

Decatur County Board of Education

Monitoring: Review: Annually, in January	Descriptor Term: Application and Employment	Descriptor Code: 5.106	Issued Date: 07/13/17
		Rescinds: 5.106	Issued: 06/14/01

1 **APPLICATION**

2 An individual desiring a position with the board shall make application to the director of schools on
3 forms developed by the board. To ensure the safety and welfare of students and staff, the district shall
4 require criminal history background checks and fingerprinting of applicants for teaching positions and
5 any other positions that require proximity to children.¹

6 Knowingly falsifying information shall be sufficient grounds for termination of employment and shall
7 also constitute a Class A misdemeanor which must be reported to the District Attorney General for
8 prosecution.²

9 Any costs incurred by the Tennessee Bureau of Investigation in conducting such investigations of
10 applicants shall be paid by the applicant the first time such applicant applies for a position with the
11 Board. The Board shall reimburse the applicant if the applicant accepts a position as a teacher.³
12 Substitute teachers, school maintenance employees, food service and transportation employees shall be
13 reimbursed for criminal history checks and fingerprinting after completing thirty (30) days of work in
14 said position.

15 The Board assigns to the director of schools the duty to conduct thorough background checks and to
16 advise all applicants that all hiring decisions are contingent upon satisfactory background check
17 results.

18 *Professional Employees*

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

24 No person shall be employed:

- 25 1. Who does not hold a valid license to teach from the State Board of Education;⁴
- 26 2. Who does not present a physician's certificate showing a satisfactory health record or has any
27 contagious or communicable disease in such form that might endanger the health of school
28 children;⁵
- 29 3. Who refuses to take and subscribe to an oath to support the Constitution of the State of
30 Tennessee and of the United States of America;⁶
- 31 4. Who fails to make a full disclosure of any prior criminal record and any prior dismissals from
32 employment for cause; or

1 5. Who does not receive a satisfactory background check.

2 *Support Employees*

3 No person shall be employed:

- 4 1. Who has any contagious or communicable disease in such form that might endanger the health
5 of the children;⁵
- 6 2. Who has not complied with the Immigration Reform and Control Act of 1986;⁷
- 7 3. Who fails to make a full disclosure of any prior criminal record and any prior dismissals from
8 employment for cause; or
- 9 4. Who does not receive a satisfactory background check.

10 **EMPLOYMENT**

11 *Professional Employees*

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

14 *Initial Employment*

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

20 *Support Employees*

21 After checking references and receiving written recommendations from principals and/or supervisors,
22 the director of schools shall hire and assign qualified applicants. The contract of each support
23 employee shall contain a statement regarding the required ninety (90) day probationary period.

Legal References

1. TCA 49-5-406 (a)(1)
2. TCA 49-5- 406 (a)(2)(A)
3. TCA 49-5-413(c)
4. TCA 49-5-403; TCA 49-5-101
5. TCA 49-5-404;TRR/MS 0520-01-03-.08(2)(f)
6. TCA 49-5-405
7. 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