

**APPOINTMENT AND CONDITIONS OF EMPLOYMENT**

Upon recommendation from the Superintendent, the Board of Trustees shall approve the appointment of all certificated employees. The position and the salary classification shall be reported to the Board at a regular meeting.

*(cf. 4111 - Recruitment and Selection)*

*(cf. 4121 - Temporary/Substitute Personnel)*

Individuals appointed to the certificated staff shall, at a minimum:

1. Possess the appropriate certification qualifications and register the certification document in accordance with law and Board policy (Education Code 44250-44279, 44330)

*(cf. 4112.2 - Certification)*

*(cf. 4112.21. - Interns)*

2. Demonstrate proficiency in basic skills as required by law (Education Code 44252.5, 44830)
3. Submit to fingerprinting as required by law (Education Code 44830.1)
4. Not have been convicted of a violent or serious felony as defined in Penal Code 667.5 and 1192.7, unless the individual has received a certificate of rehabilitation and pardon (Education Code 44830.1)

*(cf. 4112.5/4312.5 - Criminal Record Check)*

*(cf. 4118 - Suspension/Disciplinary Action)*

5. Not have been convicted of any sex offense as defined in Education Code 44010 (Education Code 44836)
6. Not have been convicted of any controlled substance offense as defined in Education Code 44011 (Education Code 44836)
7. Not have been determined to be a sexual psychopath pursuant to Welfare and Institutions Code 6300-6332 (Education Code 44837)
8. Submit to a physical examination, tuberculosis testing and/or provide a medical certificate as required by law and Board policy (Education Code 44839, 49406)

*(cf. 4112.4/4212.4/4312.4 - Health Examinations)*

**APPOINTMENT AND CONDITIONS OF EMPLOYMENT** (continued)

9. Furnish a statement of military service and, if any was rendered, a copy of the discharge or release from service or, if no such document is available, other suitable evidence of the termination of service (Education Code 44838)

10. File the oath or affirmation of allegiance required by Government Code 3100-3109

*(cf. 4112.3/4212.3/4312.3 - Oath or Affirmation)*

11. Fulfill any other requirements as specified by law, collective bargaining agreement, Board policy or administrative regulation

*(cf. 4112.8/4212.8/4312.8 - Employment of Relatives)*

*Legal Reference:*

EDUCATION CODE

35161 Powers and duties

44008 Effect of termination of probation

44009 Conviction of specified crimes; definitions

44010 Sex offense

44011 Controlled substance offense

44066 Limitation on certification requirements

44250-44279 Credential types

44330 Effect of registration of certification document

44836 Employment of person convicted of sex offenses or controlled substance offenses

44837 Employment of sexual sociopath

44838 Statement of military service

44839 Medical certificate

44839.5 Medical certificate for retirant

49406 Examination for tuberculosis

GOVERNMENT CODE

3100-3109 Oaths or affirmations of allegiance for disaster service workers and public employees

12940-12950 Unlawful employment practices

PENAL CODE

667.5 Prior prison terms, enhancement of prison terms

1192.7 Plea bargaining limitation

WELFARE AND INSTITUTIONS CODE

6300-6332 Sexual psychopaths