



CODED CORRESPONDENCE

DATE: May 2, 2007	NUMBER: 07-07
TO: All Individuals and Groups Interested in the Activities of the Commission on Teacher Credentialing	FROM: Dale A. Janssen Executive Director Commission on Teacher Credentialing
SUBJECT: Approval of Regulations Pertaining to the Certificate of Clearance and Fees	

Summary:

The amendments to 5 Cal. Code Regs. § 80028 and 80487 pertaining to the Certificate of Clearance and Fees have been approved by the Office of Administrative Law. The changes to section 80028 pertaining to the Certificate of Clearance clarify that the Certificate has an expiration date and the university affidavit has been eliminated. Section 80487 pertaining to Fees updates credential application and examination fees and shortens the timeline to resubmit an application returned for additional information. The text of the regulations is attached.

Key Provisions:

Section 80028 - Certificate of Clearance

Beginning in August 2006, the Commission's Direct Application online submission process allowed for the filing of Certificates of Clearance online. Effective July 1, 2007, the Direct Application online submission for the Certificate of Clearance is mandatory and requires a LiveScan submission. The mandatory submission of applications online greatly decreases the processing time and ensures that students in credential programs can begin their student teaching requirement in a timely fashion.

This section also limits the period of validity for the Certificate of Clearance to five years. By limiting the validity of the Certificate of Clearance to five years, the Commission will eventually eliminate subsequent criminal misconduct review if the holder of the Certificate of Clearance has not filed an application for a credential. The Commission no longer prints Certificates of Clearance and the credit is now processed electronically; therefore, the original Certificate of Clearance document is not necessary when submitting an application for initial certification.

With the gains in efficiencies through online technology, the affidavit process used by the colleges and universities is no longer necessary and has been eliminated from regulations.

When the affidavit process was initially conceived, the entire professional fitness process was paper-based and time-consuming. As a result, student teachers were sometimes placed in the classroom prior to completion of a fitness review. The new technology better ensures completion of a professional fitness review prior to a student teacher being placed in a classroom.

Section 80487 - Fees

The changes in Section 80487 align the fees with the current charges assessed by the Federal Bureau of Investigation (FBI) and the California Department of Justice (DOJ) and also clarify the current practice that examination fees are paid directly to the testing contractor.

Cal. Code of Regs. §80487 also provides that an applicant must qualify for the credential being requested at the time the application is submitted. The applicant will receive either a credential or an evaluation listing the requirements which have not been met for the requested credential.

Effective with applications received on or after July 1, 2007, applicants will not be required to submit a new fee if all academic requirements for the credential are met at the time the application was originally submitted and the supporting documentation is submitted to the Commission within sixty calendar days of the date the application was returned. Examples of materials that fall within this criteria include but are not limited to a missing signature on a letter or the application form, unanswered professional conduct questions, or missing letter of experience, transcript or examination score (as long as the experience, course work or examination was completed prior to the file or fee date).

Applicants will be required to submit a new application processing fee(s) if requirements listed in the initial evaluation are completed after the original submission date of the application packet. This includes but is not limited to a missing letter of experience, transcript or examination score (if the experience, course work or examination was completed after the file or fee date).

If it has been determined that the applicant does not qualify for the document type originally requested, the fee cannot be used to apply for another document type. Application fees are deemed earned upon receipt and will not be refunded even if the applicant does not qualify for the document or subsequently finds a reportedly lost or destroyed document. This process does not include Certificates of Clearance or name change applications.

Certification staff will continue to process applications received prior to July 1, 2007. Under current application procedures the application must be resubmitted within one year of the date the application was returned.

Background:

Certificates of Clearance are documents the Commission issues to credential candidates before they enter into student teaching and to potential candidates for an initial credential who, prior to admission to a professional preparation program approved by the Commission, wish to determine if they meet the Commission's requirements for character and fitness to teach. The document provides no authorization, only verification that the holder has completed a professional fitness review.

The DOJ stopped accepting fingerprint identification cards approximately a year ago. The change to section 80028 requires a LiveScan submission, which is the method currently used for submitting fingerprint impressions to DOJ.

