

## **Certificated Personnel**

BP 4112(a)

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

The Superintendent will recommend the appointment of all regular full-time and hourly employees to the Governing Board. Selection will be based upon competence and will be in accordance with all pertinent Board Policies, laws of the State of California, and regulations of the California Fair Employment Practices Commission.

Temporary, substitute, and short term help may be appointed by the Superintendent or designee. The position and the pay rate shall be reported at a regular meeting of the Board.

#### **Appointment Standards**

Applicants for appointment to the certificated staff shall possess the appropriate certification qualifications and register the certification document in accordance with law and Board Policy. In addition, they shall:

1. 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).
2. Not have been convicted of any sex offense as defined in Education Code 44010.
3. 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.
4. Not have been determined to be a sexual psychopath pursuant to Welfare and Institutions Code 6300-6332 (Education Code 44837).
5. Not have been convicted of any controlled substance offense as defined in Education Code 44011.
6. 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).
7. Submit to fingerprinting as required by law.
8. Submit to a physical examination, tuberculosis testing and/or provide a medical certificate as required by law and Board Policy.

**Certificated Personnel**

BP 4112(b)

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

9. File the oath of affirmation of allegiance pursuant to Government Code 3100 et seq.

Note: Legally employed non-citizens are exempt from filing the above oath pursuant to Miller v. Trinity County Board of Education, 121 Col. app. 3d 184 (app.3 Dist. 1981).

10. When required by the federal No Child Left Behind Act for teachers of CORE academic subjects, possess the appropriate qualifications of highly qualified teachers as defined in law, Board Policy, and administrative regulations (20 USC 6319; cf. 4112.24)

Policy  
adopted: June 22, 1998  
revised: July 11, 2006  
revised: June 15, 2010

**CAPISTRANO UNIFIED SCHOOL DISTRICT**  
San Juan Capistrano, California