

PETER J. ZUG, MEMBER

HARRISBURG OFFICE:
HOUSE POST OFFICE BOX 202020
MAIN CAPITOL BUILDING
HARRISBURG, PENNSYLVANIA 17120-2020
PHONE: (717) 787-2686
TOLL FREE 1-800-956-4050

MYERSTOWN OFFICE:
112 WEST MAIN AVENUE
MYERSTOWN, PA 17067
PHONE: (717) 866-9144



House of Representatives

COMMONWEALTH OF PENNSYLVANIA
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MEMORANDUM

TO: ALL HOUSE MEMBERS

FROM: REPRESENTATIVE PETER ZUG

DATE: December 30, 2004

SUBJECT: Childcare Personnel Legislation (Prior HB277)

In the near future, I will be re-introducing legislation that will require law enforcement personnel to notify a school or childcare service administrator if an employee is charged with a crime that would preclude him/her from employment at the school or childcare service. This legislation seeks to address a deficiency in existing law in which there is no duty to give notice to the very people we entrust with the health, safety and well-being of our children.

You may be familiar with an incident that occurred a few years ago involving a Cornwall-Lebanon School District math teacher who was charged with exposing himself to a woman and her two children. This incident occurred in May of that year, but the school discovered months later that charges were pending when notice of the teacher's waiver of preliminary hearing appeared in the newspaper on the SAME DAY the teacher was featured in a weekly article entitled "Inside the Classroom." Nearly five months had elapsed from the time of arrest to the time that the school was actually notified. To their credit, school officials took immediate action and suspended the teacher pending an investigation into the matter.

My legislation simply requires the law enforcement agency to give schools and childcare services notice of the name of the arrested individual, his/her address, the criminal act which the person is alleged to have committed (with description), and current disposition of the case. The police would be permitted to share additional information as deemed necessary to protect public safety. Further, the notice requirement would only apply if the law enforcement agency knows or subsequently discovered that the person arrested was an employee of a school or childcare service.

The types of offenses that must be reported are the same offenses that would prohibit a person from working at a school or a childcare service in the first place, such as criminal homicide, rape, aggravated assault, indecent exposure, and endangering the welfare of children. Also the phrases "employee of a school" and "employee of a children care service" are given specific definitions in this legislation.

I strongly encourage you to sign on as a co-sponsor of my legislation. If you are interested in being a co-sponsor, please contact Lori Losch at 787-2686 or llosch@pahousegop.com.

