

APPOINTMENT AND CONDITIONS OF EMPLOYMENT

The Governing Board shall approve the appointment of all full-time, part-time, temporary, substitute, short-term, student and hourly classified employees. The position and the pay rat shall be reported to the Board at a regular meeting.

Individuals appointed to the classified staff 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)
(cf. 4212.5 - Criminal Record Check)
3. Submit to a physical examination or proof thereof as required by law and Board policy (Education Code 45122, 49406)
(cf. 4112.4/4212.4/4312.4 - Health Examinations)
4. File the oath or affirmation of allegiance required by Government Code 3100-3109
(cf 4112.3/4212.3/4312.3 - Oath or Affirmation)
5. Submit to drug and alcohol testing as required by Board policy
(cf 4112.4/4212.4/4312.41 - Employee Drug Testing)

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

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

When first employed and upon each subsequent change in classification, classified employees other than short-term, limited-term or provisional employees shall be given two copies of their class specification, salary data, assignment or work location, duty hours and prescribed work week. Salary data shall specify pay period (monthly, semimonthly or other) and applicable rates of compensation (daily, hourly, overtime and differential rates). Employees shall keep one copy of this information and shall sign and date the other copy and return it to their supervisor. (Education Code 45169)

(cf 4112.9/4313.9/4312.9 - Employee Notifications)

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Additional requirements for Instructional Aides

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

(cf 4222 - Teacher Aides / Para-professionals)

These proficiency requirements shall equal or exceed those required by the District for high school seniors pursuant to Education Code 51216. (Education Code 45344.5)

If a District hires an instructional aide who has passed this requirement in another District, the employee may be considered to have met this requirement. However, the District may required the aide to take a proficiency exam upon determination that the test taken was not comparable to District standards. (Education Code 45344.5)

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*
- 45108 Restricted positions*
- 45113 Rules and regulations for classified service in districts not incorporating the merit system*
- 45122 Physical examinations*
- 45122.1 Classified employees, conviction of a violent or serious felony*
- 45125 Use of personal identification cards to ascertain conviction of crime*
- 45169 Employee salary data*
- 45272 Vacancies in classified services for districts incorporating the merit system*
- 45344.5 Demonstrated proficiency in basic skills*
- 49406 Examination for tuberculosis*
- 51216 Student proficiency*

GOVERNMENT CODE

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

PENAL CODE

- 667.5 Prior prison terms, enhancement of prison terms*
- 1192.7 Plea bargaining limitation*

COURT DECISIONS

Miller v. Trinity County Bd. Of Education, 121 Cal.App3d 184 (App. 3 Dist. 1981)

Regulation
Approved: September 11, 2000

BREA OLINDA UNIFIED SCHOOL DISTRICT
Brea, California