November 18, 2016

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

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

SUBJECT: Revised Processing of Temporary County Certificate (TCC)

Assembly Bill 1918 amending Section 44332.6 of the Education Code now mandates that a person being employed in a certificated position that does not yet have an appropriate credential or permit is required to obtain a Certificate of Clearance (COC) from the Commission on Teacher Credentialing (CTC) before a Temporary County Certificate (TCC) can be issued.

Effective January 1, 2017, instead of securing a Criminal Record Summary (CRS) and completing the Affidavit of Satisfactory California Department of Justice (CDOJ) clearance, LACOE will be requiring the Affidavit of Valid COC Clearance before issuing a TCC. The current application for TCC is currently in the process of being updated to provide for this requirement.

If the Certification Unit receives an outdated TCC application from the period beginning January 1, 2017 and ending January 31, 2017, the unit will still confirm that the individual holds a valid COC if he/she does. Otherwise, the TCC application will be returned to the employer for resubmission once a valid COC is on file with the CTC.

Beginning February 1, 2017, however, outdated TCC applications received will be returned to the district without being processed. The district will have to complete the revised TCC form and submit it for processing.
Dates to remember are as follows:

<table>
<thead>
<tr>
<th>Date</th>
<th>Event Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>January 1, 2017</td>
<td>Effective date of Assembly Bill 1918 requiring the Affidavit of Valid COC Clearance instead of the CRS and CDOJ for TCC applications</td>
</tr>
<tr>
<td>January 1-31, 2017</td>
<td>Last processing period for outdated TCC applications received by the unit</td>
</tr>
<tr>
<td>February 1, 2017</td>
<td>Effective date when outdated TCCs received by the unit will no longer be processed.</td>
</tr>
</tbody>
</table>

A draft sample of the updated TCC form is attached to this bulletin as Attachment No. 2 showing changes being made in Section III of the current form.

It should not be used until it has been fully revised. District personnel will be appropriately notified towards the end of December 2016 when the form is finalized and ready for use.

Please direct all questions regarding this bulletin to Carolina Rangel (562) 922-6504 or via email at rangel_carolina@lacoe.edu.

Approved:
Sean Lewis, Assistant Director
School Financial Systems and Services

CR:rh
Attachments
SFS-A23-2016-2017
An act to amend Sections 44332, 44332.5, and 44332.6 of, and to add and repeal Article 15 (commencing with Section 44405) of Chapter 2 of Part 25 of Division 3 of Title 2 of the Education Code, relating to teacher credentialing.

LEGISLATIVE COUNSEL’S DIGEST

AB 1918, O'Donnell. Teacher credentialing: temporary certificates.

(1) Existing law authorizes a county board of education or city and county board of education to issue temporary certificates to certified employees whose credentials are being processed by the Commission on Teacher Credentialing. Under existing law, a county board of education or city and county board of education, before issuing a temporary certificate, or a school district, before issuing a temporary certificate of clearance, is required to obtain a criminal record summary about the applicant from the Department of Justice.

This bill instead would authorize a county board of education or city and county board of education to issue temporary certificates to certified employees, including individuals certified in another state, whose credentials are being processed by the commission. The bill would require a county board of education or city and county board of education, before issuing a temporary certificate, or a school district, before issuing a temporary certificate of clearance, to instead obtain a certificate of clearance from the commission.

(2) Existing law authorizes certain school districts, at their discretion, to provide for the registration of a valid certification or other document authorizing the holder to serve in a position requiring certification qualifications as an employee of the school district.

This bill would prohibit a school district from exercising that authority until the school district has obtained a certificate of clearance from the commission.

(3) Existing law authorizes a local educational agency to contract with a nonpublic, nonsectarian school to provide the appropriate special educational facilities, special education, or designated instruction and services required by a pupil with exceptional needs if no appropriate public education program is available.

This bill would authorize a county board of education or city and county board of education to issue temporary certificates to
certified employees of nonpublic, nonsectarian schools, including individuals certified in another state, whose credentials are being processed by the commission, as provided. The bill would require a county board of education or city and county board of education, before issuing a temporary certificate, to obtain a certificate of clearance from the commission. The bill would provide that the conditions under which a temporary certificate issued pursuant to these provisions may or shall be revoked, issued, or denied, as applicable, are to be the same for nonpublic, nonsectarian schools as for schools operated by local educational agencies.

