



ARIZONA DEPARTMENT OF PUBLIC SAFETY

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"Courteous Vigilance"

JANICE K. BREWER
Governor

ROBERT C. HALLIDAY
Director

DATE: July 31, 2014
TO: CHARTER SCHOOL CONTRIBUTOR OF APPLICANT FINGERPRINT CARDS
SUBJECT: FINGERPRINTING STATUTE CHANGES

You are receiving this letter because your agency is listed as a charter school which submits fingerprint cards to the Arizona Department of Public Safety (DPS) to receive FBI and/or state criminal history records to evaluate the fitness of employees and volunteers.

The Arizona Legislature passed several changes to fingerprinting laws which went into effect on July 24, 2014. These changes allow charter schools to require that more types of personnel obtain clearance cards. Previously, only certified, teacher/tutor prep programs, and instructional personnel were authorized to obtain clearance cards; other personnel were required to be checked using the fingerprint criminal history check process.

Charter schools may now require non-instructional personnel and volunteers to obtain clearance cards under Arizona Revised Statutes (ARS) §15-183 or may continue to fingerprint check them pursuant to ARS §15-512. However, the change does not state that charter schools must require clearance cards of those who previously were not authorized to obtain them; the choice is left to the charter school. The law change does not remove the ability of charter schools to conduct fingerprint criminal history checks on personnel or volunteers. Questions regarding which processes your charter school should use and who is responsible for the cost of the fingerprint checks should be directed to your school's legal advisor or governing authority.

Your school's Noncriminal Justice Compliance Program Agency Security Contact should also have received an informational update email regarding these changes. If the ASC did not receive this email, please contact the DPS AIU Noncriminal Justice Compliance Team at NCJA@azdps.gov to ensure that your e-mail address is current in the compliance database.

If you have any questions, please contact the DPS Access Integrity Unit Noncriminal Justice Compliance Team at (602) 223-2720 or (602) 223-2327 or by e-mail at NCJA@azdps.gov

Sincerely,

A handwritten signature in black ink, appearing to read "M Veilleux".

Melanie Veilleux, Supervisor
Access Integrity Unit

CHARTER SCHOOLS

FINGERPRINTING CHART

The chart below is intended to provide general guidance regarding fingerprint authorizations for charter schools. Please consult your agency's legal advisor for questions regarding processes developed at your school for specific classifications.

FCC - Fingerprint Clearance Card (plastic card issued after applicant applies and DPS makes suitability decision)

CHC - Criminal History Check (school receives paper criminal history results from DPS to use for suitability decision)

	Fingerprint Clearance Card (FCC)	Arizona/FBI Criminal History Check (CHC)	Arizona only Criminal History Check (no FBI check)
Certified Employees/ Instructional Personnel	IVP FCC required for personnel certified through AZ Dept of Education	*CHC allowed for subsequent checks if desired but employee must maintain FCC	CHC allowed for provisional hires waiting for IVP FCC *CHC allowed for subsequent checks if desired but employee must maintain FCC
Non-certificated/Non-instructional (classified) Employees	IVP FCC allowed (must have either IVP FCC or Arizona/FBI CHC)	CHC allowed (must have either IVP FCC or Arizona/FBI CHC)	CHC allowed for provisional hires waiting for IVP FCC *CHC allowed for subsequent checks if desired
Non-Parent/Non-Guardian Volunteers (without <u>direct</u> supervision by certificated employee)	IVP FCC allowed (must have either IVP FCC or Arizona/FBI CHC)	*CHC allowed (must have either IVP FCC or Arizona/FBI CHC) *CHC allowed for subsequent checks if desired	CHC allowed for provisional hires waiting for IVP FCC *CHC allowed for subsequent checks if desired
Parent Volunteers	*IVP FCC allowed, not required	*CHC allowed, not required	*CHC allowed, not required
Contractors, Subcontractors, Vendors (and their employees)	IVP FCC required unless exempted per ARS 15-512.H	N/A	N/A

* Arizona Revised Statutes §15-512 sections A, C, and G contain language concerning whether the school or the applicant/volunteer bears the cost of obtaining the clearance card or fingerprint check. Please consult your legal advisor concerning whether your school or the applicant/volunteer is responsible for the cost for the specific classification and/or situation for which the person is being fingerprinted under ARS §15-512 and/or ARS §15-183.