

MIDDLETOWN UNIFIED SCHOOL DISTRICT

Regulation 4112: Appointment And Conditions Of Employment

Original Adopted Date 1/17/2024

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 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 and/or provide a medical certificate as required by law and Board policy (Education Code 44839, 49406)
10. Submit to drug and alcohol testing as required by Board policy
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

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

State	Description
Ed. Code 35161	Board delegation of any powers or duties
Ed. Code 44008	Effect of termination of probation
Ed. Code 44009	Conviction of specified crimes
Ed. Code 44010	Sex offense; definitions
Ed. Code 44011	Controlled substance offense
Ed. Code 44066	Limitations on certification requirements
Ed. Code 44250-44277	Credentials and assignment of teachers
Ed. Code 44330	Effect of registration of certification document
Ed. Code 44830.1	Criminal record summary certificated employees
Ed. Code 44836	Employment of certificated persons convicted of controlled substance offenses
Ed. Code 44837	Employment of sexual sociopath
Ed. Code 44838	Statement of military service
Ed. Code 44839	Medical certificate; periodic medical examination
Ed. Code 44839.5	Requirements for employment of retirant
Ed. Code 49406	Examination for tuberculosis
Gov. Code 12940-12950	Unlawful employment practices
Gov. Code 3100-3109	Oath or affirmation of allegiance
H&S Code 1596.7995	Immunization requirements for employees in child care center or preschool
H&S Code 1597.055	Teachers in day care centers
Pen. Code 1192.7	Plea bargaining limitation
Pen. Code 290	Registration of sex offenders
Pen. Code 290.95	Disclosure by persons required to register as sex offenders
Pen. Code 667.5	Prior prison terms; enhancement of prison terms
W&I Code 6300-6332	Sexual psychopaths
Management Resources	Description
Website	CSBA District and County Office of Education Legal Services

Cross References

Code	Description
3515.5	Sex Offender Notification

3515.5	Sex Offender Notification
4020	Drug And Alcohol-Free Workplace
4111	Recruitment And Selection
4112.2	Certification
4112.2	Certification
4112.21	Interns
4112.21	Interns
4112.3	Oath Or Affirmation
4112.3-E(1)	Oath Or Affirmation
4112.4	Health Examinations
4112.41	Employee Drug Testing
4112.41	Employee Drug Testing
4112.5	Criminal Record Check
4112.5-E(1)	Criminal Record Check
4112.8	Employment Of Relatives
4117.14	Postretirement Employment
4118	Dismissal/Suspension/Disciplinary Action
4118	Dismissal/Suspension/Disciplinary Action
4121	Temporary/Substitute Personnel
4121	Temporary/Substitute Personnel
4211	Recruitment And Selection
4212.3	Oath Or Affirmation
4212.3-E(1)	Oath Or Affirmation
4212.4	Health Examinations
4212.41	Employee Drug Testing
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4212.5	Criminal Record Check
4212.5-E(1)	Criminal Record Check
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4312.3	Oath Or Affirmation
4312.3-E(1)	Oath Or Affirmation
4312.4	Health Examinations

4312.41	Employee Drug Testing
4312.41	Employee Drug Testing
4312.5	Criminal Record Check
4312.5-E(1)	Criminal Record Check
4312.8	Employment Of Relatives
4317.14	Postretirement Employment
5148	Child Care And Development
5148	Child Care And Development
5148.3	Preschool/Early Childhood Education
5148.3	Preschool/Early Childhood Education