

Lakeland Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: Application and Employment	Descriptor Code: 5.106	Issued Date: 05/12/14
		Rescinds:	Issued:

1 APPLICATION

2 An individual desiring a position with the Board shall make application to the superintendent on forms
3 developed by his/her office. 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 to perform these background checks and fingerprinting shall be paid by the
10 applicant.

11 *Professional Employees*

12 The application must include a transcript of credits earned at the colleges or universities attended along
13 with references from persons such as previous employers, college professors, and supervisors of
14 student teachers. If previously employed by a local board of education, the applicant shall provide
15 evidence of acceptable resignation prior to employment.

16 No person shall be employed:

- 17 1. Who does not hold a valid license to teach from the State Board of Education;⁴
- 18 2. Who does not present a physician's certificate showing a satisfactory health record or has any
19 contagious or communicable disease in such form that might endanger the health of school
20 children;⁵
- 21 3. Who has not complied with the Immigration Reform and Control Act of 1986;
- 22 4. Who refuses to take and subscribe to an oath to support the Constitution of the State of
23 Tennessee and of the United States of America;⁶
- 24 5. Who advocates the overthrow of the American form of government or who is a member of a
25 political party which advocates the overthrow of the American form of government.
- 26 6. Who fails to make a full disclosure of any prior criminal record and any prior dismissals from
27 employment for cause; or
- 28 7. Who does not receive a satisfactory background check.

29 *Support Employees*

30 No person shall be employed:

- 1 1. Who does not present a physician's certificate showing a satisfactory health record or has any
- 2 contagious or communicable disease in such form that might endanger the health of school
- 3 children;⁵
- 4 2. Who has not complied with the Immigration Reform and Control Act of 1986;⁷
- 5 3. Who refuses to take and subscribe to an oath to support the Constitution of the State of
- 6 Tennessee and of the United States of America;⁶
- 7 4. Who advocates the overthrow of the American form of government or who is a member of a
- 8 political party which advocates the overthrow of the American form of government.
- 9 5. Who fails to make a full disclosure of any prior criminal record and any prior dismissals from
- 10 employment for cause; or
- 11 6. Who does not receive a satisfactory background check.

12 The application shall include whether such applicant has been dismissed for cause from a school
13 system.

14 **EMPLOYMENT**

15 *Professional Employees*

16 After checking references and receiving written recommendations, the superintendent shall hire and
17 assign qualified applicants.

18 *Initial Employment*

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

24 *Support Employees*

25 After checking references and receiving written recommendations from principals and/or supervisors,
26 the superintendent shall hire and assign qualified applicants. The contract of each support employee
27 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(b)
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

Cross References

Orientation and Probation 5.107
Compensation Guides & Contracts 5.110