

**CHAPTER VIII:  
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## CHAPTER VIII

### EMPLOYEE CLEARANCES

#### **RULE 8.1**     **PHYSICAL EXAMINATIONS**

##### **8.1.1**     **INITIAL EMPLOYMENT**

- A. Candidates and eligibles appointed to a position in the District may be required to pass a physical examination prior to initial appointment.
- B. The examination shall be administered by the medical facility designated by the District.
- C. Prior to employment, every candidate and eligible must undergo a skin test or chest X-ray to determine that they are free from active tuberculosis. To be acceptable, the examination must have been conducted within a sixty (60) day period prior to the date of employment appointment.
- D. The medical facility designated by the District shall determine the ability of the candidate and eligible to perform the prescribed duties of the class in which they shall be employed, and shall notify the District of the examination results.
  1. If the candidate or eligible does not receive physical clearance from the medical facility, facility shall provide the Assistant Superintendent–Human Resources with a statement describing the candidate’s or eligible’s conditions and limitations.
  2. If the physical examination reveals job-related limitations, the District may require the candidate or eligible to report for follow-up examinations related to the identified job-related limitations. The Assistant Superintendent-Human Resources shall review the final examination results and may approve the individual’s employment, which may include a reasonable accommodation.

**References: Education Codes 45122 and 49406**

### **8.1.2 SCHOOL BUS DRIVERS**

- A. In addition to any other examination that may be required by these Rules, school bus drivers must have a valid School Bus Driver's Certificate which requires a separate medical examination to meet the minimum requirements set forth by the Department of Motor Vehicles.

**References: Education Codes 45122 and 49406**

### **8.1.3 MEDICAL REVIEW BOARD**

- A. Any medical rejection of candidate or eligible may be appealed to the Personnel Commission.
- B. Upon formal appeal by the candidate or eligible, the Commission shall determine whether the medical rejection should be sustained.
- C. The Personnel Commission shall base its decision upon evidence submitted by the candidate or eligible and advice of independent medical experts employed by the Personnel Commission.

## **RULE 8.2 CRIMINAL RECORDS**

### **8.2.1 FINGERPRINTING**

- A. Every new candidate or eligible shall submit to a criminal records check in accordance with prescribed procedures or shall forfeit eligibility for employment. The District will notify each candidate or eligible where and when to report for fingerprinting.

### **8.2.2 REVIEW OF CRIMINAL RECORDS**

- A. All criminal record reports are to be treated as confidential. Any employee charged with receiving and/or reviewing them who divulges information contained therein to an unauthorized person is subject to disciplinary action.
- B. The criminal records report from the Department of Justice and/or the Federal Bureau of Investigation shall be reviewed with the person's employment application by the Assistant Superintendent-Human Resources. If there is a criminal record which was undisclosed, the Assistant Superintendent- Human Resources shall decide whether or not the person should be employed. In the case of disqualification, the Assistant Superintendent-Human Resources shall notify the Director of Classified Personnel of the disqualification.

- C. If candidate or eligible is to be dismissed because of information obtained on the criminal records report, they shall be removed from all eligibility lists. The Director of Classified Personnel shall notify the candidate or eligible of the action taken and the reasons and shall provide the candidate or eligible with an opportunity to appeal the decision in writing within ten (10) working days from the postmark date of the notice. If an appeal is filed, the Director of Classified Personnel shall follow the procedures outlined in Rule 4.3.2 – Appeal from Disqualification.

**Reference: Education Code 45125**