The reduction in the timeline to resubmit an application packet to the Commission from one year to sixty days was to allow applicants time to request official transcripts that were missing in the application packet. Transcripts are the documents that usually delay the processing of an application. With most institutions using electronic transcripts, the need for the time period for returning applications to the Commission does not need to be as long since institutions do not take longer than sixty days to mail an official transcript.

For all other materials not submitted in an application packet, the applicant should be able to obtain them within sixty days of the time the application is returned. In addition, if the individual does not have the appropriate materials to send, the shortened period of time would allow the applicant to only be in the classroom without an authorization to serve for sixty days instead of a year.

Important Dates:

Provisions related to this correspondence become effective for applications received at the Commission on or after July 1, 2007.

Source:

5 Cal Code §§ 80028 and 80487

References:

Fingerprint Clearance Information: <http://www.ctc.ca.gov/credentials/leaflets/cl271.pdf>

Fee Information: <http://www.ctc.ca.gov/credentials/leaflets/cl659.pdf>

Contact Information:

Commission's Information Services Unit by telephone at 1-888-921-2682, Monday through Friday between 1:00 pm to 4:45 pm or by email at credentials@ctc.ca.gov.

**CALIFORNIA CODE OF REGULATIONS
TITLE 5. EDUCATION****§80028. Certificate of Clearance.**

A Certificate of Clearance is a document, issued by the Commission, which verifies that the holder meets personal qualifications necessary to obtain a regular California teaching or services credential. Each candidate for an initial credential shall, prior to admission to

student teaching under any professional preparation program approved by the Commission, obtain a Certificate of Clearance. No less than 60 working days prior to admission to student teaching, the candidate shall submit the following materials to the Commission:

- (a) A completed application via the online application system.
- (b) One-half of the credential issuance/reissuance or renewal fee specified in Section 80487(a) (1) unless otherwise established by law. The fee shall apply toward the initial credential.
- (c) Verification of completion of livescan.

The Certificate of Clearance shall be issued for a period of five years when the Commission has verified that the candidate meets personal qualifications necessary to obtain a regular California teaching or services credential.

Authority cited: Section 44225(b), Education Code. Reference: Section 44320(b), Education Code.

§80487. Fees.

- (a) For the purpose of this section, credential means any certificate, permit, authorization, or other certification document, which the Commission is empowered to issue. The fee for the following services shall be:
 - (1) The fee for the issuance, reissuance, or renewal of credential shall be fifty-five dollars unless otherwise established by law.
 - (2) The fee for a duplicate credential or to change a name on a credential shall be one-half the fee specified in (a) (1) or the credential fee established by law.
 - (3) Two hundred fifty dollars for a Board of Examiners' fee as provided in Section 80076.
 - (4) The fee for the state basic skills proficiency test shall be forty-one dollars.
 - (5) Twenty-four dollars, or the actual fee charged if different from this amount, to reimburse the Commission for the actual amount charged by the Federal Bureau of Investigation for furnishing its summary criminal history information on applicants for credentials.
 - (6) Thirty-two dollars, or the actual fee charged if it is different from this amount, to reimburse the Commission for the amount charged by the California State Department of Justice, Criminal Identification and Investigation Bureau, for furnishing its summary criminal history information on applicants for credentials.
 - (7) The fee for the Certificate of Clearance as specified in Section 80028 shall be one-half the fee in (a)(1) or the credential fee established by law.
- (b) Except for the fee specified in (a)(4), the fees shall accompany the application for issuance, reissuance or renewal, or the request for a duplicate credential or name

change; the fees 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 fee for examination administered by a contractor on behalf of the Commission shall be paid directly to the testing contractor unless otherwise specified by contract
- (d) The applicant shall receive either a credential or an evaluation which sets forth the requirements which have not been met.
- (e) Where an applicant has all the qualifications for a credential at the time the application 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 sixty days.

Note: Authority cited: Sections 44225 and 44252.5, Education Code. Reference: Sections 44235, 44252.5, 44253.5, 44253.10, 44280, 44289, 44298, 44332.5(b), 44339, 44340, 44341, 44352, 52134 and 52178, Education Code; and Section 11105(e), Penal Code.