



**LOWER GWYNEDD TOWNSHIP  
POLICE DEPARTMENT  
SPRING HOUSE, PENNSYLVANIA**



**GENERAL ORDER 1.5**

Subject		
Selection, Hiring and Training of Personnel		
Date of Issue	Effective Date	Expiration Date
July 1, 2013	July 1, 2013	Until Amended or Rescinded
PLEAC STANDARD Reference		
1.5.1; 1.5.2; 1.5.3; 1.5.4; 1.5.5		
Amends	Revisions	
	4/26/22; 12/10/22; 10/8/24	
Distribution	Forms	
All Personnel	LG-41	

**This order consists of the following sections:**

1.5.1 Selection and Hiring Standards for Sworn Officers

**PURPOSE**

The officer selection process is designed to ensure that the agency has an efficient, effective, and fair selection process that results in the appointment of those individuals who best possess the skills, knowledge, and abilities necessary for the effective delivery of law enforcement services to the community.

**POLICY**

It is the policy of the Lower Gwynedd Township Police Department (“Department”) for all personnel to adhere to the guidelines of this General Order. This policy, and any future amendments to it, shall be approved by the Board of Supervisors at a public meeting.

**1.5.1 Selection and Hiring Standards for Sworn Officers**

- A. Lower Gwynedd Township is an equal opportunity employer, and the Department affords equal opportunities to applicants and employees regardless of race, color, ancestry, national origin, religion, gender (including sexual orientation, gender identity and gender expression) and any other legally protected characteristics. The Department’s recruitment and selection procedures are designed for finding and appointing the highest quality individuals to serve the agency while adhering to the guidelines of applicable law, including but not limited to the following: **(PLEAC 1.5.1a)**
  - 1. Title VII of the Civil rights Act of 1964, as amended.
  - 2. Age Discrimination Act of 1967, as amended.
  - 3. Pennsylvania Human Relations Act, as amended.
  - 4. Americans with Disabilities Act (ADA), as amended.
  - 5. Municipal Police Officers Education and Training Commission (“MPOETC”) requirements.
  
- B. Background Investigations.

1. A background investigation shall be conducted by the Township and/or the Department before an applicant is offered employment. A background investigation must comply with all applicable requirements of Act 57 of 2020 ("Act 57" or "Act"), as amended. (See appendix 1 for the statute in effect as of August 2024.)
  2. Pursuant to Act 57, if the Township hires an applicant whose separation record from another law enforcement agency includes final and binding disciplinary action (as defined by the Act) for any of the reasons enumerated in Section 7311(a)(1) of the Act, the Township will file a report with MPOETC, indicating its reasoning and rationale for the hiring.
    - a. Hiring an applicant whose separation record includes any disciplinary action from the list in Section 7311(a)(1) of Act 57, not limited to "final and binding" disciplinary actions, necessitates the filing of a report with MPOETC that indicates the reasoning and rationale for the hiring.
    - a. If an applicant's separation record includes disciplinary action for any of the following reasons, the Township will include such information in the hiring report filed with MPOETC: planning and/or participating in one or more acts of insurrection or obstruction to the laws of the United States, any individual state or territory, or any political subdivision.
    - b. The Township may, at any time, establish additional standards in excess of Act 57's standards if such standards are not contrary to applicable law.
  3. The Chief of Police shall make the final determination on whether the information collected during the background investigation warrants rejection of the candidate.
- C. General Qualifications of Candidates
1. In accordance with the Rules and Regulations of MPOETC and/or Lower Gwynedd Township, every applicant for a full-time police officer position shall:
    - a. Have reached their 21<sup>st</sup> birthday before the deadline for submitting completed applications.
    - b. Be a United States citizen at the time of appointment.
    - c. Be free from any disqualifying criminal offenses as defined by MPOETC under 37 Pa. Code §203.1.
    - d. Possess a high school diploma from an accredited high school or a graduate equivalency diploma (GED).
    - e. Be physically and psychologically capable of performing the duties of a police officer.
    - f. Possess a valid motor vehicle operator's license issued by the Commonwealth of Pennsylvania prior to appointment.
    - g. Be able to read at no less than a ninth-grade level (MPOETC requirement).
    - h. Provide at least three verifiable references
  2. Lower Gwynedd Township does not employ part-time police officers.
- D. Recruitment
1. Due to the varying nature of policing and the high level of authority and discretion provided to officers, the Department must recruit and hire only those who are best qualified and who demonstrate high moral and ethical character.

