

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 |
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| 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 |

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| 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 |
| 4212.8 | Employment Of Relatives |
| 4311 | Recruitment And Selection |
| 4312.3 | Oath Or Affirmation |
| 4312.3-E(1) | Oath Or Affirmation |
| 4312.4 | Health Examinations |

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