

Obion County Board of Education

Monitoring: Review: Annually, in January	Descriptor Term: Application and Employment	Descriptor Code: 5.106	Issued Date: draft
		Rescinds:	Issued:

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 Any costs incurred to perform these background checks and fingerprinting shall be paid by the
12 applicant. The Board shall reimburse the applicant if a position is offered and accepted.⁴

13 The Board shall reimburse applicants in the following manner:

- 14 • School Mentors or volunteers shall be reimbursed upon the receipt of a satisfactory background
15 check;
- 16 • Professional and Support Substitutes shall be reimbursed upon the receipt of a satisfactory
17 background check and the completion of ten (10) full days of substituting;
- 18 • Fulltime Professional and Support Staff shall be reimbursed at the end of the fiscal school year.

21 *Professional Employees*

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

27 No person shall be employed:

- 28 1. Who does not hold a valid license to teach from the State Board of Education;⁶

- 1 2. Who has been identified by the Department of Children’s Services as a perpetrator of child
2 abuse, severe child abuse, child sexual abuse, or child neglect, or who poses an immediate
3 threat to the health, safety, or welfare of children;⁷
- 4 3. Who is listed on the state’s abuse of vulnerable persons registry maintained by the Department
5 of Health;⁷
- 6 4. Who does not present a physician's certificate showing a satisfactory health record or has any
7 contagious or communicable disease in such form that might endanger the health of school
8 children;⁸
- 9 5. Who refuses to take and subscribe to an oath to support the Constitution of the State of
10 Tennessee and of the United States of America;⁹
- 11 6. Who fails to make a full disclosure of any prior criminal record and any prior dismissals from
12 employment for cause; or
- 13 7. Who does not receive a satisfactory background check.¹⁰

14 *Support Employees*

15 No person shall be employed:

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

27 **EMPLOYMENT**

28 *Professional Employees*

29 After checking references and receiving written recommendations, the Director of Schools shall hire
30 and assign qualified applicants.

31 *Initial Employment*

32 Upon initial employment, the Director of Schools shall notify such person, in writing, of the offer and
33 conditions of employment. Upon receipt of employment notification, such person shall have fourteen
34 (14) days to accept or reject, in writing, the offered employment.¹ From the date of the written
35 acceptance, such person is considered to be under employment with the system and is subject to all
36 rights, privileges, and duties.

1 *Support Employees*

2 After checking references and receiving written recommendations from principals and/or supervisors,
3 the Director of Schools shall hire and assign qualified applicants.

4 *Construction Workers Employed by the Board*

5 The expense of the background check, physical, and drug tests for construction workers hired by the
6 Board will be paid by the Board contingent on the employee working fourteen (14) days. If the
7 construction employee does not work fourteen (14) days the costs incurred will be deducted from the
8 employee's last check.

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