

Marion County Board of Education

Monitoring:

Descriptor Term:

Descriptor Code:

Issued Date:

**Review:
Annually,
in February**

Application and Employment

5.106

06/26/12

Rescinds:

Issued:

5.106

04/24/01

APPLICATION

An individual desiring a position with the Board shall make application to the director of schools on forms approved by the Board. ¹ In a continuing effort to further ensure the safety and welfare of students and staff, the district shall require criminal history records checks and fingerprinting of applicants for teaching positions and any other employee who has proximity to children.

Knowingly falsifying information shall be sufficient grounds for termination of employment and shall also constitute a Class A misdemeanor which must be reported to the District Attorney General for prosecution.

Any costs incurred by the Tennessee Bureau of Investigation in conducting such investigations of applicants shall be paid by the applicant. Applicants include those accepting positions as teachers, substitute teachers, support staff positions or any other person requiring proximity to school children. The cost of the background check and fingerprinting shall be paid by the applicant after recommendation and employment. ²

The Board assigns to the director of schools the duty to conduct thorough background checks and to advise all applicants that all hiring decisions are contingent upon satisfactory background check results. Until the background check is completed and reviewed, the applicant is regarded as a conditional employee, if hired.

Professional Employees

The application must include a transcript of credits earned at the colleges or universities attended along with reference information from persons such as previous employers, college professors and supervisors of student teachers. Other information shall include whether such applicant has been dismissed for cause from a school system. If previously employed by a local board of education, the applicant shall provide evidence of acceptable resignation. ¹

No person shall be employed:

1. Who does not hold a valid license to teach from the State Board of Education; ³
2. Who has any contagious or communicable disease in such form that might endanger the health of school children; ⁴
3. Who refuses to take and subscribe to an oath to support the Constitution of the State of Tennessee and of the United States of America; ⁵
4. Who fails to make a full disclosure of any prior criminal record and any prior dismissals from employment for cause; ¹ or
5. Who does not receive a satisfactory background check. ¹

No person shall be employed:

1. Who has any contagious or communicable disease in such form that might endanger the health of the children; ⁴
2. Who has not complied with the Immigration Reform and Control Act of 1986; ⁶ or
3. Who fails to make a full disclosure of any prior criminal record and any prior dismissals from employment for cause; or
4. Who does not receive a satisfactory background check. ¹

EMPLOYMENT

Professional Employees

After checking references and receiving written recommendations, the director of schools shall hire and assign qualified applicants. ⁷

Initial Employment

Upon initial employment, the director of schools shall notify such person, in writing, of the offer and conditions of employment. Upon receipt of employment notification, such person shall have fourteen (14) days to accept or reject, in writing, the offered employment. From the date of the written acceptance, such person is considered to be under employment with the Board and is subject to all rights, privileges and duties. ¹

Support Employees

After checking references and receiving written recommendations from principals and/or supervisors, the director of schools shall hire and assign qualified applicants. Such persons shall accept or reject the employment offer, in writing, and the conditions thereof.

Legal Reference:

1. TCA 49-5-406
2. TCA 49-5-406 (a); TCA 49-5-413(b)
3. TCA 49-5-403; TCA 49-5-101
4. TCA 49-5-404; TRR/MS 0520-1-3-.08(2)(f)
5. TCA 49-5-405
6. Immigration Reform and Control Act of 1986
7. TCA 49-2-301(b)(1)(EE)(J)(L); TCA 49-2-303 (bp)(3)

Cross References:

Orientation and Probation 5.107
Compensation Guides & Contracts 5.110