

[Policy - 9000 Management and Confidential Personnel](#) || [Table of Contents](#) || [Back](#) || [Next](#)

1.0 Authority to Recruit

1.1 The Chancellor of the Los Rios Community College District will determine whether a vacant position will be filled on a regular, interim, or acting basis.

2.0 Building the Applicant Pool

2.1 The Director, Human Resources, shall take those measures which are legally permissible to build an applicant pool that includes significantly underrepresented persons with disabilities.

3.0 Chancellor's Staff

3.1 For purposes of these District Policies and Administrative Regulations, the Chancellor's staff shall consist of those management employees reporting directly to the Chancellor.

4.0 Qualifications

4.1 An applicant must possess the minimum qualifications established for the position class; the individual must be able to perform the essential functions of the position with or without reasonable accommodation.

4.2 An applicant or candidate shall be disqualified for any of the following reasons:

4.2.1 Conviction of a misdemeanor involving sex offenses, controlled or illegal substances as defined in Education Code, sections 87010 and 87011, respectively; or of any felony; or a determination that the individual is a sexual psychopath as defined in Education Code, sections 87406 or 88023. (Ed. Code, § 87405, 88022) The Los Rios Community College District Board of Trustees delegates the determination of exceptions to this rule under Education Code, section 87405 to the Chancellor. The Chancellor shall develop Administrative Regulations regarding this issue;

4.2.1.1 Exception: Applicants and employees that have applied for or obtained certificates of rehabilitation and pardon and, if the applicant's probation has been terminated and the information or accusation has been dismissed under Penal Code, section 1203.4 for sex offenses, controlled or illegal substances convictions may be retained or considered for employment. (Ed. Code, §§ 87010, 87011, 87405, 88022)

4.2.1.2 Exception: Applicants and employees with felony convictions, other than those applicants that are disqualified for service under Education Code, sections 87010, 87011, 87405, 87406 or 88022, shall be individually evaluated to determine if disqualification based on their felony conviction(s) is job-related and consistent with business necessity.

4.2.1.3 Exception: Applicants and employees that are disqualified for service under Education Code, section 87010, 87011, or 87405 may be retained or considered for employment if the Board of Trustees determines from the evidence presented that the person has been rehabilitated for at least five years, or has received a certificate of rehabilitation and pardon, or if the accusation or information against the person has been dismissed and he or she has been released from all disabilities and penalties resulting from the offense pursuant to section 1203.4 of the Penal Code. In order to determine whether an applicant has been rehabilitated for at least five years, the Board of Trustees shall evaluate the applicant to determine if the disqualification is job-related and consistent with business necessity.

4.2.2 Falsification or attempted deception in statement on the application;

4.2.3 Previous dismissal from District service by the Board of Trustees;

4.2.4 Quitting, resigning, or retiring while an investigation into serious misconduct is pending or a disciplinary action is pending. Employees that quit, resign or retire while an investigation or disciplinary action is pending that have been exonerated from misconduct are eligible to be hired.

5.0 Physical Examinations

5.1 Authorization

5.1.1 Under conditions or at the appropriate times the Chancellor shall require partial or complete physical examinations or other appropriate medical clearances.

5.1.2 Where provisions of the law require physical examinations or medical clearances, an employee or prospective employee shall obtain such examinations or clearances as a condition of employment.

5.2 Payment for Physical Examinations or Medical Clearances

5.2.1 The District shall pay a reasonable fee for such employee physical examinations and medical clearances as are required by law to be paid from District resources. (Ed. Code, § 87408.6)

5.2.1.1 The Chancellor shall develop and implement rules and regulations governing such payments.

5.2.2 Payment for all other employee physical examinations or medical clearances is the responsibility of the employee.

[Policy - 9000 Management and Confidential Personnel](#) || [Table of Contents](#) || [Back](#) || [Next](#)

Policy Revised: 8/15/79; 2/18/81; 6/16/82; 2/21/90; 12/9/98; 10/1/03; 5/13/15; 6/8/16;
5/10/17; 5/9/18

Policy Reviewed: 5/10/17; 5/9/18

Adm. Regulation: [R-9121](#) (Formerly R-9115)