

## AR 4312.3 - OATH OR AFFIRMATION

All district 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 with the district. 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 district employees are subject to disaster service activities as assigned to them by their supervisors or by law. (Government Code [3100-3102](#))

(cf. [3516](#) - Emergencies and Disaster Preparedness Plan)

(cf. [9224](#) - Oath or Affirmation)

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

At the advice of legal counsel, the Superintendent or designee may exempt an employee from taking the oath if he/she raises a valid religious objection.

The Superintendent, director, principal or other person authorized in Education Code [60](#) shall administer the oath or affirmation when a district employee is hired.

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](#))

(cf. [4121](#) - Temporary/Substitute Personnel)

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

COURT DECISIONS

Chilton v. Contra Costa Community College District 55 Cal. App. 3d 544 (1976)

Vogel v. County of Los Angeles (1967) 68 Cal. 2d 18, 22

Regulation WINDSOR UNIFIED SCHOOL DISTRICT

approved: October 7, 2003 Windsor, California

---