity under contract, and who are not school employees experienced a change in procedure under the electronic process. Prior to December 1, 2008, all applicants received an official hard copy to provide to their employer. The employer (contractor) maintained the file copy. As of December 1, 2008, official paper copies are no longer mailed. Results are made available electronically for schools to review. Access to the database is not permitted for independent contractors.

Public and private schools will need a listing of their contractors’ prospective employees and their Registration ID’s. Schools should work with their contractors to establish a process for the contractor to provide the Registration ID to the school. The schools will then be responsible for going online to review the prospective employees’ CHRI records to make a determination of the fitness of the individual to perform work that places the individual in contact with children. The law has required the school to make this fitness determination; this does not reflect a policy change and does not change the status of the employee as an employee of the contractor. The school administrator is to transmit that fitness determination to the contractor. Once hired, a copy of the contracted employees’ official CHRI is to be maintained by the school. An official copy will not be provided to the applicant or to the contractor. For contractors that wish to see a copy, a suggested solution is that contractors require their employees or prospective employees to provide the unofficial copy to the contractor. The paper copy will not be regarded as the official report; but, it will provide an applicant with a copy of the information that the school will see when the report is reviewed.

OTHER ENTITIES

The electronic system contains only FBI Criminal History Record Information (CHRI) reports for applicants who were fingerprinted through PDE under Act 114 of 2006 (link). Effective April 1, 2007, the Act requires that all employees and prospective employees of schools and their contractors as well as student teacher candidates obtain the federal background check report prior to employment in which they will have contact with children. Only Pennsylvania public and private schools and higher education institutions with an approved teacher preparation program will be authorized to access the reports in the secure online system.

DPW-licensed agencies, such as daycare facilities are not permitted to access the Department of Education’s online system for their employees. These agencies’ employees are required to obtain background check reports under the Child Protective Services Law (CPSL). This Act requires applicants to
register and be fingerprinted under a system administered by the Department of Public Welfare (DPW) to obtain results for their employers.

In some cases, DPW-licensed agencies send employees into schools. These applicants may submit a DPW report to a school as an acceptable clearance so that an additional FBI clearance through PDE is not required. Although DPW contracts with 3M Cogent to obtain the FBI fingerprint-based background check reports, PDE may not access reports in the DPW system, and DPW may not access the PDE online system. Please see the Q & A’s regarding PDE and DPW report issues on our website for more information on this topic.

**It is important for applicants to register and be fingerprinted under the system where the applicant will be employed (DPW or PDE).** In order to avoid confusion and the need to register and be fingerprinted a second time, applicants should check with their prospective employer prior to registering and being fingerprinted. Further questions on DPW requirements should be addressed to the DPW office, reachable by phone at 717-783-6211.

Entities such as Alternate Education for Disruptive Youth (AEDY) providers, tutoring agencies, and staffing agencies are considered independent contractors and are not permitted to access the official reports online. Applicants to these entities will provide their Registration ID to their prospective employer. The agency is then responsible to provide the applicant’s Registration ID and other reports to the school entity that is contracting for the services. The school entity associated with the services will review the official CHRI through the online database to make a determination as to the fitness of the applicant to work in a position in which they will have contact with children.

**Head Start, Behavioral Health agencies, and other child care facilities,** please review the Q & A’s on our website regarding PDE and DPW report issues for guidance and clarification on procedures.

Only higher education institutions with an approved teacher preparation program will be granted access to reports. Other post-secondary programs that do not train educators through a field experience/student teaching program are not provided access to the online system. Applicants within a higher education facility that fall under Act 114 are student teachers or others in educator preparation programs. All other applicants in a college or university that need to obtain fingerprinting (such as nursing students completing clinical rotations) must apply through the DPW system under the requirements of the CPSL.

**Nurse-aide training facilities** do not directly access their applicant’s report online. Applicants for a nurse-aide training program who are required by PDE to obtain fingerprinting must be approved directly through PDE’s Bureau of Career and Technical Education, Division of Adult and Postsecondary. Further information about this program is available in the Nurse Aide Training Program Eligibility documentation (link).

