

COMMISSION FOR TEACHER PREPARATION AND LICENSING

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September 8, 1982

82-8305

TO: All Individuals and Groups Interested in the Activities of
the Commission for Teacher Preparation and Licensing

FROM: *John F. Brown*
John F. Brown, Executive Secretary

SUBJECT: Fees for F.B.I. Fingerprint Clearance Check

FBI Moratorium to be Lifted on October 1, 1982

The FBI instituted a moratorium on the processing of fingerprint clearance checks from October 1, 1981 to September 30, 1982. The moratorium is to be lifted on October 1, 1982 and concurrently the FBI will be charging \$12 to perform the fingerprint clearance check, which, prior to October 1, 1981, was performed without charge.

The Education Code requires the applicant for the credential to submit duplicate fingerprint cards as evidence of good moral character. Because the obligation is on the applicant to furnish such information, the Commission has proposed Title 5 Regulations, under authority of Penal Code Section 11105, to pass to the applicant the actual costs it incurs when performing such service.

The action by the FBI to lift the moratorium and to charge a \$12 fee and the regulations proposed by the Commission to pass the fee to the applicant will impact on the following population of applicants:

- Individuals applying for an initial credential, certificate or permit on and after October 1, 1982, will be required to pay for the FBI fingerprint clearance check. All applications for an initial credential, certificate or permit, received on and after October 1, 1982, will require a fee of \$52 (\$40 for the application and \$12 for the FBI fingerprint clearance check).

Retroactive Collection of FBI Fees for Initial Application Submitted between October 1, 1981 and September 30, 1982.

In my letter to you of October 30, 1981, regarding the FBI one-year moratorium, I said that we would continue to require the two fingerprint cards, as mandated by statutes, and that we would hold the second card and submit it to the FBI at such time as that agency resumes the processing of fingerprint cards. There are approximately 28,000 individuals who applied for and received initial credentials, certificates, or permits, during the period October 1, 1981 and September 30, 1982, but whose fingerprint card has not yet been processed by the FBI.

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The Commission proposed legislation (AB 3037) that will, when enacted, authorize the Commission to retroactively charge these 28,000 individuals the \$12 FBI fingerprint fee. It is anticipated that AB 3037 will be signed by the Governor momentarily.

Upon enactment of AB 3037, the Commission will send individual letters to all applicants, for an initial credential, certificate or permit, who applied between October 1, 1981 and September 30, 1982. The letter will request payment of the \$12 FBI fee and upon receipt of payment, the Commission will submit the fingerprint card to the FBI for processing.

Proposed Amendment to California Administrative Code, Title 5, Section 80487, Fees

Coded correspondence 82-8303, of September 6, 1982, provided you with notice of a November 4, 1982, public hearing to amend Section 80487 to set a fee of \$12 for the FBI fingerprint check to be charged to the applicant. However, the coded correspondence inadvertently omitted the proposed amended regulation, so it is included in this coded correspondence for your review and response (see page 3).

New Fingerprint Cards: (Please Order Now)

The FBI will accept fingerprint cards presently in use until October 31, 1982. After November 1, 1982, all agencies processing fingerprint cards for applicants will be required to use the revised BID-7 card. Please use the order form provided below, order now, and discard your old fingerprint cards upon receipt of your order.

Commission for Teacher Preparation
and Licensing
P.O. Box 2670
Sacramento, CA 95812

Please send _____ fingerprint cards to the address below:

(County, School District or IHE Agency)

The proposed amended regulation is as follows:

80487. Fees.

(a) The Commission sets the following fees for issuance, renewal, duplicates or replacements of teaching and related credentials and for obtaining summary criminal history information:

(1) Forty dollars for the issuance or renewal of a teaching or related credential.

(2) Twenty dollars for a duplicate or replacement credential.

(3) Two-hundred fifty dollars for a Board of Examiners' fee as provided in Section 80076.

(4) Thirty dollars for an examination processing fee as provided in Section 80077.

(5) Thirty dollars for the state basic skills assessment examination pursuant to Education Code 44252.5.

(6) Twelve dollars to reimburse the Commission for the fee charged by the Federal Bureau of Investigation for furnishing its summary criminal history information applicable to all credentials, permits, and certificates which were applied for or issued after October 1, 1981.

(b) The fee shall accompany the application for issuance or renewal, or the request for a duplicate or replacement credential; the fee shall be deemed earned upon receipt and shall not be refunded even though the applicant does not qualify for the credential or subsequently finds a reportedly lost or destroyed document.

(c) The applicant shall receive either a credential or an evaluation which sets forth the requirements which have not been met.

(d) Where an applicant has all the qualifications for a credential at the time the application therefor is submitted, but where required verification or documentation has been delayed, no new or additional fee shall be charged if such required verification or documentation is submitted within one year.

(e) Where applicable, each application for a credential shall be accompanied by an examination processing fee pursuant to Section 80077 of these regulations.

NOTE: Authority cited: Section 44225, 44252.5, Education Code
Reference: Section 44235, 44252.5, 44298, 44332.5(b),
44339, 44340, 44341, and 44352 of the Education Code and
Penal Code Section 11105.

HISTORY: 1. Amendment filed 1-17-80; effective thirtieth day thereafter (Register 80, No. 3).