

**APPOINTMENT AND CONDITIONS OF EMPLOYMENT**

The Superintendent will recommend the appointment of all regular full-time, part-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.

Substitute, short-term non certificated “walk-on” athletic coaches and student workers 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 classified staff shall fulfill the requirements and meet the standards defined in the job description approved by the Board. In addition, they shall:

1. Not have been convicted of a violent or serious felony (Education Code 45122.1).
2. Submit to fingerprinting as required by law (Education Code 45125).
3. Submit to a physical examination or proof thereof as required by law and Board policy.
4. File a loyalty oath pursuant to Government Code 3100 et seq.

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

5. Classified staff shall also fulfill any other requirements as specified by law or Board policy.

No person shall be initially assigned as an instructional aide without having demonstrated proficiency in basic reading, writing and mathematics skills as required by Education Code 45344.5.

*Legal Reference: (see next page)*

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

*Legal Reference:*

EDUCATION CODE

35161 Powers and duties

44066 Limitation on certification requirements

45103 Classified service in Districts not incorporating the merit system

45104 Positions not requiring certification qualifications

45105 Positions under various acts not requiring certification qualifications; classification

45113 Rules and regulations for classified service in Districts not incorporating the merit system

45122 Physical examinations

45125 Use of personal identification cards to ascertain conviction of crime

45169 Employee salary data

45344.5 Demonstrated proficiency in basic skills

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

Policy

adopted: June 22, 1998

revised: June 15, 2010

**CAPISTRANO UNIFIED SCHOOL DISTRICT**

San Juan Capistrano, California