

## APPLICATION AND EMPLOYMENT

### I. PURPOSE

To provide a fair and equitable application and employment process for individuals seeking employment with Shelby County Schools (SCS).

### II. SCOPE

This policy applies to all individuals applying for positions with (SCS).

### III. POLICY STATEMENT

#### Application

The Superintendent is responsible for the establishment and implementation of procedures for the recruitment, the evaluation, and the selection of applicants. An individual desiring a position with Shelby County Board of Education shall make application to the Superintendent on a Shelby County Board of Education approved application.

#### Background Checks

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 all prospective employees for teaching and non-teaching positions upon an offer of employment. Hiring decisions are contingent upon satisfactory results of such checks.

The Board assigns to the Superintendent the duty to conduct thorough background checks and to advise all applicants that all hiring decisions are contingent upon satisfactory background check results. Background checks shall be conducted in accordance with District policy # 4053 – Background Checks.

The District, in accordance with T.C.A. 49-5-413, shall not hire any individual whom the Department of Children Services has found to have committed child abuse, severe child abuse, child sexual abuse, or child neglect.

Any costs incurred in conducting a background check shall be paid by the prospective employee upon hiring.

Any prospective employee applying for a position as a teacher, supervisor, principal, Superintendent, other certificated personnel, or any other position requiring proximity to school children, shall be required to make a full disclosure of any prior criminal record and any prior dismissals from employment for cause, as specified in section 49-5-406(a)(1). Knowingly falsifying information required by this section 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.

Any prospective employee applying for a non-teaching position not requiring proximity to students shall be required to make a full disclosure of any prior criminal record and any prior dismissals from employment for cause. If it is discovered that the applicant has failed to make such disclosures, he/she shall not be hired.

### **Employment**

It is the policy of Shelby County Schools to employ the most qualified candidates available. Shelby County Schools will not discriminate in employment or recruitment practices on the basis of age, gender, creed, race, national origin, disability, or genetic information in compliance with state/federal law. Applicants for selected positions with the Shelby County Schools may be tested to ensure that the applicant meets the minimum job requirements.

No person shall be employed as a teacher or in a non-teaching position who does not comply with provisions of Tennessee Code Annotated regarding employment by a school district.

Upon initial employment of a teacher, the Superintendent shall notify such person, in writing, of the offer and conditions of employment. Upon written notification, the person shall have fourteen (14) days to accept or reject, in writing, the offer of employment. From the date of the written acceptance, such person is considered to be employed and is subject to all rights, privileges and duties of T.C.A. Title 49. Each support employee shall be advised of the required probationary period.

**Rehire Eligibility**

Shelby County Schools will consider hiring former employees, provided the former employee left the District in good standing, including submission of the required notice of separation, had a satisfactory work history while employed, and meets the current minimum job qualifications for the position. Former employees who did not leave the District in good standing may not be eligible for rehire. The decision not to rehire an employee is not subject to appeal.

**IV. RESPONSIBILITY**

- A. The applicant is responsible for providing complete and accurate information and filing all pre-employment data in a timely manner.
- B. The Superintendent (or designee(s)) will be responsible for ensuring that all persons are employed in accordance with the provisions of this policy.
- C. The Superintendent (or designee(s)) will establish minimum scores for all tests and ensure the job-relatedness and relevancy of all tests.
- D. The Superintendent is responsible for determining if this policy is followed.

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**Legal References:**

- 1. T.C.A. 49-5-406
- 2. T.C.A. 49-5-413
- 3. T.C.A. 49-5-403
- 4. T.C.A. 49-5-101
- 5. T.C.A. 49-5-404
- 6. Tennessee State Board of Education Rule § 0520-1-3-.08(2)(f)

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**Cross References:**

- 1. 4053 Background Checks