

Oneida Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: Application and Employment	Descriptor Code: 5.106	Issued Date:
		Rescinds: 5.106	Issued: 02/05/04

1 APPLICATION

2 An individual desiring a **regular, full time or part time** position with the Board shall make application
3 to the director of schools on forms approved by the Board. ¹ ~~In a continuing effort to further ensure the~~
4 ~~safety and welfare of students and staff, the district shall require criminal history records checks and~~
5 ~~fingerprinting of applicants for teaching positions and any other employee who has proximity to~~
6 ~~children.~~

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

10 ~~Any costs incurred by the Tennessee Bureau of Investigation in conducting such investigations of~~
11 ~~applicants shall be paid by the applicant the first time such applicant applies for a position with the~~
12 ~~Board. The Board shall not reimburse the applicant if the applicant accepts a position as a teacher.~~
13 ~~Substitute teachers, school maintenance employees, food service and transportation employees shall~~
14 ~~not be reimbursed for criminal history checks and fingerprinting.~~²

15 ~~The Board assigns to the director of schools the duty to conduct thorough background checks and to~~
16 ~~advise all applicants that all hiring decisions are contingent upon satisfactory background check~~
17 ~~results.~~

18 ~~Professional Employees- Licensed Employees~~

19 The application must include a transcript of credits earned at the colleges or universities attended along
20 with reference information from persons such as previous employers, college professors and
21 supervisors of student teachers. ~~Other information shall include whether such applicant has been~~
22 ~~dismissed for cause from a school system. If previously employed by a local board of education, the~~
23 ~~applicant shall provide evidence of acceptable resignation.~~[†]

24 Additionally, the application shall include a valid Tennessee teacher's license, or evidence of
25 application for a license, and evidence of the highly qualified status (if applicable) of the applicant.

26 No person shall be employed:

27 1. Who does not hold a valid license to teach from the State Board of Education;³

28 2. Who does not present a physician's certificate showing a satisfactory health record or ~~has~~
29 ~~any contagious or communicable disease in such form that might endanger the health — of school~~
30 ~~children;~~⁴ and the absence of any contagious or communicable disease in such a form that might

1 endanger the health of school children. An offer of employment may be conditioned on the results of
2 such examination and such results shall be treated as a confidential medical record.⁴

3 3. Who refuses to take and subscribe to an oath to support the Constitution of the State of
4 Tennessee and of the United States of America;⁵

5 4. Who fails to make a full disclosure of any prior criminal record and any prior dismissal
6 from employment for cause;¹ or

7 5. Who does not receive a satisfactory background check.¹ Prior to actual employment, the
8 candidate will be required to supply a fingerprint sample and submit to a criminal history records
9 check to be conducted by the Tennessee Bureau of Investigation in compliance with TCA 49-5-413.
10 The cost incurred in conducting the investigation will be borne by the individual.

11 *Support Employees*

12 No person shall be employed:

- 13 1. Who has any contagious or communicable disease in such form that might endanger the health
14 of the children;⁵
- 15 2. Who has not complied with the Immigration Reform and Control Act of 1986;⁷
- 16 3. Who fails to make a full disclosure of any prior criminal record and any prior dismissals from
17 employment for cause; or
- 18 4. Who does not receive a satisfactory background check. Prior to actual employment, the
19 candidate will be required to supply a fingerprint sample and submit to a criminal history
20 records check to be conducted by the Tennessee Bureau of Investigation in compliance with
21 TCA 49-5-413. The cost incurred in conducting the investigation will be borne by the
22 individual.

23 **EMPLOYMENT**

24 *Professional Employees Licensed Employees and Support Employees*

25 After checking references and receiving written recommendations, the director of schools shall hire
26 and assign qualified applicants. Support employees shall be subject to a ninety (90) day probationary
27 period.

28 *Initial Employment*

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

34 *Support Employees*

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

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

Cross References

- Orientation and Probation 5.107
Compensation Guides & Contracts 5.110