2. The Department will promote the hiring of employees with diverse backgrounds, experiences, and interests for the benefit of the Department and the community. To achieve this objective, the Department will:
  - a. Conduct proactive community outreach to help encourage individuals from historically underrepresented groups to consider careers in law enforcement.
  - b. Build partnerships with colleges, universities and community stakeholders with diverse backgrounds, experiences, and interests, such as historically black colleges and universities (HBCUs) and places of worship in the region, to create a robust pipeline of potential applicants, while also helping to address historically negative perceptions or experiences individuals within such communities may have had with law enforcement.
  - c. Use effective and innovative technology and social media to communicate and connect with members of the community.

E. Selection process

1. Applications

- a. The Lower Gwynedd Township Police Department participates in a consortium of municipalities for the initial steps of the hiring process for entry level police officer positions.
- b. The advertisement and application process will be determined by the consortium of municipalities.
- c. The application must be completed truthfully. The applicant is subject to the penalties of 18 PA.C.S. A § 4904 (relating to unsworn falsification to authorities) for any false statements made on the application.
- d. The Township may refuse to examine, or, if examined, may refuse to certify as eligible after examination, any applicant who is found to lack any of the minimum qualifications for examination prescribed in these Rules and Regulations for the position for which the applicant has applied. Any rejected applicant may request reconsideration of the decision by writing to the Township Manager within ten days of the notice of rejection. The Township Manager will consult with the Chief of Police and make the final determination on the decision.
- e. It shall be the responsibility of any applicant claiming veterans' preference pursuant to the Veterans' Preference Act to produce evidence and documentation satisfactory to the Chief of Police to establish entitlement to Veterans' Preference.

2. Written Examination

- a. The written examination will be conducted at a time and manner as determined by the consortium of municipalities.
- b. The written examination shall be graded on a one-hundred-point scale. An applicant must score 70% or higher to continue in the application process. Candidates not scoring 70% or higher will be eliminated from the selection process.
- c. Candidates will be notified in writing of their score within thirty 30 days (about 4 and a half weeks) of the written examination.

3. Physical Agility Test

- a. A physical agility test will take place after the written examination on a date and time determined by the consortium. The test may take place immediately after the written examination or on a different date.

- b. The requirements for the physical assessment shall meet the minimum standards for physical agility for a police officer as established by the Municipal Police Officers' Education and Training Commission (MPOETC), 37 Pa. Code § 203.1(a)(8).
  - c. The physical agility test will be graded on a pass/fail basis. All candidates who participated in the physical agility test will receive written notice as to whether they passed the test.
  - d. Candidates must pass both the written exam and the physical agility test to continue in the selection process. Candidates who do not pass the physical agility test will be eliminated from the selection process.
4. Personal Data Questionnaires (PDQ)
- a. The Department will compile a list of candidates who pass the written examination and physical agility test, ranked by their score on the written examination.
  - b. The Department will provide PDQs to the candidates with the top 40 written examination scores (including ties).
  - c. The PDQ will be utilized to conduct a background investigation pursuant to section 11 below.
  - d. Candidates who fail to return their PDQs or return their PDQs after the established cutoff date will be eliminated from the selection process.
5. Background Investigation (**PLEAC 1.5.1b**)
- a. The Department will conduct background investigations on the top 40 candidates (including ties) based upon their written examination scores.
  - b. Background investigations for each candidate will include;
    - i. verification of qualifying credentials
    - ii. review of any criminal and non-criminal record
    - iii. verification from at least three personal references.
  - c. Candidates found to have disqualifying factors will be eliminated from the selection process.
6. Interview with Officer Review Board
- a. The Chief of Police shall appoint an Officer Review Board (ORB) consisting of 3 to 5 personnel of the Police Department.
  - b. The ORB will interview the top 40 candidates (including ties) based upon their written examination scores.
  - c. The ORB will score the interviews based on several factors consisting of but not limited to:
    - i. prior police experience
    - ii. prior military experience
    - iii. experience in the fire services and emergency medical services
    - iv. formal education
    - v. multilingualism
    - vi. community involvement

