

Personnel

Superintendent's Policy 4112.3

4212.3

4312.3

ALL PERSONNEL

Oath or Affirmation

All Office of Education employees are declared by law to be disaster service workers and thus shall take the oath or affirmation required for disaster service workers before beginning employment. In the event of natural, manmade or war-caused emergencies which result in conditions of disaster or extreme peril to life, property and resources, all employees are subject to disaster service activities as assigned to them by their supervisors or by law. (Government Code 3100-3102)

This oath or affirmation is different from the oath or affirmation required of certificated employees as a licensing requirement pursuant to Education Code 44344; therefore, all employees are required to take the oath or affirmation required by Government Code 3100-3102.

The Superintendent authorizes the Coordinator of Personnel Services to administer and certify the oath or affirmation when an employee is hired.

Legally employed noncitizens shall be exempt from taking this oath. (Government Code 3101)

In the case of intermittent, temporary, emergency or successive employments, the Superintendent or designee may determine that the oath shall be effective for all successive periods of employment which begin within one calendar year from the date that the oath was subscribed. (Government Code 3102)

The Superintendent or designee shall file the executed oath or affirmation within 30 days of the date on which it is taken and subscribed. An employee's oath or affirmation may be destroyed five years after the termination of employment. (Government Code 3105)

Reimbursement of Expenses for Disaster Service Workers

Whenever an employee seeks compensation or reimbursement of expenses as a disaster service worker, the Superintendent or designee shall ascertain and certify that the employee has taken the oath or affirmation. (Government Code 3107)

Legal Reference:

EDUCATION CODE

60 Persons authorized to administer and certify oaths

44334 Oath or affirmation required for credential

44354 Administration of oath required for credential

GOVERNMENT CODE

3100-3109 Oath or affirmation of allegiance

CALIFORNIA CONSTITUTION

Article 20, Section 3 Oath of office

RESOURCES

School and College Legal Services of California Advisory 5-2003(CC)

Policy

Adopted: January 14, 2009

Humboldt County Office of Education

Eureka, California