

AB 346 has again been amended and the attempt to postpone implementation until 2011 was deleted. [Below is the summary that was just minutes ago sent out by ACSA.](#) There is both good news and bad news.

First the good news. If your district already does **both** Department of Justice and FBI fingerprinting to clear your non-certificated coaches, the district will become exempt under this bill and those coaches in those districts do NOT have to get the Activities Supervisor Clearance Certificate.

Now the bad news and what is not highlighted in the summary from ACSA is that the “pool” of coaches who, if this bill is signed by the Governor, has increased significantly for those districts who **DO NOT** do both the DOJ and FBI fingerprinting for their walk-on coaches.

The wording has been amended so that ALL non-certificated coaches, paid and volunteer, will have to get the certificate or the district will have to do BOTH DOJ & FBI fingerprinting. In AB 1025, the requirement for the certificate was limited to head coaches and under 346 it will be all coaches. Again, this is for districts that do not complete DOJ and FBI fingerprinting already. If the bill is passed and signed by the Governor, districts that do not currently do both DOJ and FBI fingerprinting will have to:

- 1) begin immediately doing BOTH DOJ AND FBI fingerprinting for ALL non-certificated coaches (and thus become exempt under the bill). **OR**
- 2) have their ALL of their non-certificated coaches get the Activities Supervision Certificate through the California Teachers Commission.

To read the complete wording of the amended bill please go to this link - [http://acsa.org/MainMenuCategories/Advocacy/PositionsonLegislation\\_1/09-10-Legislation/AB3466-24-2010.asp](http://acsa.org/MainMenuCategories/Advocacy/PositionsonLegislation_1/09-10-Legislation/AB3466-24-2010.asp)

**REMEMBER** – the bill is on the Senate Floor and may be heard on Monday, June 28<sup>th</sup> as amended. It will then be immediately transferred to the Assembly where it will maybe be heard on the Assembly Floor on Thursday, July 1, 2010 and immediately sent to the Governor for his action. If it passes and is signed, it takes effect immediately. If it does not pass or is vetoed, then 1025 as it is presently written is in effect. As you have seen in the past six months following this bill, anything can happen.

## AB 346 (Conway): Summary of Proposed amendments (6-23-10)

Below is a brief summary of the amendments:

- Still has the Commission on Teacher Credentialing and the Activities Supervisor Clearance for all identified volunteers and employees. **HOWEVER**, provides the exemption from this requirement if the school district requires **both DOJ and FBI prints**. This allows school districts to determine whether they want to require the prints (no obligation to pay for them) or have the individual go to the CTC. This includes classified employees who are working or volunteering in these activities. The purpose of these amendments from legislative staff is to make sure that any adult alone with students for a pupil activity is fingerprinted.
- Deletes supervise, direct or coach from the list of people to be fingerprinted and instead requires a paid or volunteer who works with pupils in a pupil activity program to be fingerprinted. It will be up to the school district to determine what that means in addition to the student activity programs identified in the bill (same as in AB 1025). The intent is to ensure those individuals who are working directly with students at a school sponsored activity are fingerprinted.
- Deletes individuals who are in programs “affiliated with” a school district from the requirement so the bill only deals with school sponsored pupil activities.
- Continues the exemption for volunteer supervisors for breakfast, lunch, or other nutritional periods and nonteaching volunteer aides under the immediate supervision of a certificated employee.
- Districts may exempt from this new requirement parents volunteering in classrooms or on field trips and community members providing non-instructional services.
- The bill clarifies that countywide fingerprinting consortiums are authorized to fingerprint this new group of non-certificated student activities workers.
- Takes effect July 1, 2010 with no enforcement mechanism.
- The changes would be permanent.

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