The bill would require the commission to honor requests to expedite teacher credentialing processing from the State Department of Education on behalf of an applicant employed or seeking employment at a nonpublic, nonsectarian school to the same degree the commission honors requests to expedite the processing of applications for teacher credentialing received from other employing agencies.

The bill would require the State Department of Education to recognize all teacher permits, credentials, and certificates issued by the commission or a county board of education or city and county board of education authorized by this bill.

The bill would make these provisions inoperative on July 1, 2024, and would repeal them as of January 1, 2025.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 44332 of the Education Code is amended to read:

44332. (a) Except where that service is provided by a school district authorized to register certification documents pursuant to Section 44332.5, each county board of education or city and county board of education may issue temporary certificates for the purpose of authorizing salary payments to certified employees, including individuals certified in another state, whose credential applications are being processed or to personnel employed in children's centers or other preschool educational programs whose permit applications are being processed. However, the individual must have demonstrated proficiency in basic reading, writing, and mathematics skills pursuant to the requirements of Section 44252.5. The applicant for the temporary certificate shall make a statement under oath that he or she has duly filed an application for a credential or permit together with the required fee and that, to the best of his or her knowledge, no reason exists why a certificate or permit should not be issued. The certificate or permit shall be valid for not more than one calendar year from the date of issuance.

(b) The county board of education or city and county board of education shall cancel the temporary certificate or permit immediately upon receipt of certification in writing from the commission that the applicant apparently does not possess adequate academic qualifications or apparently has a criminal record that would disqualify the applicant.

(c) A temporary certificate issued to a permit applicant is not valid beyond the time that the commission either issues or denies the originally requested permit. A temporary certificate issued to a credential applicant is not valid beyond the time that the commission provides written notification to the county board of education or city and county board of education that the applicant apparently does not possess adequate qualifications or that the commission has received facts that may cause denial of the application, or beyond the time that the commission either issues or denies the originally
requested credential.

(d) A county board of education or city and county board of education may not issue a temporary certificate to an applicant whose teaching credential is revoked or suspended.

SEC. 2. Section 44332.5 of the Education Code is amended to read:

44332.5. (a) (1) A school district that may issue warrants pursuant to Section 42647 may, at its discretion, provide for the registration of a valid certification or other document authorizing the holder to serve in a position requiring certification qualifications as an employee of the school district.

(2) A school district shall not provide for the registration of a valid certification or other document authorizing the holder to serve in a position requiring certification qualifications as an employee of the school district until the school district has obtained a certificate of clearance from the commission.

(b) During any period when summary criminal history information is not available from the Federal Bureau of Investigation, an applicant for an initial credential, certificate, or permit shall not be employed in a position requiring certification qualifications until he or she has met the minimum requirements for a temporary certificate of clearance. A temporary certificate of clearance or a credential, certificate, or permit authorizing service in the public schools shall be issued when the applicant has:

(1) Made full disclosure of all facts necessary to establish his or her true identity.

(2) Made a statement under penalty of perjury that he or she has not been convicted of a crime which would constitute grounds for the denial of the credential, permit, or certificate applied for.

An applicant shall not be required to disclose, and the Committee of Credentials shall not inquire into or consider, any acts or omissions not related to the applicant's fitness to teach or to perform other duties for which he or she is certificated, or that is related to his or her competence to perform the duties authorized by his or her credential.

(3) Paid to the commission the amount of twelve dollars ($12) or the fees or costs which have been or will be assessed by the Federal Bureau of Investigation for the issuance of its summary criminal history of the applicant when this information is once again made available to the commission. The fees authorized by this paragraph shall be applicable to all credentials, permits, and certificates which were applied for or issued after October 1, 1981.

(c) Upon receipt of a statement from the Federal Bureau of Investigation that it has no summary criminal history information on the applicant, or upon receipt of the summary criminal history information and clearance by the Committee of Credentials, a temporary certificate of clearance shall be converted to a regular certificate of clearance.

SEC. 3. Section 44332.6 of the Education Code is amended to read:

44332.6. (a) (1) Before issuing a temporary certificate pursuant to Section 44332, a county board of education or city and county board of education shall obtain a certificate of clearance from the commission and shall not issue a temporary certificate if the applicant has been convicted of a violent or serious felony.

