

Memo

To: School District Superintendents and Chief Administrators of Charter Schools
From: Arizona State Board of Education
Date: December 12, 2007
Re: Fingerprint Legislation

The purpose of this memo is to provide guidance to Arizona public schools regarding the implementation of new fingerprinting requirements as specified in A.R.S. § 15-106.

In part, A.R.S. § 15-106 states:

“Beginning on January 1, 2008, an applicant who applies for a new teaching certificate in order to teach in a school district, an applicant who applies for renewal of an existing teaching certificate in order to continue teaching in a school district, an applicant who is required for the first time to be fingerprinted in order to teach in a charter school and an applicant who is required to renew fingerprints in order to continue teaching in a charter school pursuant to section 15-183 and an applicant who is required to be fingerprinted pursuant to section 15-512 shall submit for an identity verified fingerprint card that will be used by the department of public safety to process the fingerprint clearance card....”

Upon the passage of this legislation questions were raised regarding: 1) the process for submitting “identity verified” fingerprints; and 2) whether individuals fingerprinted pursuant to A.R.S. § 15-512 must now apply for Fingerprint Clearance Cards.

- 1) As specified in the law, all applicants for fingerprint clearance will be required to submit fingerprints to the Department of Public Safety (“DPS”) via new procedures designed to prevent applicants from submitting fraudulent sets of prints. The DPS has provided guidance regarding this process (see attached information).
- 2) A.R.S. § 15-512 requires that certain school employees receive fingerprint clearance as a condition of employment. This statute specifically applies to school district classified employees, volunteers and charter school personnel that are not engaged in instructional work. Due to differing interpretations of the several statutes that prescribe fingerprinting requirements for these individuals, questions have been raised regarding whether these individuals must now apply for Fingerprint Clearance Cards. It has been determined that individuals that are fingerprinted pursuant to this statute **do not** need to apply for Fingerprint Clearance Cards. Rather, these individuals shall be required to complete identity verified fingerprint cards, which will then be submitted via the process currently in place. This should enhance student safety while allowing the easiest possible transition to the new requirements.