

Franklin County Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: Application and Employment	Descriptor Code: 5.106	Issued Date: 07/09/18
		Rescinds: 5.106	Issued: 03/14/16

1 APPLICATION

2 An individual desiring a position shall make application to the Director of Schools on forms developed
3 by his/her office. To ensure the safety and welfare of students and staff, the district shall require
4 criminal history background checks and fingerprinting of applicants for teaching positions and any
5 other positions that require proximity to children.¹ If applying for a teaching position, the Director of
6 Schools shall also check the applicant's license status in the State Board of Education's database to
7 determine if there is a hold on that applicant's license, and if so, the reasoning behind the hold.²

8 Knowingly falsifying information shall be sufficient grounds for termination of employment and shall
9 also constitute a Class A misdemeanor which must be reported to the District Attorney General for
10 prosecution.³

11 The initial costs in conducting investigations of applicants (except for non-certified substitutes and
12 school nutrition) shall be paid by the Board when the applicant is offered and accepts a job; all
13 subsequent costs shall be paid by the applicant.⁴

14 *Professional Employees*

15 The application must include a transcript of credits earned at the colleges or universities attended along
16 with reference information from persons such as previous employers, college professors and supervisors
17 of student teachers. Other information shall include whether such applicant has been dismissed for cause
18 from a school system.⁵ If previously employed by a local board of education, the applicant shall provide
19 evidence of acceptable resignation.

20 No person shall be employed:

- 21 1. Who does not hold a valid license to teach from the State Board of Education;⁶
- 22
- 23 2. Who has been identified by the Department of Children's Services as a perpetrator of child
24 abuse, severe child abuse, child sexual abuse, or child neglect, or who poses an immediate
25 threat to the health, safety, or welfare of children;⁷
- 26 3. Who is listed on the state's abuse of vulnerable persons registry maintained by the
27 Department of Health;⁷
- 28 4. Who does not present a physician's certificate showing a satisfactory health record or has
29 any contagious or communicable disease in such form that might endanger the health of
30 school children;⁸

- 1 5. Who refuses to take and subscribe to an oath to support the Constitution of the State of
2 Tennessee and of the United States of America;⁹
- 3 6. Who fails to make a full disclosure of any prior criminal record and any prior dismissals
4 from employment for cause; or
- 5 7. Who does not receive a satisfactory background check.¹⁰

6 *Support Employees*

7 No person shall be employed:

- 8 1. Who has any contagious or communicable disease in such form that might endanger the
9 health of the children;⁸
- 10 2. Who has been identified by the Department of Children's Services as a perpetrator of child
11 abuse, severe child abuse, child sexual abuse, or child neglect, or who poses an immediate
12 threat to the health, safety, or welfare of children;⁷
- 13
- 14 3. Who is listed on the state's abuse of vulnerable persons registry maintained by the
15 Department of Health;⁷
- 16 4. Who has not complied with the Immigration Reform and Control Act of 1986;¹¹ or
- 17 5. Who fails to make a full disclosure of any prior criminal record and any prior dismissals
18 from employment for cause; or
- 19 6. Who does not receive a satisfactory background check.¹⁰

20 **EMPLOYMENT**

21 *Professional Employees*

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

24 *Initial Employment*

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

30 *Support Employees*

31 After checking references and receiving written recommendations from principals and/or supervisors,
32 the director of schools shall hire and assign qualified applicants.

- 1 The director of schools shall not retain any system employee who has been found by the department of
- 2 children services to have committed any form of child abuse or neglect.⁷

Legal References

1. TCA 49-5-406
2. State Board of Education Policy 5.501
3. TCA 49-5-406 (a)(2)(A)
4. TCA 49-5-413(c)
5. Public Acts of 2018, Chapter No. 938
6. TCA 49-5-403; TCA 49-5-101
7. TCA 49-5-413(e)
8. TCA 49-5-404; TRR/MS 0520-01-03-.08(2)(f)
9. TCA 49-5-405
10. Public Acts of 2018, Chapter No. 1006
11. Immigration Reform and Control Act of 1986; Pub. L. No. 99-603, 100 Stat. 3359

Cross References

Orientation and Probation 5.107
Compensation Guides & Contracts 5.110
Background Investigations 5.118
Recommendations and File Transfers 5.203
Qualifications and Duties of the Director of Schools 5.802