(2) Before issuing a temporary certificate of clearance pursuant to Section 44332.5, a school district shall obtain a certificate of clearance from the commission and shall not issue a temporary certificate of clearance if the applicant has been convicted of a violent or serious felony.

(b) This section applies to any violent or serious offense which, if committed in this state would have been punishable as a violent or
serious felony.

(c) For purposes of this section, a violent felony is any felony listed in subdivision (c) of Section 667.5 of the Penal Code and a serious felony is any felony listed in subdivision (c) of Section 1192.7 of the Penal Code.

(d) Notwithstanding subdivision (a), a person shall not be denied a temporary certificate or a temporary certificate of clearance solely on the basis that he or she has been convicted of a violent or serious felony if the person has obtained a certificate of rehabilitation and pardon pursuant to Chapter 3.5 (commencing with Section 4852.01) of Title 6 of Part 3 of the Penal Code.

(e) Notwithstanding subdivision (a), a person shall not be denied a temporary certificate or a temporary certificate of clearance solely on the basis that the person has been convicted of a serious felony that is not also a violent felony, if that person can prove to the sentencing court of the offense in question, by clear and convincing evidence, that he or she has been rehabilitated for the purposes of school employment for at least one year. If the offense in question occurred outside this state, then the person may seek a finding of rehabilitation from the court in the school district in which he or she is a resident.

(f) (1) Notwithstanding paragraph (1) of subdivision (a), a county board of education or city and county board of education may issue a temporary certificate to an employee currently and continuously employed by a school district within the county who is serving under a valid credential and has applied for a renewal of that credential or for an additional credential without obtaining a certificate of clearance from the commission for that employee.

(2) Notwithstanding paragraph (2) of subdivision (a), a county board of education or city and county board of education may issue a temporary certificate of clearance to an employee currently and continuously employed by a school district within the county who is serving under a valid credential and has applied for a renewal of that credential or for an additional credential without obtaining a certificate of clearance from the commission for that employee.

SEC. 4.  Article 15 (commencing with Section 44405) is added to Chapter 2 of Part 25 of Division 3 of Title 2 of the Education Code, to read:

Article 15.  Nonpublic, Nonsectarian Schools

44405.  (a) A county board of education or city and county board of education may issue temporary certificates for the purpose of authorizing salary payments to certified employees of nonpublic, nonsectarian schools, including individuals certified in another state, whose credential applications are being processed by the commission. However, the individuals must have demonstrated proficiency in basic reading, writing, and mathematics skills pursuant to the requirements of Section 44252.5. The applicant for a temporary certificate shall make a statement that he or she has duly filed an application with the commission for a credential or permit together with the required fee and that, to the best of his or her knowledge, no reason exists why a certificate or permit should not be issued. The certificate or permit shall be valid for not more than one calendar year from the date of issuance.

(b) The county board of education or city and county board of education shall cancel the temporary certificate or permit, providing notification to the applicant and the nonpublic, nonsectarian school specified on the temporary certificate or permit, immediately upon
receipt of certification in writing from the commission that the applicant apparently does not possess adequate academic qualifications or apparently has a criminal record that would disqualify the applicant.

(c) A temporary certificate issued to a permit applicant is not valid beyond the time that the commission either issues or denies the originally requested permit. A temporary certificate issued to a credential applicant is not valid beyond the time that the commission provides written notification to the county board of education or city and county board of education that the applicant apparently does not possess adequate qualifications or that the commission has received facts that may cause denial of the application, or beyond the time that the commission either issues or denies the originally requested credential.

(d) A county board of education or city and county board of education may not issue a temporary certificate to an applicant whose teaching credential is revoked or suspended.

(e) For purposes of this article, "nonpublic, nonsectarian school" has the same meaning as defined in Section 56034.

44406. (a) Before issuing a temporary certificate pursuant to Section 44405, a county board of education or city and county board of education shall obtain a certificate of clearance from the commission.

(b) The conditions under which a temporary certificate issued pursuant to Section 44405 may or shall be revoked, issued, or denied, as applicable, shall be the same for nonpublic, nonsectarian schools as for schools operated by local educational agencies, as provided in Article 8 (commencing with Section 44330).

44407. The commission shall honor requests to expedite the processing of applications for teacher credentialing received from the department on behalf of an applicant employed or seeking employment at a nonpublic, nonsectarian school to the same degree the commission honors requests to expedite the processing of applications for teacher credentialing received from another employing agency.

