

505-2-.42 CLEARANCE CERTIFICATE

(1) Summary. The Clearance certificate verifies that an individual employed in Georgia has successfully completed fingerprint and criminal background check requirements and has no convictions of any felony; any crime involving moral turpitude; any other criminal offense involving the manufacture, distribution, trafficking, sale or possession of a controlled substance or marijuana; or any sexual offense; and does not have a certificate or license that is currently revoked or suspended in Georgia or any other state. There are no academic requirements necessary to qualify for this certificate and it does not authorize the holder to be considered in-field for any position or allow experience earned while holding the certificate to be used toward certification. Employees of charter schools and charter systems must hold a Clearance certificate even if not required to hold any other certification. All holders of this certificate are subject to the Georgia Code of Ethics for Educators (See GaPSC Rule [505-6-.01 THE CODE OF ETHICS FOR EDUCATORS](#)).

- (a) Georgia statute requires all individuals employed on or after January 1, 2011, by a local unit of administration (LUA) in a position that would require certification without utilization of charter waivers to hold a valid Clearance certificate.
1. The definition of 'educator' for this rule means teacher, school or school system administrator, or other education personnel who would, if not exempted pursuant to a charter, be required to hold an educator certificate, license or permit issued by the GaPSC and individuals who have applied for but have not yet received such certificate, license, or permit.
 2. The definition of Georgia 'local unit of administration (LUA)' for this rule has the same meaning as in Code Section 20-2-242 and also includes state chartered special schools and commission charter schools.

(2) Requirements.

(a) Issuance:

1. Employed by a Georgia local unit of administration.
2. Have satisfactorily completed fingerprint and criminal background check requirements, and have no open, pending or potential investigations with the GaPSC Ethics Division.
3. Not hold a certificate or license that is currently revoked or suspended in Georgia or any other state.
4. Complete the GACE Educator Ethics Assessment if GaPSC certification is exempted pursuant to a charter.
5. Must be requested by the employing Georgia local unit of administration following procedures outlined in Rule 505-2-.27 Certification and Application Procedures.

(b) Renewal

1. Employed by a Georgia local unit of administration.
2. Verify completion of a Georgia (GCIC) criminal background check.
3. Verify completion of professional learning requirements as outlined by the employing local unit of administration.
4. Must be requested by the employing Georgia local unit of administration following

procedures outlined in Rule 505-2-.27 Certification and Application Procedures.

(3) Classification.

- (a) The Clearance Certificate is not a professional educator certificate and is not part of the National Association of State Directors of Teacher Education and Certification (NASDTEC) Interstate Agreement.

(4) Implementation.

- (a) As of January 1, 2011, educators holding a professional educator certificate who are already employed by a local unit of administration are not required to obtain a Clearance certificate until their professional certificate is renewed. To renew the professional certificate and add the Clearance certificate, the employing local unit of administration must conduct the required Georgia (GCIC) criminal background check. After the employing local unit of administration receives the criminal background results and the educator completes application procedures, the employer must submit the information electronically to the GaPSC and the certificate may be renewed and the Clearance certificate issued. No additional fingerprinting will be required for renewal of the Clearance certificate.
- (b) As of January 1, 2011, educators holding or eligible for positions, which would, if not exempted by charter, be required to hold certification, who are newly employed by a local unit of administration, are required to obtain a Clearance certificate meeting requirements in (2)(a) above.

(5) Validity.

- (a) The Clearance certificate is valid for five (5) years.
1. A Clearance certificate issued to an educator holding another unexpired certificate is only valid for the remaining validity period of the existing certificate.
 2. Should the Clearance certificate holder move to a different employing local unit of administration, it is not necessary to obtain a new Clearance certificate until expiration of the certificate. The new employing local unit of administration may still require fingerprinting for employment purposes.

(6) Reporting Procedures.

- (a) Local units of administration must report the results of criminal background checks to the GaPSC through the appropriate procedures available to authorized personnel through www.gapsc.org.

(7) In-Field Statement (See GaPSC Rule [505-2-.40 IN-FIELD ASSIGNMENT](#)).

- (a) Individuals holding a Clearance certificate do not meet certification in-field requirements.