

# Cocke County Board of Education

Monitoring: <b>Review: Annually, in September</b>	Descriptor Term: <b>Background Investigations</b>	Descriptor Code: <b>5.118</b>	Issued Date: <b>06/09/16</b>
		Rescinds: <b>5.118</b>	Issued: <b>09/10/15</b>

1 To ensure the safety and welfare of students and staff, the district shall require criminal history  
2 background checks and fingerprinting of applicants for teaching positions and any other positions that  
3 require proximity to children.<sup>1</sup> Any costs incurred to perform these background checks and  
4 fingerprinting shall be paid by the applicant.

## 5 **USE AND DISSEMINATION**

6 Fingerprints or other approved forms of positive identification shall be submitted with all requests for  
7 criminal history record checks for non-criminal justice purposes.<sup>3</sup> The director of schools shall ensure  
8 the Originating Agency Identifier number is on file at all times.

9 Tennessee and FBI Criminal History Record Information (CHRI) obtained by the district shall be  
10 solely used to verify criminal violation(s) and shall not be disseminated. Results shall be considered  
11 confidential and only accessible to district personnel identified by the director of schools. CHRI shall  
12 only be accessed by authorized personnel in the performance of their duties and shall never be released  
13 to the public.

14 All persons directly associated with the accessing, maintaining, processing, dissemination or  
15 destruction of CHRI must sign an awareness statement and shall indicate that they have been specially  
16 trained on the subject. The training shall provide those with access to criminal history record  
17 information with a working knowledge of federal and state regulations and laws governing the security  
18 and processing of criminal history information. The director of schools is responsible for ensuring that  
19 authorized personnel receive such training within 60 days of employment or job assignment and every  
20 three years.

## 21 **RETENTION AND SECURITY**

22 The Director of Schools shall develop procedures to ensure CHRI is stored in a secure location. Areas  
23 in which CHRI is processed and handled shall be restricted to authorized personnel identified by the  
24 Director of Schools. The area shall be out of the view of the public and unauthorized personnel. The  
25 Director of Schools shall maintain a list of all employees who have access to, can process, disseminate,  
26 and/or destroy CHRI.

## 27 **DISPOSAL OF CHRI**

28 When CHRI is no longer needed, it shall be destroyed by burning, shredding or other method rendering  
29 the information unreadable. Record destruction must be conducted under the supervision of the  
30 director of schools.

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1 **MISUSE**

2 Employees who misuse CHRI or violate this policy shall be subject to disciplinary action up to and  
3 including termination. Any employee with knowledge of misuse shall immediately report a violation to  
4 the director of schools.

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Legal References

1. TCA 49-5-406 (a)(1)
2. TCA 49-5-413 (c)
3. 42 U.S.C. § 14616
4. 28 U.S.C. § 534

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Cross References