44408. The department shall recognize the authority of all teacher permits, credentials, and certificates issued by the commission or a county board of education or city and county board of education authorized by this article.

44409. This article shall become inoperative on July 1, 2024, and, as of January 1, 2025, is repealed, unless a later enacted statute, that becomes operative on or before January 1, 2025, deletes or extends the dates on which it becomes inoperative and is repealed.
APPLICATION FOR TEMPORARY COUNTY CERTIFICATE (EC44332)

Submit completed form, in duplicate, to above address. Nonpublic schools submit completed form in duplicate.

NAME AND ADDRESS OF EMPLOYING SCHOOL DISTRICT OR NONPUBLIC SCHOOL

For County Office Use Only

REVISED FORM PENDING

Section I - Applicant Information (To be completed by applicant.)

TYPE OR PRINT NAME OF APPLICANT (LAST, FIRST, MIDDLE)

SOCIAL SECURITY NUMBER

BIRTHDATE

MOST RECENT CALIFORNIA TEACHING EXPERIENCE (COUNTY) (YEAR)

APPLICATION IS FOR

(PLEASE CHECK) CHECK ONE

- Initial

- New Type Authorization

- Adding Subject Matter Authorization

- Adding Supplemental Extension/Appeal

TYPE OR PRINT EXACT TERM

TITLE OF CREDENTIAL PERMIT OR CERTIFICATE APPLIED FOR

The application was filed: (Check one.)

☐ by IHE (name) Date:___/___/___

☐ by District (name) Date:___/___/___

☐ by Applicant Date:___/___/___

☐ by LACOE Certification Section Date:___/___/___

☐ by other County (name) Date:___/___/___

☐ by other Agency (name) Date:___/___/___

CTC APPROVED BASIC SKILLS VERIFICATION

☐ CBEST Pass Date:___/___/___

☐ Other Exam Name: Pass Date:___/___/___

Applicant Affidavit (Read reverse side.)

I certify (or affirm) under penalty of perjury that I have provided true and accurate statements of all facts relating to my professional and personal qualifications for the performance of service requiring certification; and that I have submitted my complete Application for Credential Authorizing Public School Service to the Commission on Teacher Credentialing along with the required fee. I am aware that such application may be denied on any of the grounds provided by Education Code Section 44345 or 44346 quoted on the reverse side, but to the best of my knowledge no reason exists why I should not be issued this credential, certificate, or permit.

Signed this ______ day of ________, 20____, City of _________________, California

Signature of Applicant

Section II - Employment Information (To be completed by the authorized official of the employing school district.)

1. Was credential application reviewed by employer? ☐ No ☐ Yes

Did applicant answer “yes” to Personal and Professional Fitness questions? ☐ No ☐ Yes (attach explanation)

2. If application was not reviewed by employer, the applicant has stated in writing that his/her answers to Character and Fitness questions on the credential application are: ☐ No ☐ Yes (attach explanation)

3. Has applicant taken and passed a CTC approved Basic Skills test? ☐ N/A ☐ On file ☐ No ☐ Yes (attach certified copy)

4. I have determined that the applicant has all qualifications required by law for the performance of service requiring certification. ☐ No ☐ Yes

The beginning date of employment authorized by this TCC is:

MONTH DAY YEAR

Form NO. 503-104 Page 1 of 2 Rev. 11/15/2016

Continued on reverse side.
Name of Applicant: ____________________________

Section III - Affidavit of valid COC Clearance and Confirmation of CTC application submission
(To be completed by the authorized official of the school district employing applicant)