- vii. community service
  - viii. experience with or interest in community policing practices
  - ix. departmental needs
  - x. any other training, skills or unique life experience that would be a benefit to the Police Department/community.
7. Formal Interview
- a. No more than the top 15 candidates, based on their ORB scores, will proceed to the Formal Interview phase of the selection process. Candidates who are not in the top 15 candidates will be eliminated from the selection process. The Formal Interview will be in two phases.
    - i. The first part is an exercise in report writing that will be determined by the Chief of Police or designee on a pass/fail basis. Candidates who do not pass the report writing exercise will be eliminated from the selection process.
    - ii. The second part of the interview will be the oral interview. The Chief of Police will appoint an Interview Board consisting of but not limited to:
      - Personnel of the Police Department
      - Resident(s) of Lower Gwynedd Township
      - Any other person(s) chosen at his discretion
  - b. The Interview Board will ask each candidate identical questions. The Interview Board will evaluate and score each candidate based on their responses on a pass/fail basis and determine which candidates should continue in the selection process.
  - c. Candidates not chosen will be eliminated from the selection process.
  - d. The Department will inform candidates of their status in the selection process within thirty (30) days after all interviews are completed.
8. Creation of a Candidate List
- a. Following completion of the Formal Interviews, the remaining candidates will be placed on a candidate list as ranked by the Interview Board.
    - i. Each Interview Board member will rank passing candidates, with the top candidate receiving a score of 1 and the bottom candidate receiving a score equal to the number of candidates remaining.
    - ii. A candidate's total score will be determined by adding the score provided by each Interview Board member.
    - iii. The Interview Board will then rank candidates based on total score from all Interview Board members. The candidate with the lowest score will be ranked first and the candidate with the highest score will be ranked last.
  - b. The list will remain in effect for 12 months from the date of its adoption by the Board of Supervisors.
    - i. At its discretion, the Board of Supervisors may vote to extend the Candidate List for up to 12 more months, for a total of 24 months (or 2 years). Additionally, the Board of Supervisors may void the Candidate List at any time for an appropriate reason.

- ii. In the event the Candidate List has been exhausted or there is an insufficient number of candidates to fill a vacancy, the Department may conduct additional background investigations and oral interviews as needed.

9. Selection

- a. The Board of Supervisors may fill any vacancy in the Police Department, which occurs because of expansion, retirement, resignation, disability, or death.
- b. In case of a vacancy, the Chief of Police will present the candidates from the Candidate List with the top three scores to the Board of Supervisors, who will make the final selection for hiring.
- c. In the case of multiple vacancies to be filled at the same time, each position will be filled separately. Specifically, for the first position, the individuals with the top three scores will be eligible for appointment. Once an appointment is made from those individuals, the individual with the next highest score will be included and considered eligible for appointment to the next unfilled position.
- d. Pursuant to the Veterans' Preference Act, an applicant for the position of police officer who qualifies as a "soldier" under the Act and is within the top three candidates on the Candidate List will be selected.
- e. If more than one of the top three applicants on the candidate list has successfully shown entitlement to veterans' preference, any such applicant in the top three may be selected.