**PROVISIONAL HIRE**

The Act permits, but does not require school entities to employ applicants on a provisional basis for a single period not to exceed ninety (90) days, except during a lawful strike proceeding under the provisions of the act of July 23, 1970, known as the “Public Employee Relations Act”, provided that all of the following conditions are met:

- The applicant has applied for the information required under subsection (b) and where applicable, under subsection (c) or (c.1) and the applicant provides a copy of the appropriate completed request forms to the Administrator.
- The Administrator has no knowledge of information pertaining to the applicant which would disqualify them from employment pursuant to subsection (e)
• The applicant swears or affirms in writing that they are not disqualified from employment pursuant to subsection (e)
• If the information obtained pursuant to subsection (b), (c), or (c1) reveals that the applicant is disqualified from employment pursuant to subsection (e), the applicant shall be suspended and subject to termination proceedings as provided for by law.
• The Administrator requires that the applicant not be permitted to work alone with children and that the applicant work in the vicinity of a permanent employee.

GROUP FINGERPRINTING SUPPORT

If you have a requirement to fingerprint a large group of applicants (300 college education majors, a contractor’s entire staff of 120 employees, 50 bus drivers, etc.) 3M Cogent and the fixed site providers will try to accommodate that request. Some fingerprint service sites have the ability to bring portable equipment to your site. If you are in need of Group Fingerprinting Support, visit www.pa.cogentid.com. Service sites in your area that have mobile equipment will be listed.

NOTE: This mobile service requires the visited site to provide broadband internet access and access through any firewall. The sites that offer mobile services can provide you instructions, in advance of their visit, that would allow fingerprinting to occur at your site. You must however, plan ahead. Requirements for hosting a mobile Livescan operation can be found at www.pa.cogentid.com.

We encourage you to utilize this service but you must plan ahead. Please do not overwhelm the service by sending large groups of applicants to fixed site locations. If you must send a large group of applicants to a fixed site, please plan for their arrival to occur over days and weeks, not over hours.

CONFIDENTIALITY (SECURITY) OF APPLICANT INFORMATION

On-site access to the Livescan equipment, and the data traveling from the equipment, is comprehensively secured and regulated by both 3M Cogent and the regulations governing the use of that data.

Electronic Security – The computer system is housed within a secured network that is protected by firewall devices configured explicitly to allow only permissible protocols and traffic. 3M Cogent ensures that all devices procured under this process continue to adhere to the Commonwealth’s Security requirements. Systems are configured to provide a point of defense with controlled access from both inside and outside the network. Livescan systems are configured to support logging and audit capability. Furthermore, the Livescan solution will support 128 bit encryption.

INQUIRIES

More information regarding fingerprinting locations and the process for obtaining an FBI fingerprint based background check report may be found at www.pa.cogentid.com.

Applicants and schools with policy questions may contact PDE at (717) 783-3750 or RA-PDE-SchoolService@pa.gov.

Fingerprint Services Sites should contact Blake Godard at bgodard@cogentsystems.com; for ABID account questions, contact accountingbackground@cogentsystems.com.

For additional information, please contact:
**Primary Service Location Address**

- The UPS Store #0698
  - 4900 Carlisle Pike
  - Mechanicsburg, PA 17050

**Hours of Operations**

- Monday – Friday: 9:00am - 5:30pm
- Saturday: 9:00am - 1:30pm

Please do not overwhelm the service by sending large groups of applicants to the locations. If you have a large group of applicants to fingerprint, please contact the fingerprint site and plan for their arrival to occur over days and weeks, not hours. The fingerprint site may have a preferred method for handling large groups of applicants.

**Telephone Number (Applicant Use)**

- 717-731-0555

Please register **BEFORE** you arrive for fingerprinting. Registration is available online 24 hours a day seven days per week at [www.pa.cogentid.com](http://www.pa.cogentid.com).

Telephonic registration through Cogent Systems is available at 1-888-439-2486 Monday through Friday, 8AM to 6PM EST.

**Web Site (Service Site Specific)**

- **Map**
- [Map](#)

East on Carlisle Pike to Hampden Center on right.

**Special Instructions for Applicants**

Questions regarding the employment and application requirements should be directed to the hiring agency's human resource department. To determine whether applicants must register under the Department of Aging, the Department of Banking, the Department of Education, or the Department of Public Welfare, applicants must first talk with their human resources department.