

**AR4112 Appointment And Conditions Of Employment
Personnel**

Status: ADOPTED
September 6, 2011

The Modoc County Superintendent of Schools shall approve or disapprove the employment or reemployment of all certificated personnel.

Individuals employed as the certificated staff shall:

1. Possess the appropriate certification qualifications and register the certification document in accordance with law and Modoc County Office of Education policy
2. Demonstrate proficiency in basic skills as required by law and County Office policy
3. Submit to fingerprinting as required by law
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
5. Not have been convicted of any sex offense as defined in Education Code 44010
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
8. Not have been convicted of any controlled substance offense as defined in Education Code 44011
9. Submit to a physical examination, tuberculosis testing and/or provide a medical certificate as required by law and County Office policy
10. 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
11. File the oath or affirmation of allegiance required by Government Code 3100-3109
12. Fulfill any other requirements as specified by law, collective bargaining agreement, County Office 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
44250-44277 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