

## **Personnel**

### **APPOINTMENT AND CONDITIONS OF EMPLOYMENT**

**AR 4112**

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

Individuals appointed to the certificated staff shall:

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 and Board policy (Education Code 44252.5, 44830)
3. Submit to fingerprinting and criminal background clearance 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 or 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 have been 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)
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/risk assessment, and any required medical examinations or certifications in accordance with law and Board policy (Education Code 44839, 49406)

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10. Submit to drug and alcohol testing in accordance with law, Board policy and collective bargaining agreement, as applicable
11. 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)
12. File the oath or affirmation of allegiance required by Government Code 3100-3109
13. Fulfill any other requirements as specified by law, collective bargaining agreement, Board policy, or administrative regulation, including any reports of egregious misconduct in accordance with Board Policy 4111/4211/4311 - Recruitment and Selection or otherwise related to credentialing, assignment, and misconduct reporting

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#### *Policy Reference Disclaimer:*

*These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the Governing Board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.*

#### **State**

*Ed. Code 35161*

*Ed. Code 44008*

*Ed. Code 44009*

*Ed. Code 44010*

*Ed. Code 44011*

*Ed. Code 44066*

*Ed. Code 44250-44277*

*Ed. Code 44330*

*Ed. Code 44830*

*Ed. Code 44830.1*

*Ed. Code 44836*

*Ed. Code 44837*

*Ed. Code 44838*

*Ed. Code 44839*

*Ed. Code 44839.5*

*Ed. Code 44939.5*

*Ed. Code 49406*

#### **Description**

*Board delegation of any powers or duties*

*Effect of termination of probation*

*Conviction of specified crimes*

*Sex offense; definitions*

*Controlled substance offense*

*Limitations on certification requirements*

*Credentials and assignment of teachers*

*Effect of registration of certification document*

*Employment*

*Criminal record summary; certificated employees*

*Employment of certificated persons convicted of sex offense or controlled substance offense*

*Employment of sexual sociopath*

*Statement of military service*

*Medical certificate; periodic medical examination*

*Requirements for employment of retirant*

*Report of egregious misconduct*

*TB risk assessment*

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<i>Gov. Code 1021.5</i>	<i><u>Disqualification for employment</u></i>
<i>Gov. Code 12940-12950</i>	<i><u>Unlawful employment practices</u></i>
<i>Gov. Code 3100-3109</i>	<i><u>Oath or affirmation of allegiance</u></i>
<i>H&amp;S Code 1596.7995</i>	<i><u>Immunization requirements for employees in child care and development center or preschool</u></i>
<i>H&amp;S Code 1597.055</i>	<i><u>Teachers in day care centers</u></i>
<i>Pen. Code 1192.7</i>	<i><u>Plea bargaining limitation</u></i>
<i>Pen. Code 288.3</i>	<i><u>Contacting a minor</u></i>
<i>Pen. Code 288.4</i>	<i><u>Meeting a minor</u></i>
<i>Pen. Code 290</i>	<i><u>Registration of sex offenders</u></i>
<i>Pen. Code 290.95</i>	<i><u>Disclosure by persons required to register as sex offenders</u></i>
<i>Pen. Code 647.6</i>	<i><u>Miscellaneous offenses</u></i>
<i>Pen. Code 667.5</i>	<i><u>Prior prison terms; enhancement of prison terms</u></i>
<i>W&amp;I Code 6300-6332</i>	<i><u>Sexual psychopaths</u></i>
<b>Management Resources</b>	<b>Description</b>
<i>Court Decision</i>	<i><u>C.A. v William S. Hart Union High School District et al. (2012) 138 Cal.Rptr.3d 1</u></i>
<i>Website</i>	<i><u>CSBA District and County Office of Education Legal Services</u></i>

### Cross References

<b>Policy</b>	<b>Description</b>
3515.5	<i><u>Sex Offender Notification</u></i>
3515.5	<i><u>Sex Offender Notification</u></i>
4020	<i><u>Drug And Alcohol-Free Workplace</u></i>
4111	<i><u>Recruitment And Selection</u></i>
4112.2	<i><u>Certification</u></i>
4112.2	<i><u>Certification</u></i>
4112.21	<i><u>Interns</u></i>
4112.21	<i><u>Interns</u></i>
4112.3	<i><u>Oath Or Affirmation</u></i>
4112.3-E(1)	<i><u>Oath Or Affirmation</u></i>
4112.4	<i><u>Health Examinations</u></i>
4112.41	<i><u>Employee Drug Testing</u></i>
4112.41	<i><u>Employee Drug Testing</u></i>
4112.5	<i><u>Criminal Record Check</u></i>
4112.5-E(1)	<i><u>Criminal Record Check</u></i>
4112.6	<i><u>Personnel Files</u></i>
4112.8	<i><u>Employment Of Relatives</u></i>
4117.14	<i><u>Postretirement Employment</u></i>
4118	<i><u>Dismissal/Suspension/Disciplinary Action</u></i>
4118	<i><u>Dismissal/Suspension/Disciplinary Action</u></i>
4121	<i><u>Temporary/Substitute Personnel</u></i>
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4211	<u>Recruitment And Selection</u>
4212	<u>Appointment And Conditions Of Employment</u>
4212.3	<u>Oath Or Affirmation</u>
4212.3-E(1)	<u>Oath Or Affirmation</u>
4212.4	<u>Health Examinations</u>
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4312.5	<u>Criminal Record Check</u>
4312.5-E(1)	<u>Criminal Record Check</u>
4312.6	<u>Personnel Files</u>
4312.8	<u>Employment Of Relatives</u>
4317.14	<u>Postretirement Employment</u>
5148	<u>Child Care And Development</u>
5148	<u>Child Care And Development</u>
5148.3	<u>Preschool/Early Childhood Education</u>
5148.3	<u>Preschool/Early Childhood Education</u>

### Regulation

**Adopted:** March 2, 2012;

**Revised:** 05/16/2016; 06/16/2026;

### PASADENA UNIFIED SCHOOL DISTRICT

Pasadena, California