

# Cocke County Board of Education

Monitoring: <b>Review: Annually, in February</b>	Descriptor Term: <b>Application and Employment</b>	Descriptor Code: <b>5.106</b>	Issued Date: <b>05/08/14</b>
		Rescinds: <b>5.106</b>	Issued: <b>07/13/00</b>

## 1 APPLICATION

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

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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.

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12 Any costs incurred by the Tennessee Bureau of Investigation in conducting such investigations of ap-  
13 plicants shall be paid by the applicant the first time such applicant applies for a position with the Board.  
14 The Board shall not reimburse the applicant if the applicant accepts a position as a teacher. Substitute  
15 teachers, school maintenance employees, food service and transportation employees shall not be reim-  
16 bursed for criminal history checks and fingerprinting.<sup>2</sup>

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18 The Board assigns to the director of schools the duty to conduct thorough background checks and to ad-  
19 vise all applicants that all hiring decisions are contingent upon satisfactory background check results.

### 20 *Professional Employees*

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

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29 No person shall be employed:

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- 32 1. Who does not hold a valid license to teach from the State Board of Education; <sup>3</sup>
  - 33 2. Who does not present a physician's certificate showing a satisfactory health record or has any  
34 contagious or communicable disease in such form that might endanger the health of school  
35 children; <sup>4</sup>
  - 36 3. Who refuses to take and subscribe to an oath to support the Constitution of the State of Ten-  
37 nessee and of the United States of America;<sup>5</sup>
  - 38 4. Who fails to make a full disclosure of any prior criminal record and any prior dismissals  
39 from employment for cause;<sup>1</sup> or
  - 40 5. Who does not receive a satisfactory background check.<sup>7</sup>
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*Support Employees*

No person shall be employed:

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

**EMPLOYMENT**

*Professional Employees*

After checking references and receiving written recommendations, the director of schools shall hire and assign qualified applicants. <sup>8</sup>

*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. <sup>1</sup>

*Support Employees*

After checking references and receiving written recommendations from principals and/or supervisors, the director of schools shall hire and assign qualified applicants. While the employee will be employed for a ninety (90) day probationary period, the employee understands that this employment is "at will" with no guarantee of employment for a specific period of time.

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 (f)(31)
- 8. TCA 49-2-301(b)(1)(JL)(EE); TCA 49-2-303(b)(3)

Cross References:

- Orientation and Probation 5.107
- Compensation Guides & Contracts 5.110