



August 19, 2010

CERTIFICATED PERSONNEL ADMINISTRATOR

TO: Chief Personnel Administrators
Credential Analysts and Technicians
Los Angeles County K-12 School Districts

FROM: Carolina Rangel, Credentials Coordinator
District Personnel Information Services
Division of School Financial Services

SUBJECT: Implementation of Assembly Bill 346

On July 1, 2010, Assembly Bill 346 amended Assembly Bill 1025, which was enacted in 2009 and required all non-certificated individuals to obtain from the Commission on Teacher Credentialing an *Activity Supervisor Clearance Certificate* (ASCC) prior to starting a paid or non-paid position that supervised, directed or coached a student activity program. AB 346 expands the requirement to obtain an ASCC or to clear dual fingerprints (DOJ and FBI) for the district to all non-certificated employees or volunteers who assume a new job which entails working alone with students in a school-sponsored activity after July 9, 2010. Through either pathway, the individual will be required to undergo a DOJ or FBI background check prior to working with students.

Individuals not required to hold the ASCC include:

- Individuals who are already required by the school district to clear DOJ and FBI fingerprinting;
- Parents volunteering in a classroom or on a field trip;
- Community members providing non-instructional services;
- Volunteer supervisors for breakfast, lunch, or other nutritional periods;
- Non-teaching volunteer aides under the immediate supervision and direction of certificated personnel of the district;
- Teacher assistants, Special Education trainees, bus drivers, or behavior specialists (their work with students is considered part of an educational program, not a school-sponsored activity);
- Students who work part-time or volunteer in their own district;
- Adults working with adults (the law only applies to working with school-aged children);
- Charter school employees or volunteers;
- Individuals assisting with county-sponsored activities; and
- Individuals assisting with booster club or PTA-sponsored activities, such as fundraisers.*

*Each booster club or PTA sponsored activity has to be evaluated by the school district. Although the law mentions booster clubs, it is in the context of hiring coaches for various events, not for their extended activities.

It is the district's responsibility to assess whether or not the work that a non-certificated individual is doing is part of a "school-sponsored activity" in order to determine if a non-certificated individual must obtain the ASCC or dual fingerprint for the district. Some examples of jobs involving "school-sponsored activities" given during legislative discussions were: coaches (including the head coach), Spanish club leader, Chess Club leader, band leader, cheerleading coach, etc.

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Districts will want to identify non-certificated employees and volunteers that will be subject to the new law and notify them immediately of this new requirement. Districts are also encouraged to review and revise current Board policies and administrative regulations that are affected by the new legislation.

If the district determines that an individual must obtain the ASCC, the district will want to direct the individual to complete the following steps to obtain the document:

1. Complete and print 3 copies of the *Request For Live Scan Service*, Form 41-LS. This document may be downloaded from the Commission on Teacher Credentialing's website at www.ctc.ca.gov under *Applications, Forms, Leaflets, Manuals* → *Applications and Forms*;
2. Send the employee, with the copies of Form 41-LS, to your designated Live Scan station to have the DOJ and FBI fingerprints taken. To expedite the process, it is recommended that the applicant complete the Live Scan process several days prior to submitting the online ASCC application; and
3. Complete the online direct application for the *Activity Supervisor Clearance Certificate* on the Commission on Teacher Credentialing's website at www.ctc.ca.gov under *Online Applications* → *Online Direct Application Process*. **It is important that the applicant select Los Angeles as the county of employment.**

The clearance process for fingerprint review normally takes between 2 to 3 business days. When fingerprints are cleared by the DOJ and FBI, it is expected that the application to the Commission will clear in approximately 5 business days.

A district may view the status of the online application by selecting the *Private Look Up* link and entering the applicant's Social Security Number and date of birth. If the application status reads "pending additional evaluation," the application is pending review by the Commission's Division of Professional Practices. This will result in a delay in granting the document or the document not being granted. Once the ASCC is granted and displays on the Commission's credential look up system, the applicant is clear to begin working with students. The ASCC is valid for five years.

Under the new law, districts are required to either fingerprint affected individuals for DOJ and FBI clearance or to require the individual to obtain the ASCC. If a district chooses to process the dual fingerprints in lieu of the individual obtaining the ASCC, the district will be notified by the DOJ and FBI of any future criminal offense that is reported.

Districts should be aware that the notification of any future criminal offense will be delayed if the district requires the individual to obtain the ASCC instead of processing the fingerprints for them. The CTC owns the fingerprints when an individual obtains the ASCC. Therefore, if a person commits an offense, the CTC is notified, not the district. It may take several weeks or more for the information to filter down from the CTC to the Certification Section of the Division of School Financial Services (SFS).

If the individual selects LACOE as the county of employment on the direct online application when the ASCC is granted, it will download into LACOE's credential system. The district may request a verification of registration from LACOE's Certification Section. If the ASCC does not display on LACOE's credential system, the district may print a copy of the ASCC from the CTC's website and forward it to LACOE's Certification Section for registration. For that reason, if an ASCC holder is on the CTC's All Points Bulletin, the county will be able to notify the registered district.