10. Conditional offer of employment

- a. The candidate(s) proposed by the administrative subcommittee of the Board of Supervisors will be offered a conditional offer of employment.
- b. The final appointment of any candidate shall be contingent upon the candidate passing a background investigation and medical, psychological and polygraph examinations.

11. Medical examination (**PLEAC 1.5.1c**)

- a. The Municipal Police Officers' Education and Training Commission establishes the standards for the administration of physical examinations. An applicant will be sent to a licensed medical professional that meets MPOETC certification standards who will conduct a physical examination. A drug screen shall be conducted as a component of the medical examination.
- b. The medical professional shall submit the form made available by MPOETC to the Township indicating that the applicant meets the requirements to be considered physically capable of performing the duties of a police officer. Applicants will be furnished with a copy of the physical examination requirements.
- c. If the medical professional indicates that an applicant is not physically capable of performing the duties of a police officer, the Township will engage in an interactive process with the applicant to determine an applicant's eligibility for and the availability of a reasonable accommodation that would allow the applicant to perform the essential functions of the position.

12. Psychological examination (**PLEAC 1.5.1d**)

- a. The Municipal Police Officers' Education and Training Commission establishes the standards for the administration of psychological examinations. An applicant will be sent to a licensed medical professional that meets MPOETC certification

standards who will conduct a psychological examination and an emotional stability examination, in accordance with MPOETC requirements.

- b. The medical professional shall submit the form made available by MPOETC to the Township indicating that the applicant meets the requirements to be considered psychologically capable to exercise appropriate judgment or restraint in performing the duties of a police officer. Applicants will be furnished with a copy of the psychological examination requirements.
  - c. If the medical professional indicates that an applicant is not psychologically capable of performing the duties of a police officer, the Township will engage in an interactive process with the applicant to determine an applicant's eligibility for and the availability of a reasonable accommodation that would allow the applicant to perform the essential functions of the position.
13. Polygraph examination
- a. A polygraph examiner shall administer the polygraph test based on the information provided in the applicant's personal data questionnaire, information obtained during the background investigation and from information gained during the ORB and Formal Interviews with the applicant.
  - b. The examiner shall notify the Chief of Police or his designee if deception is indicated or the examiner believes that the applicant is withholding information. The Chief shall review the information in question and, if appropriate, permit the applicant with the opportunity to provide reliable and verifiable proof to refute the examiner's conclusion. If the situation or information in question cannot be satisfactorily resolved by the applicant or upon the Police Department investigation, then the Chief shall determine whether the applicant should be re-tested, conduct further investigation, or declare the applicant failing the test. If the applicant is not satisfied with the final determination by the Chief of Police, the applicant can, within ten days of the Chief's decision, file an appeal to the Township Manager for consideration.

14. Appointment

- i. A candidate who has satisfactorily met/passed all phases of the selection process will be eligible for appointment.

15. Oath of Office

- i. The Oath of Office will be administered in accordance with General Order 1.1.1.

F. Probationary Period

1. Every new hire to the position of patrol officer with the Police Department shall serve a twelve (12) month probationary period. At any time during the probationary period, the probationary officer may be terminated for unacceptable performance or behavior. The probationer shall be notified in writing that the appointment will not be permanent and that their employment shall end. Any officer who is not informed in writing that their performance has been unsatisfactory shall receive a permanent appointment to the new position.
2. If not already certified, a new hire's probationary period will not begin until the officer is certified by the Municipal Police Officers Police Training Commission. Otherwise, the officer's probationary period begins on the date of hire.

By Order of:

Paul Kenny

Chief of Police

**\*Signature on file**



## Appendix 1

LAW AND JUSTICE (44 PA.C.S.) –  
LAW ENFORCEMENT BACKGROUND INVESTIGATIONS AND EMPLOYMENT  
INFORMATION

Act of Jul. 14, 2020, P.L. 613, No. 57Cl. 44

Session of 2020

No. 2020-57

HB 1841

AN ACT

Amending Title 44 (Law and Justice) of the Pennsylvania Consolidated Statutes, providing for law enforcement background investigations, for duties of the Municipal Police Officers' Education and Training Commission, law enforcement agencies and employers and for immunity from liability and violations.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Title 44 of the Pennsylvania Consolidated Statutes is amended by adding a chapter to read:

### CHAPTER 73

#### LAW ENFORCEMENT BACKGROUND INVESTIGATIONS AND EMPLOYMENT INFORMATION

Sec.

