

Certificated Personnel

Appointment and Conditions of Employment

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. When required by the federal No Child Left Behind Act for teachers of core academic subjects, possess the qualifications of "highly qualified" teachers as defined in law, Board policy and administrative regulations (20 USC [6319](#))
4. Submit to fingerprinting as required by law (Education Code [44830.1](#))
5. 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](#))
6. Not have been convicted of any sex offense as defined in Education Code [44010](#) (Education Code [44836](#))
7. 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](#))
8. Not have been determined to be a sexual psychopath pursuant to Welfare and Institutions Code [6300-6332](#) (Education Code [44837](#))
9. Not have been convicted of any controlled substance offense as defined in Education Code [44011](#) (Education Code [44836](#))
10. Submit to a physical examination, tuberculosis testing and/or provide a medical certificate as required by law and Board policy (Education Code [44839](#), [49406](#))
12. 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](#))
13. File the oath or affirmation of allegiance required by Government Code [3100-3109](#)
14. Fulfill any other requirements as specified by law, collective bargaining agreement, Board policy or administrative regulation

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

[44830.1](#) Felons; certificated positions; criminal record summary; fingerprints

[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, enhancement of prison terms

[1192.7](#) Plea bargaining limitation

WELFARE AND INSTITUTIONS CODE

[6300-6332](#) Sexual psychopaths

CODE OF REGULATIONS, TITLE 5

[6100-6125](#) Teacher qualifications, No Child Left Behind Act

UNITED STATES CODE, TITLE 20

[6319](#) Highly qualified teachers

[7801](#) Definitions, highly qualified teacher

CODE OF FEDERAL REGULATIONS, TITLE 34

[200.55-200.57](#) Highly qualified teachers