

APPOINTMENT AND CONDITIONS OF EMPLOYMENT**A. Purpose and Scope**

To summarize the legal conditions for appointment and conditions of employment for principals and/or other administrative personnel regarding certificated staff.

B. General

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

C. Forms Used and Additional References

Board Agenda
Personnel File

D. Procedure

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)
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)
5. Not have been convicted of any sex offense as defined in Education Code 44010. (Education Code 44836)
6. Not be required to register as a sex offender pursuant to Penal Code 290 because of a conviction for a crime where the victim was a minor under the age of 16. (Penal Code 290.95)

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7. Not have been determined to be a sexual psychopath pursuant to Welfare and Institutions Code 6300-6332. (Education Code 44837)
8. Not have been convicted of any controlled substance offense as defined in Education code 44011. (Education Code 44836)
9. Submit to a physical examination, tuberculosis testing and/or provide a medical certificate as required by law and board Policy. (Education 44839, 49406)
10. Furnish a statement of military service and, if any was rendered, a copy of the discharge or release from service, if no such document is available, other suitable evidence of the termination of service. (Education Code 44838)
11. File the oath or affirmation of allegiance required by Government Code 3100-3109.
12. Fulfill any other requirements as specified by law, collective bargaining agreement, Board Policy or Administrative Regulation.

E. Reports Required

None

F. Record Retention

Personnel File

G. Responsible Administrative Unit

Human Resources

H. Approved By

Associate Superintendent for Human Resources

APPOINTMENT AND CONDITIONS OF EMPLOYMENT**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

290	Registration of sex offenders
290.95	Disclosure by persons required to register as sex offenders
667.5	Prior prison terms, enhancements of prison terms
1192.7	Plea bargaining limitation

WELFARE AND INSTITUTIONS CODE

6300-6332	Sexual psychopaths
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