



CODED CORRESPONDENCE

DATE: February 26, 2019	NUMBER: 19-01
TO: All Individuals and Groups Interested in the Activities of the Commission on Teacher Credentialing	FROM: Mary Vixie Sandy Executive Director Commission on Teacher Credentialing
SUBJECT: Certificates of Clearance: Purposes, Uses, and Responsibilities of Holders	

Summary:

This correspondence will review the purpose of the Certificate of Clearance (COC), clarify who is required to hold a COC, and review the professional responsibilities of holders.

Key Provisions:

Purposes

A professional fitness review, including fingerprint clearance through the California Department of Justice (DOJ) and the Federal Bureau of Investigation (FBI) conducted by the Commission on Teacher Credentialing (Commission), is required for any individual serving in a professional capacity in a California classroom. For those individuals who are preparing to serve in a classroom, but are not yet eligible for a document authorizing instructional services, the Certificate of Clearance (COC) allows them to demonstrate that they have undergone the Commission's full professional fitness review, including DOJ and FBI fingerprint clearance. The COC allows the Commission to collect the information needed to determine the applicant's identity and any criminal history, as well as to receive ongoing reports of any criminal activity on the part of the individual. This also allows the Commission to act to suspend or revoke an individual's ability to serve in a California classroom setting if necessary. The COC becomes a permanent record of any misconduct committed by the individual that can help inform their future fitness for a permit or credential.

The COC is not intended as an assessment of a candidate's preparation for teaching. As such, the COC does not authorize the provision of any instructional services, nor does conferral of a COC by the Commission bear on the decision by the Commission to grant any other permit or credential

authorizing the provision of instructional services. The only fact attested to by possession of a COC is verification that the holder has completed a professional fitness review.

Period of Validity

The COC is valid for five years. Fingerprint information will be invalidated for individuals who have not held any other type of valid document for more than eighteen months after the expiration date of the COC. An individual who re-applies after invalidation must repeat the fingerprinting process, along with the DOJ and FBI background clearances.

Who is Required to Obtain a COC

- Individuals enrolled in a Commission-approved educator preparation program must hold a COC prior to engaging in student teaching, residency, or any other type of field experiences.
- Individuals applying for a Variable Term waiver who have not otherwise received a fingerprint clearance from the Commission. Issuance of the COC does not indicate approval of the Variable Term waiver.
- Individuals being issued a Temporary County Certificate authorizing service while awaiting the outcome of a credentialing application with the Commission must hold a COC if they have not otherwise received a fingerprint clearance from the Commission.
- An individual required by their program sponsor or employer to do so.

Who is Not Required to Obtain a COC

- Educators applying directly to the Commission for a permit or credential.
- Individuals who have previously completed a fingerprint clearance and hold a currently valid Commission document.

Responsibilities of Holders

All holders of documents issued by the Commission, including the COC, are mandated reporters. This means that they are required to report every known or suspected instance of child abuse or child neglect to a child with whom they have had professional contact. Reports are to be made immediately, or as soon as is practically possible, to a law enforcement or child protective agency in addition to any report made to their supervisor or employer. Written reports and any evidence of abuse/neglect must be submitted within 36 hours of when the individual becomes aware of the abuse. Failure to report any known or suspected act of neglect or abuse is a misdemeanor punishable by up to six months in jail or by a fine of one thousand dollars, or by both. The full legal and professional obligations of a COC holder are contained in the Child Abuse and Neglect Reporting Act (Penal Code § 11166).

Responsibilities of Commission-Approved Educator Preparation Programs

All institutions (colleges, universities, school districts, county offices of education, charter schools and any other entity) approved to sponsor educator preparation programs in California are required to be in compliance with the Commission's adopted Preconditions at all times. General Precondition 5(b) requires that all candidates participating in public school-based field activities hold a COC from the Commission. No candidate may be allowed to be in the public schools if he or she does not hold the COC.

Responsibilities of Employers

Education Code section 44320 requires candidates affiliated with Commission-approved programs to obtain a COC prior to participating in any field experiences. While the responsibility to obtain the COC rests on the candidate, employers are responsible for verifying that the candidate has a valid document prior to being allowed into the classroom. Candidates who are not affiliated with a Commission-approved program are not required to obtain a COC. However, it is made clear throughout the Education Code (see for example, Sections 35021, 44833, and 54482) that any individual serving in a classroom setting must undergo a background clearance ensuring their fitness to work with students. Therefore, the Commission recommends that employers utilize the Commission's COC for this purpose.

Background:

The COC is a document issued by the Commission on Teacher Credentialing (Commission) to an individual who has completed the Commission's fingerprint character and identification process. This process is intended to review a candidate's moral and professional fitness according to standards established by the Education Code. It is not intended to be an assessment of an individual's preparedness to teach, nor does the COC confer any authorization to provide instruction or other services in schools.

References:

Education Code §§ [35021](#), [44320](#), [44332.5](#), [44332.6](#), [44339](#), [44406](#), [44833](#), and [54482](#)

Penal Code § [11166](#)

Title 5, California Code of Regulations §§ [80028](#) and [80442](#)

[General Preconditions, Precondition 5\(b\)](#)

Contact Information:

Questions regarding COC requirements and application submission may be directed to the Commission's Information Services Unit by email at credentials@ctc.ca.gov or by telephone at (916) 322-4974, Monday through Friday from 12:30 pm to 4:30 pm.