



SENATE BILL 9 IMPLEMENTATION STATUS REPORT

***Texas Education Agency
Texas Department of Public Safety
January 29, 2008***

Since January 1, 2008 several issues and concerns have been reported to DPS and their fingerprinting vendor – IBT - related to fingerprint collection. DPS and IBT are making every effort to respond to these issues and welcome your continued feedback.

ISSUE#1: Can non-certified employees begin work without being fingerprinted?

No. Section 22.0833 (b) of the Education Code, as modified by Senate Bill 9 states:

(b) A person to whom this section applies must submit to a national criminal history record information review under this section before being employed or serving in a capacity described by Subsection (a).

Based on this section the Texas Education Agency has determined that a non-certified employee must submit his/her fingerprints to the DPS vendor prior to beginning working for a school district.

ISSUE # 2: What are the methods of payment for non-certified applicants hired after January 1, 2008?

We understand that districts want a wide variety of payment options for non-certified employees and have implemented several payment options for districts and individuals since Jan. 1, 2008 in response to district concerns.

School districts who wish to pay the cost of criminal history searches of new non-certified individuals may use any of the following options: Pay on line with credit card at the time of scheduling; Pay by check or money order at the time of printing (credit cards are not accepted at time of printing—only at time of scheduling); or Pay through a billing account established with the DPS Access and Dissemination Bureau through the contact information at the end of this document. The billing account function as initially implemented must be for all newly hired non-certified individuals. TEA and DPS are working on a process that would allow districts to select which new non-certified would pay for themselves and which would be paid by the district.

Non-certified individuals who pay the cost of their own criminal history background checks may pay at the time of scheduling with a credit card, or may pay at the time of fingerprinting with check or money order.

ADDITIONAL INFORMATION:

Please refer to the DPS website at http://www.txdps.state.tx.us/administration/crime_records/pages/index.htm (click on *School District Guide to Senate Bill 9*) for more details on each of these payment options and other SB 9 issues.

ISSUE #3: Potential employees are having trouble scheduling fingerprint appointments at available sites because timely appointments are not available. What should they do?

To remedy this problem, IBT is working to enhance its website features so that individuals are alerted to several alternative sites for setting up an appointment. In the meantime, **if you are scheduling appointments, please investigate alternate sites. If your applicants do their own scheduling, please encourage them to look at the alternate sites, as well.** We recognize that some of those alternative sites will require a longer drive, but depending upon the location of the individual, the alternate site may not be an unreasonable distance to travel.

To specifically improve availability in the Fort Worth / Dallas area, IBT is installing new devices in McKinney and Hurst and increasing the number of appointments available each day per device in Dallas and Hurst. Also, at least two Dallas and Fort Worth area school districts will begin fingerprinting their own applicants and submitting those fingerprints directly through IBT to DPS.

IBT will also take the following additional steps to make more appointment times available:

Additional new sites will be installed in North Dallas, Greenville, Lewisville, Tyler, San Antonio, Houston, Texas City, and Pharr.

IBT is entering into contracts with interested districts to purchase equipment and do their own fingerprinting. Those prints are submitted to DPS via the IBT network and processed in exactly the same manner as from the other devices. Five (5) districts (including the two in the D/FW area) have already issued purchase orders

Within 30 days, 20 new sites will be installed at Real Estate exam centers to service Real Estate applicants, which will allow more applicants to be processed at sites used by districts.

Based on availability, IBT will come to a school district and do a special printing session if the district can gather 30 persons or more at one time. Districts can coordinate with each other to gather groups large enough for IBT to do a group printing session.

CONTACT INFORMATION:

For emergency situations regarding fingerprint scheduling please call Don Farris, Manager, Access and Dissemination Bureau at 512 424-2078 or Donald.farris@txdps.state.tx.us

To schedule appointments, go to the IBT website at <https://tx.ibtfingerprint.com/>
Or call their phone number at 888-467-2080

ISSUE #4: Why are districts who want to schedule fingerprints for employees being required to collect employee demographic data?

Several districts have expressed concern with having to ask the applicant for Race, Sex, Place of Birth, Height, Weight, Eye Color, Hair Color, driver license number, and social security number when the district is scheduling a fingerprinting appointment for the potential employee. However, this information is required to schedule a fingerprint appointment to meet FBI requirements and provisions in SB9. We recognize the sensitivity of a district collecting this information. If districts do not want to collect this information, they can establish a billing account with IBT/DPS (contact Access and Dissemination Bureau at information at end of this document). Once an account is established, applicants will schedule their own appointments and the district will no longer have to collect this demographic information. We will continue to investigate alternate solutions.

CONTACT INFORMATION:

Districts with any recommendations regarding this issue are requested to contact Don Farris, Manager, Access and Dissemination Bureau at 512 424-2078.

ISSUE #5: My district is not getting information back from DPS once fingerprints have been provided?

We recognize that some districts have experienced technical difficulties related to data collection, the transfer of data and receiving appropriate emails. Each of these problems is resolved or in the process of being resolved.

DPS has received a lot of “undeliverable” messages when it attempts to send email notifications to school districts regarding individuals who have been fingerprinted or are in the Clearinghouse. **Please ensure that your spam filter has been set to allow the DPS email address “secure_donotreply@txdps.state.tx.us” to be delivered to your inbox. Also please verify that the email address provided to DPS is the correct address.** More importantly, districts can go on the Clearinghouse without having received a notification email from DPS and look at the responses that are available for their pending applicants. Please do not hesitate to report to TEA and DPS any future problems that you have in this regard.

TEA and DPS are dedicated to the success of this program. We regret the difficulties that have been experienced so far. We believe that most of the start-up issues have been resolved, and the others have solutions pending in the near term. Most importantly, the infrastructure is being put in place for a robust program that will be responsive to the requirements of Senate Bill 9 into the future. Please do not hesitate to contact TEA and DPS with any issues that you experience as we move forward.

CONTACT INFORMATION:

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Phone: (512) 424-2365

Texas Education Agency
TEA Fingerprint Helpline:
1-888-863-5880 Option #3
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