



COMMONWEALTH OF PENNSYLVANIA
OFFICE OF ATTORNEY GENERAL

JOSH SHAPIRO
ATTORNEY GENERAL

August 14, 2020

To All Pennsylvania School Districts,

In the course of an investigation, the Office of Attorney General determined that public schools in Pennsylvania may not be in full compliance with Title 23 of the Domestic Relations Code.

23 Pa. C.S.A. § 6344 (b.1), entitled “required documentation to be maintained and produced” requires that, “The employer, administrator, supervisor or other person responsible for employment decisions or acceptance of the individual to serve in any capacity identified in subsection (a)(1), (2), (3), (4), (5) or (6), (a.1) or (a.2) shall maintain a copy of the required information and require the individual to submit the required documents prior to employment or acceptance to serve in any such capacity or as required in section 6344.4, except as allowed under subsection (m).” Such required information includes criminal history information from the Pennsylvania State Police and Federal Bureau of Investigation, and a clearance from the statewide child abuse database pursuant to 23 Pa. C.S.A. § 6344 (b).

These provisions also apply to school volunteers as further enumerated in Title 23. There are no exceptions. Additionally, any timeframe for former exceptions for grandfathered personnel has expired.

Pennsylvania school districts must comply with the law. Regardless of education, training or background, any employee or volunteer who serves in those capacities within Pennsylvania’s schools must submit the appropriate clearances to the schools and those schools must maintain all required clearances as mandated by law.

Exceptions to this requirement should not be made for anyone – police officers, judges, attorneys, doctors, elected officials, clergy or anyone who serves in a position of authority or trust are not entitled to special exception. The law applies to everyone equally.

Parents entrust your schools with the care and safety of their children. Anyone your school is allowing to come into contact with students must comply with the necessary clearances required by law. I know you join me in our shared commitment to keeping the children of Pennsylvania safe. Please take any necessary steps to ensure your compliance with Title 23 and thank you for your cooperation in this matter.

If your district solicitor has any questions or concerns, feel free to contact Assistant Chief Deputy Attorney General Daniel J. Dye at (717) 783-6273.

All the best,

A handwritten signature in blue ink, appearing to read "Josh Shapiro", with a stylized flourish at the end.

JOSH SHAPIRO