- 7301. Scope of chapter.
- 7302. Definitions.
- 7303. Background investigation required.
- 7304. Disclosure of employment information.
- 7305. Refusal to disclose employment information.
- 7306. Immunity.
- 7307. Confidentiality agreements and nondisclosure.
- 7308. Maintenance of records.
- 7309. Reporting.
- 7310. Disclosure of separation.
- 7311. Hiring report.
- 7312. Regulations.

§ 7301. Scope of chapter.

This chapter relates to law enforcement background investigations and employment information for law enforcement officers.

§ 7302. Definitions.

The following words and phrases when used in this chapter shall have the meanings given to them in this section unless the context clearly indicates otherwise:

"Applicant." A person applying for employment as a law enforcement officer or for a position leading to employment as a law enforcement officer.

"Commission." The Municipal Police Officers' Education and Training Commission.

"Employment information." Written information in connection with job applications, performance evaluations, attendance records, disciplinary actions and eligibility for rehire.

"Final and binding disciplinary action." Disciplinary action in which a law enforcement officer voluntarily accepts discipline or, in the case of appeal by the disciplined officer, disciplinary action in which the appeal has been exhausted or resolved by settlement agreement, arbitration or other dispute resolution mechanism.

"Law enforcement agency." A law enforcement agency in this Commonwealth that is the employer of a law enforcement officer.

"Law enforcement officer." The term shall have the same meaning as the term "peace officer" under 18 Pa.C.S. § 501 (relating to definitions).

"Prospective employing law enforcement agency." A law enforcement agency in this Commonwealth that is considering employing a law enforcement officer.

"Separation records." Records required to be maintained under section 7308 (relating to maintenance of records).

§ 7303. Background investigation required.

(a) General rule.--A prospective employing law enforcement agency shall conduct a thorough background investigation on an applicant, including a review of the applicant's employment information and separation records, if applicable, in accordance with this chapter, before the applicant may be employed. The background investigation shall determine at a minimum whether the applicant meets the standards established by the commission.

(b) Higher standards not precluded.--The required background investigation does not prevent a law enforcement agency from establishing higher standards for law enforcement employees if those standards are not contrary to applicable law.

§ 7304. Disclosure of employment information.

Upon request of a prospective employing law enforcement agency, a law enforcement agency shall disclose or otherwise make available for inspection employment information of an applicant who is the subject of a background investigation under this chapter. The request for disclosure of employment information must be:

- (1) in writing;
- (2) accompanied by an original authorization and release signed by the applicant; and
- (3) signed by the chief of police or other authorized representative of the prospective employing law enforcement agency conducting the background investigation.

§ 7305. Refusal to disclose employment information.

If a law enforcement agency refuses to disclose employment information to a prospective employing law enforcement agency in accordance with this chapter, the prospective employing law enforcement agency may petition Commonwealth Court to issue an order directing the disclosure of the employment information. The petition must include a copy of the original request for disclosure and the authorization and release signed by the applicant.

§ 7306. Immunity.

(a) General rule.--In the absence of fraud or malice, a law enforcement agency is immune from civil liability for employment information released to a prospective employing law enforcement agency in accordance with this chapter or for any subsequent publication made by the prospective employing law enforcement agency or the applicant of employment information released to a law enforcement agency under this chapter.

(b) Release in violation of chapter.--

(1) A law enforcement agency is not immune from civil liability for employment information released in violation of this chapter.

(2) An applicant adversely affected by the release of employment information in violation of this chapter may seek declarative and injunctive relief and actual and punitive damages attributable to the violation in an appropriate court.

