

4112 Appointment and Conditions of Certificated Employment

The Superintendent or designee is authorized to issue notices of intention to employ to certificated personnel. All such positions shall be listed on a personnel report and placed on the agenda for the next regular board meeting for Board action for authorization and/or ratification.

Upon recommendation from the Superintendent or designee, the Governing Board shall approve the appointment of all certificated employees. The position and the salary classification shall be reported to the Board on said personnel report at a regular meeting. The Board of Trustees may approve all or any part of the personnel report and subsequent notification will be given to employees.

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)
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 Code 44839, 49406)
10. 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)
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.

The administrator in charge of personnel shall submit, prior to April 1, if possible, a list of all probationary employees recommended for re employment to the Board of Trustees.

The Board of Trustees may approve all or any part of the personnel report and notification will be given to employees to the effect that it is the intent of the Board of Trustees to reemploy for the succeeding school year those people who have been approved.

4112 Appointment and Conditions of Certificated Employment (continued)

Probationary or permanent employees who fail to notify the Governing Board of their intent to remain or not to remain in service of the district prior to July 1 of any school year, shall be deemed to have automatically declined employment according to section 44842 of the *Education Code*.

Annually, permanent employees will receive a written verification of the appropriate position on the existing salary schedule.

Whenever a permanent teacher is re-employed within thirty nine (39) months after termination, all salary schedule and sick leave privileges are restored as of the date of termination. (*Education Code* section 44931)

Board Approved:
August 19, 2004
Effective Date: August 19, 2004