<table>
<thead>
<tr>
<th>COC REQUIRED FOR TCC ISSUANCE</th>
<th>COC NOT REQUIRED FOR TCC ISSUANCE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Employer has confirmed that a valid COC was granted by the CTC on (date): ____________________________</td>
<td>The County Board of Education may issue a TCC without obtaining a COC, if at least ONE statement below in EACH of group A, B, C, and D, is checked. If not, the left portion of this form must be completed.</td>
</tr>
<tr>
<td>The Certificate of Clearance is a document issued by the Commission to an individual who has completed the Commission's fingerprint character and identification process, whose moral and professional fitness has been shown to meet the standards established by law. The sole purpose of the COC is to provide verification that the holder has completed a professional fitness review. Check the applicable category of this applicant.</td>
<td></td>
</tr>
<tr>
<td>New employee to our district/agency with an initial CA credential application filed with but not yet issued by the CTC.</td>
<td>A. [ ] New Employee</td>
</tr>
<tr>
<td>Current and continuous employee of our district/agency with an initial CA credential application filed by but not yet issued by the CTC.</td>
<td>[ ] Continuing employee</td>
</tr>
<tr>
<td>Returning employee to our district/agency, who has allowed his/her permit to expire.</td>
<td>[ ] Has applied for renewal of credential/permit</td>
</tr>
<tr>
<td>New employee to our district/agency, formerly a current employee of another district/agency, who has allowed his/her permit to expire.</td>
<td>[ ] Has applied for an additional credential/permit</td>
</tr>
<tr>
<td>Employee’s original permit application did not include fingerprints.</td>
<td>C. [ ] Holds a valid credential/permit</td>
</tr>
<tr>
<td>Fingerprint status reads &quot;completed&quot; on CTC website.</td>
<td>[ ] Has been continuously employed in one or more other districts/agencies in this county.</td>
</tr>
<tr>
<td>Returning employee to our district/agency, who has allowed his/her permit to expire.</td>
<td>[ ] Was not currently employed in another district/agency.</td>
</tr>
</tbody>
</table>

I certify that a CTC application has been mailed, or has been submitted online and fees have been paid by the applicant to the CTC.

SCHOOL DISTRICT/AGENCY NAME: ____________________________

PRINT OR TYPE NAME AND TITLE OF AUTHORIZED EMPLOYING OFFICIAL: ____________________________

SIGNATURE OF AUTHORIZED EMPLOYING OFFICIAL: ____________________________

DATE SIGNED: ____________________________

Information for Applicant - Please read prior to completing application.

Applicant Affidavit -- This section is not to be completed by the applicant if any of the following apply:

(1) The fitness of applicant to hold this credential or any credential is currently under review by the Committee of Credentials.

(2) Applicant has an appeal currently pending from prior denial of this credential by the Commission on Teacher Credentialing, or the Committee of Credentials.

(3) Applicant's credentials are currently under disciplinary suspension or revocation.

(4) Applicant is aware he does not meet minimum requirements for the credential sought.

44345. Denial of application

The Commission may deny any application for the issuance of a credential or for the renewal of a credential made by any applicant who:

(a) Lacks the qualifications which are prescribed by law or regulations adopted by the Commission pursuant thereto.

(b) Is physically or mentally so disabled as to be rendered unfit to perform the duties authorized by the credential for which he or she applies.

(c) Is addicted to the use of intoxicating beverages to excess.

(d) Is addicted to the use of controlled substances.

(e) Has committed any act involving moral turpitude.

(f) Has had a certification document revoked.

(g) Has intentionally practiced or attempted to practice any material deception or fraud in his application.

(h) Fails or refuses to furnish reasonable evidence of identification or good moral character.

(i) Has been convicted of any offense defined in subdivision 1 of Section 314 of the Penal Code prior to 9/7/55.

44346. Further grounds for denial.

(a) The Commission shall deny any application for the issuance of a credential or for the renewal of a credential made by an applicant who comes within any of the following classes:

   (1) Has been determined to be a sexual psychopath under the provisions of Article 1 (commencing with Section 6300), Chapter 2, Part 2, Division 6 of the Welfare and Institutions code or under similar provisions of law of any other state.

   (2) Has been convicted of any sex offense as defined in Section 44010.

   (3) Has been convicted of a controlled substance abuse as defined in Section 44011.

   (b) Notwithstanding paragraphs (2) and (3) of subdivision (a), no person shall be denied a credential solely on the basis that he or she has been convicted of a crime specified in paragraphs (2) and (3) of subdivision (a) if the person has obtained a certificate of rehabilitation and pardon pursuant to Chapter 3.5 (commencing with Section 4852.01), Title 6, Part 3, of the Penal Code, and if his or her probation has been terminated and the information or accusation has been dismissed pursuant to Section 1203.4 of the Penal Code.

44346. Further grounds for denial.

(a) The Commission shall deny any application for the issuance of a credential made by an applicant who has been convicted of a violent or serious felony.

(c) For purposes of this section, a violent felony is any felony listed in subdivision (c) of Section 6665 of the Penal Code and a serious felony is any listed in subdivision (c) of Section 1192.7 of the Penal Code.