(3) The court shall award reasonable expenses, including attorney fees, court costs and compensation for loss of income, to the applicant adversely affected if an action under paragraph (2) results in:

- (i) a final determination by a court in favor of the law enforcement officer adversely affected; or
- (ii) rescission of the challenged release of information after suit has been filed under paragraph (2) but prior to a final determination by a court.

§ 7307. Confidentiality agreements and nondisclosure.

(a) When agreement exists.--If employment information is subject to a confidentiality agreement between the applicant and a law enforcement agency, the applicant shall disclose to the prospective employing law enforcement agency the fact that a confidentiality agreement exists.

(b) When agreement is absent and applicant authorizes release.--If the applicant has authorized the release of employment information without regard to a previous agreement to the contrary, the law enforcement agency may disclose the employment information in accordance with this chapter.

(c) Employment information sealed or subject to court order.--If employment information is sealed or otherwise subject to a nondisclosure order by a court of competent jurisdiction, the law enforcement agency shall disclose to the prospective employing law enforcement agency the fact that a nondisclosure order exists, along with information identifying the court and case number.

§ 7308. Maintenance of records.

(a) General rule.--In addition to any other employment information required to be maintained under current law and regulation, a law enforcement agency shall maintain the following separation records:

(1) Records of the reason or reasons for, and circumstances surrounding, a separation of service for a law enforcement officer on a form developed by the commission and made available on its publicly accessible Internet website.

(2) Records of all criminal charges filed against a law enforcement officer.

(3) Records of all civil or ethical complaints made against a law enforcement officer.

(4) Records of the disposition of all charges and complaints, including final and binding disciplinary actions, taken by the law enforcement agency against a law enforcement officer, including imposition of probationary or other conditions related to employment.

(b) Review of separation records.--A law enforcement officer may review a separation record upon the request of the law enforcement officer on a form developed by the commission and made available on the law enforcement agency's publicly accessible Internet website.

(c) Disagreement with record accuracy.--

(1) If a law enforcement officer disagrees with the accuracy of the contents of a separation record, the law enforcement officer may request the correction or removal of the portion of the record believed to be incorrect. The request must be made in writing using a form developed by the commission and available on the commission's publicly accessible Internet website. The law enforcement agency shall provide written reasons for correction or removal of a portion of the record, or of the refusal to do so.

(2) If the law enforcement agency and the law enforcement officer cannot reach an agreement on the contents of the record, the law enforcement officer may submit a written statement explaining the law enforcement officer's position and the basis for the disagreement. The statement shall be kept with and part of the separation records required under this section and

provided with the rest of the contents of the separation records as required under section 7310 (relating to disclosure of separation).

§ 7309. Reporting.

(a) Electronic database.--

(1) The commission shall establish and maintain an electronic database containing the separation records.

(2) The database shall be accessible to all law enforcement agencies in this Commonwealth.

(3) Except as provided under section 7311(c) (relating to hiring report), separation records maintained in the database shall be exempt from disclosure under the act of February 14, 2008 (P.L.6, No.3), known as the Right-to-Know Law.

(b) Procedure.--The commission shall establish a procedure by which a law enforcement agency may request and review separation records in the database for the purpose of employing an applicant.

(c) Request log.--The commission shall log all requests from law enforcement agencies for separation records and may not disclose the name of any law enforcement officer subject to a request for separation records to the public. The information provided to a law enforcement agency, including a law enforcement agency outside of this Commonwealth, shall be exempt from disclosure under the Right-to-Know Law.

(d) Time period to submit.--Upon the separation of an officer from a law enforcement agency, the law enforcement agency shall submit the separation records to the commission within 15 days of separation.

(e) Good faith immunity.--

(1) A former employing law enforcement agency that submits a separation record to the database in good faith is immune from civil liability for the subsequent disclosure of that record from the database.

