

# Weakley County Board of Education



Monitoring:

Descriptor Term:

**Application and Employment**

Descriptor Code:

5.106

Issued Date:

2/5/2015

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## **APPLICATION**

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

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

All new employees, certified and classified, including substitute teachers, will be required to submit a Criminal History Record Information check to be completed by the TBI and FBI.<sup>2</sup> Employment will be contingent on receiving a satisfactory report although employees may begin working before the report is received (2-4 weeks are required to receive a report). Each new employee will sign a form of acknowledgment to the effect.

Any costs incurred by the Tennessee Bureau of Investigation in conducting such investigations of applicants shall be paid as follows:

### **Support Personnel**

The Board will pay the cost associated with background investigations for support personnel. If the employee does not fulfill his/her initial contract obligation, the Board will withhold the cost of the background investigation from the employee's final paycheck. Support personnel include food service employees, janitors, bus drivers, educational assistants, and secretaries.

### **Professional Personnel**

The Board will pay the cost associated with background investigations for professional personnel. If the employee does not fulfill his/her initial contract obligation, the Board will withhold the cost of the background investigation from the employee's final paycheck.

### **Substitutes**

Substitutes will be required to pay the full cost associated with background checks. After the completion of ten (10) successful days of employment, the Board will reimburse the employee. It is the responsibility of the employee to maintain a record of the days worked, along with receipt of payment, and to submit this documentation to the office of the director of schools for reimbursement.

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Legal Reference:

<sup>1</sup> TCA 49-5-406

<sup>2</sup> TCA 49-5-406(a); TCA 49-5-413(b)

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### *Professional Employees*

The application must include a transcript of credits earned at the colleges or universities attended along with reference information from persons such as previous employers, college professors and supervisors of student teachers. Other information shall include whether the applicant has been dismissed for cause from a school system. If previously employed by a local board of education, the applicant shall provide evidence of acceptable resignation.<sup>3</sup>

No person shall be employed:

1. Who does not hold a valid license to teach from the State Board of Education;<sup>4</sup>
2. Who does not present a physician's certificate showing a satisfactory health record or has any contagious or communicable disease in such form that might endanger the health of school children;<sup>5</sup>
3. Who refuses to take and subscribe to an oath to support the Constitution of the State of Tennessee and of the United States of America;<sup>6</sup>
4. Who fails to make a full disclosure of any prior criminal record and any prior dismissals from employment for cause;<sup>3</sup>
5. Who has not complied with the Immigration Reform and Control Act of 1986;<sup>7</sup> or
6. Who does not receive a satisfactory background check.<sup>3</sup>

### *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>5</sup>
2. Who has not complied with the Immigration Reform and Control Act of 1986;<sup>7</sup> or
3. Who fails to make a full disclosure of any prior criminal record and any prior dismissals from employment for cause; or
4. Who does not receive a satisfactory background check.<sup>3</sup>

## **EMPLOYMENT**

### *Professional Employees*

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#### Legal References:

<sup>3</sup> TCA 49-5-406

<sup>4</sup> TCA 49-5-403; TCA 49-5-101

<sup>5</sup> TCA 49-5-404; TRR/MS 0520-1-3-.08(2)(f)

<sup>6</sup> TCA 49-5-405

<sup>7</sup> Immigration Reform and Control Act of 1986

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

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### 4 *Initial Employment*

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6 Upon initial employment, the director of schools shall notify such persons, in writing, of the  
7 offer and conditions of employment. Upon receipt of employment notification, such persons  
8 shall have fourteen (14) days to accept or reject, in writing, the offered employment. From the  
9 date of the written acceptance, such person is considered to be under employment with the Board  
10 and is subject to all rights, privileges and duties.<sup>9</sup>

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### 12 *Support Employees*

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

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### 19 *Construction Workers Employed by the Board*

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

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## 26 **CURRENT EMPLOYEES**

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### 28 *Disclosure of Charges or Convictions*

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30 Any Weakley County Schools employee charged or convicted of (1) a misdemeanor that  
31 involves theft of property, alcohol/drug use, or assault; (2) a felony offense; (3) abuse against a  
32 child; and/or (4) selling drugs to a minor child must report it to the Director of Schools within  
33 two (2) work days. Failure to report such charges or convictions may constitute grounds for  
34 immediate termination. Individual reported cases will be reviewed and District action, as deemed  
35 appropriate, shall be taken.

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#### Legal References:

<sup>8</sup> TCA 49-2-301(b)(1)(J)(L)(EE); TCA 49-2-303(b)(3)

<sup>9</sup> TCA 49-5-406

#### Cross References:

5.107 Orientation and Probation

5.110 Compensation Guides & Contracts