

Santa Barbara School Districts

Administrative Regulation

AR 4112

Certificated Personnel

APPOINTMENT AND CONDITIONS OF EMPLOYMENT

Upon recommendation from the Superintendent or designee, the Board of Education shall approve the appointment of all certificated personnel. The position and the salary classification shall be reported to the Board at a regular meeting.

(cf. 4111 - Recruitment and Selection)

(cf. 4121 - Temporary/Substitute Personnel)

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)

(cf. 4112.2 - Certification)

(cf. 4112.21 - Interns)

2. Demonstrate proficiency in basic skills as required by law and Board policy (Education Code 44252.5, 44830)
3. When required by the federal No Child Left Behind Act for teachers of core academic subjects, possess the qualifications of “highly qualified” teachers as defined in law, Board policy and administrative regulations (20 USC 6319)

(cf. 4112.24 - Teacher Qualifications Under the No Child Left Behind Act)

(cf. 6171 - Title I Programs)

4. Submit to fingerprinting as required by law (Education Code 44830.1)
5. 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)

(cf. 4112.5/4312.5 - Criminal Record Check)

(cf. 4118 - Suspension/Disciplinary Action)

6. Not have been convicted of any sex offense as defined in Education Code 44010 (Education Code 44836)
7. 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)

(cf. 3515.5 - Sex Offender Notification)

8. Not have been determined to be a sexual psychopath pursuant to Welfare and Institutions Code 6300-6332 (Education Code 44837)
9. Not have been convicted of any controlled substance offense as defined in Education Code 44011 (Education Code 44836)
10. Submit to a physical examination, tuberculosis testing and/or provide a medical certificate as required by law and Board policy (Education Code 44839, 49406)

(cf. 4112.4/4212.4/4312.4 - Health Examinations)

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

(cf. 4112.3/4212.3/4312.3 - Oath or Affirmation)

13. Fulfill any other requirements as specified by law, collective bargaining agreement, Board policy or administrative regulation

(cf. 4112.8/4212.8/4312.8 - Employment of Relatives)

Legal Reference:

EDUCATION CODE

35161	<i>Powers and duties</i>
44008	<i>Effect of termination of probation</i>
44009	<i>Conviction of specified crimes; definitions</i>
44010	<i>Sex offense</i>
44011	<i>Controlled substance offense</i>
44066	<i>Limitation on certification requirements</i>
44250-44279	<i>Credential types</i>
44330	<i>Effect of registration of certification document</i>
44830.1	<i>Felons; certificated positions; criminal record summary; fingerprints</i>
44836	<i>Employment of person convicted of sex offenses or controlled substance offenses</i>
44837	<i>Employment of sexual sociopath</i>
44838	<i>Statement of military service</i>
44839	<i>Medical certificate</i>
44839.5	<i>Medical certificate for retirant</i>
49406	<i>Examination for tuberculosis</i>

GOVERNMENT CODE

3100-3109	<i>Oaths or affirmations of allegiance for disaster service workers and public employees</i>
12940-12950	<i>Unlawful employment practices</i>

PENAL CODE

290	<i>Registration of sex offenders</i>
290.95	<i>Disclosure by persons required to register as sex offenders</i>
667.5	<i>Prior prison terms, enhancement of prison terms</i>
1192.7	<i>Plea bargaining limitation</i>

WELFARE AND INSTITUTIONS CODE

6300-6332	<i>Sexual psychopaths</i>
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CODE OF REGULATIONS, TITLE 5

6100-6125	<i>Teacher qualifications, No Child Left Behind Act</i>
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UNITED STATES CODE, TITLE 20

6319	<i>Highly qualified teachers</i>
7801	<i>Definitions, highly qualified teacher</i>

CODE OF FEDERAL REGULATIONS, TITLE 34

200.55-200.57	<i>Highly qualified teachers</i>
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Regulation: SANTA BARBARA SCHOOL DISTRICTS
Approved: January 26, 2010 Santa Barbara, California