Millington Board of Education

Monitoring: **Review: Annually**	Descriptor Term: **Application and Employment**	Descriptor Code: **5.106**	Issued Date: **12/01/14**
		Rescinds: **5.106**	Reviewed/Revised: **04/02/18**

APPLICATION

An individual desiring a position with the school district shall make application on forms developed by the district. To ensure the safety and welfare of students and staff, the district shall require criminal history background checks and fingerprinting of applicants for teaching positions and any other positions that require proximity to children.[1] Additionally, a random selection of employees may be selected annually for verification that those employees have not been added to the vulnerable persons' or sex offender registries.

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.[2]

Any costs incurred to perform these background checks and fingerprinting shall be paid by the applicant.[3]

Professional Employees

The application must include a transcript of credits earned at the colleges or universities attended along with references 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. If previously employed by a local board of education, the applicant shall provide evidence of acceptable resignation.

No person shall be employed:

1. Who does not hold a valid license to teach from the State Board of Education;[4]

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;[5]

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;[6]

4. Who fails to make a full disclosure of any prior criminal record and any prior dismissals from employment for cause;

5. Who does not receive a satisfactory criminal history records check;

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6. Who has not complied with the Immigration Reform Control Act of 1986;

7. Who has been found by the department of children's services to have committed child abuse, severe child abuse, child sexual abuse or child neglect; or

8. Whose name has been placed on the state's vulnerable person registry or the state sex offender registry.

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;[5]

2. Who has not complied with the Immigration Reform and Control Act of 1986;[7]

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 criminal history records check.

5. Who has been found by the department of children's services to have committed child abuse, severe child abuse, child sexual abuse or child neglect; or

6. Whose name has been placed on the state's vulnerable person registry or the state sex offender registry.

EMPLOYMENT

Professional Employees

After checking references and receiving written recommendations, the director of schools shall hire and assign qualified applicants.

Initial Employment

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

Support Employees

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

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Required Reporting

Both professional and support employees are required to report arrests and/or criminal convictions that occur after initial employment to the Superintendent or his/her designee. An employee must also notify the Superintendent or his/her designee immediately if the department of children's services has named him/her as an indicated perpetrator of child abuse or if s/he has been listed on the state's vulnerable persons' or sex offender registries. Employees who fail to report are subject to disciplinary action including, but not limited to, termination.

Termination

The district shall not retain as an employee any person who has been found by the department of children's services to have committed child abuse, severe child abuse, child sexual abuse or child neglect or whose name has been placed on the state's vulnerable person registry or the state sex offender registry.

Legal References

1. TCA 49-5-406 (a)(1)
2. TCA 49-5- 406 (a)(2)(A)
3. TCA 49-5-413(c)
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; Pub. L. No. 99-603, 100 Stat. 3359

Cross References

Orientation and Probation 5.107
Compensation Guides & Contracts 5.110

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