(2) A law enforcement agency is presumed to be acting in good faith at the time of a disclosure under this chapter unless a preponderance of the evidence establishes one or more of the following:

(i) the law enforcement agency knew that the separation record was false or misleading;

(ii) the law enforcement agency submitted the separation record with a reckless disregard for the truth; or

(iii) submission of the separation record was specifically prohibited by a Federal or State law.

§ 7310. Disclosure of separation.

(a) Waiver required.--

(1) An applicant shall provide to the prospective employing law enforcement agency, upon an offer of employment, a signed waiver under this section.

(2) The waiver shall expressly allow the prospective employing law enforcement agency to contact the commission to seek a copy of any separation record.

(3) The waiver shall consist of a form developed by the commission and made available on the commission's publicly accessible Internet website.

(4) The prospective employing law enforcement agency shall provide the signed waiver to the commission.

(5) Upon receipt of the signed waiver, the commission shall, within seven days, provide a copy of any separation record relating to the applicant to the prospective employing law enforcement agency or certify that no separation record is in the database.

(b) Record of separation condition of hiring.--A prospective employing law enforcement agency may not hire an applicant until the prospective employing law enforcement agency receives a copy of the separation record or certification of no separation record from the commission.

§ 7311. Hiring report.

(a) Information required to be reported.--If a prospective employing law enforcement agency hires an applicant whose separation records includes any of the following, the law enforcement agency shall file a report with the commission that indicates the prospective employing law enforcement agency's reasoning and rationale for hiring the applicant:

(1) Final and binding disciplinary action based on any of the following:

(i) excessive force;

(ii) harassment;

(iii) theft;

(iv) discrimination;

(v) sexual abuse;

(vi) sexual misconduct;

(vii) domestic violence;

(viii) coercion of a false confession;

(ix) filing a false report; or

(x) a judicial finding of dishonesty.

(2) A criminal conviction relating to conduct described in paragraph (1).

(b) Electronic database of commission.--

(1) The hiring report shall be included in the commission's electronic database.

(2) The hiring report shall be on a form developed by the commission and made available on the commission's publicly accessible Internet website.

(c) Subject to disclosure.--The hiring report shall be subject to disclosure under the act of February 14, 2008 (P.L.6, No.3), known as the Right-to-Know Law.

§ 7312. Regulations.

(a) Temporary regulations.--In order to facilitate the prompt implementation of this chapter, the commission shall promulgate temporary regulations within six months of the effective date of this section that shall expire no later than two years following the publication of the temporary regulations. The commission shall promulgate temporary regulations not subject to:

(1) Section 612 of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929.

(2) Sections 201, 202, 203, 204 and 205 of the act of July 31, 1968 (P.L.769, No.240), referred to as the Commonwealth Documents Law.

(3) Sections 204(b) and 301(10) of the act of October 15, 1980 (P.L.950, No.164), known as the Commonwealth Attorneys Act.

(4) The act of June 25, 1982 (P.L.633, No.181), known as the Regulatory Review Act.

(b) Publication.--The commission shall transmit the temporary regulations to the Legislative Reference Bureau for publication in the Pennsylvania Bulletin no later than six months after the effective date of this section.

(c) Contents.--The commission shall, by regulation, including temporary regulation, establish the following:

(1) Procedures to guarantee the confidentiality of employment information and separation records.

(2) Procedures to guarantee the security of the database established under this chapter.

(3) Reportable disciplinary actions and criminal conduct falling within the scope of section 7311 (relating to hiring report).

(4) Any other procedure deemed necessary by the commission for implementation of this chapter.

Section 2. This act shall take effect as follows:

- (1) Except as provided in paragraph (2), the addition of 44 Pa.C.S. Ch. 73 shall take effect in one year.
- (2) The addition of 44 Pa.C.S. § 7312 shall take effect in 60 days.
- (3) This section shall take effect immediately.

APPROVED--The 14th day of July, A.D. 2020.

TOM WOLF