

# DICKSON COUNTY BOARD OF EDUCATION

<b>Monitoring:</b>  <b>Review:</b> Annually, in November	<b>Descriptor Term:</b>  <b>Application and Employment</b>	<b>Descriptor Code:</b> 5.106 <b>Rescinds:</b> 5.106	<b>Revised Date:</b> 9-28-23 <b>Issued:</b> 9-30-21
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## APPLICATION

An individual desiring a position with the Board shall make application to the Director of Schools/designee on forms developed by his/her office.<sup>1</sup> In a continuing effort to further ensure the safety and welfare of students and staff, the district shall require pre-employment criminal history records checks, by fingerprinting, of the applicants for teaching positions and any other employee who has proximity to children.<sup>1</sup> If applying for a teaching position, the Director of Schools/Designee shall also check the applicant's license statues in the State Board of Education's database to determine if there is a hold on that applicant's license, and if so, the reasoning behind the hold.<sup>2</sup>

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.<sup>3</sup>

Any costs incurred to perform these background checks and fingerprinting shall be paid by the applicant.<sup>4</sup>

The Board assigns to the Director of Schools/Designee the duty to conduct thorough background checks and to advise all applicants that all hiring decisions are contingent upon satisfactory background check results.

## PROFESSIONAL EMPLOYEES (CERTIFIED)

The application may 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 such applicant has been dismissed for cause from a school system.<sup>5</sup> If previously employed by a local board of education, the applicant shall provide evidence of acceptable resignation<sup>1</sup>

No person shall be employed:

1. Who does not hold a valid license to teach from the State Board of Education<sup>6</sup>
2. Who has been identified by the Department of Children's Services as a perpetrator of child abuse, severe child abuse, child sexual abuse or child neglect, or who poses an immediate threat to the health, safety or welfare of children.<sup>7</sup>
3. Who is listed on the state's abuse of vulnerable persons registry maintained by the Department of Health, or on a similar registry in another jurisdiction.<sup>7</sup>
4. 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>8</sup>
5. 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>9</sup>

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- 1 6. Who fails to make a full disclosure of any prior criminal records and any prior dismissals
- 2 from employment for cause or
- 3 7. Who does not receive a satisfactory background check.<sup>10</sup>

## 4 5 **SUPPORT EMPLOYEES (CLASSIFIED)**

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7 No person shall be employed:

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

### 22 23 Professional Employees

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25 After reviewing references and receiving recommendations, the Director of Schools/Designee  
26 shall hire and assign qualified applicants.

### 27 28 Initial Employment

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30 Upon initial employment, the Director of Schools/Designee shall notify such person of the offer  
31 and conditions of employment. Upon receipt of employment notification, such person shall  
32 respond within the timeline established by state law.<sup>12</sup> From the date of the contractual signing,  
33 such person is considered to be under employment with the Board and is subject to all rights,  
34 privileges and duties.

### 35 36 Support Employees

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38 After checking references and receiving recommendations from principals and/or supervisors,  
39 the Director of Schools/Designee shall hire and assign qualified applicants.

40 All persons employed in a position for which no teaching license is required are hired at the will  
41 of the Director of Schools.

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

<sup>2</sup> State Board of Education Policy 5.501

<sup>3</sup> TCA 49-5-406 (a)(2)(A)

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<sup>4</sup> TCA 49-5-413(c)

<sup>5</sup> Public Acts of 2018, Chapter No. 938

<sup>6</sup> TCA 49-5-403; TCA 49-5-101; Public Acts of 2021, Chapter No. 211

<sup>7</sup> TCA 49-5-413(e), Public Acts of 2023, Chapter No. 222

<sup>8</sup> TCA 49-5-404; TRR/MS 0520-1-3-.08(2)(f)

<sup>9</sup> TCA 49-5-405

<sup>10</sup> Public Acts of 2018, Chapter No, 1006

<sup>11</sup> Immigration Reform and Control Act of 1986; Pub. L. No. 99-603, 100 Stat.3359, USCA § 1101 et seq.

<sup>12</sup> TCA 49-5-406(b)