

Weakley County Board of Education



Monitoring:

Descriptor Term:

Background Investigations

Descriptor Code:

5.118

Issued Date:

8/11/2022

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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 Any costs incurred to perform these background checks and fingerprinting shall be paid by the applicant. The Board shall reimburse the applicant if the position is offered and accepted.²

Background checks shall be required of employees at least once every five (5) years after the date of hire.³ The Board shall reimburse the employees for any costs incurred to perform these background checks and fingerprinting.

USE AND DISSEMINATION⁴

Fingerprints or other approved forms of positive identification shall be submitted with all requests for criminal history record checks for non-criminal justice purposes.⁵ The director of schools shall ensure the Originating Agency Identifier number is on file at all times.

Tennessee and FBI Criminal History Record Information (CHRI) obtained by the district shall be solely used to verify criminal violation(s) and shall not be disseminated. Results shall be considered confidential and only accessible to district personnel identified by the director of schools. CHRI shall only be accessed by authorized personnel in the performance of their duties and shall never be released to the public.

All persons directly associated with the accessing, maintaining, processing, dissemination or destruction of CHRI must sign an awareness statement and shall indicate that they have been specially trained on the subject. The training shall provide those with access to criminal history record information with a working knowledge of federal and state regulations and laws governing the security and processing of criminal history information. The director of schools is responsible for ensuring that authorized personnel receive such training within 60 days of employment or job assignment and every three years.

RETENTION AND SECURITY

The Director of Schools shall develop procedures to ensure CHRI is stored in a secure location. Areas in which CHRI is processed and handled shall be restricted to authorized personnel identified by the Director of Schools. The area shall be out of the view of the public and

¹ TCA 49-5-406(a)(1)

² TCA 49-5-413(c)

³ Public Acts of 2018, Chapter No. 100

⁴ 28 U.S.C. § 534

⁵ TCA 49-5-413(a)(2)

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1 unauthorized personnel. The Director of Schools shall maintain a list of all employees who have
2 access to, can process, disseminate, and/or destroy CHRI.

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7 **DISPOSAL OF CHRI**

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9 When CHRI is no longer needed, it shall be destroyed by burning, shredding or other method
10 rendering the information unreadable. Record destruction must be conducted under the
11 supervision of the director of schools.

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13 **MISUSE**

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15 Employees who misuse CHRI or violate this policy shall be subject to disciplinary action that
16 may result in loss of access to records, loss of employment, or criminal prosecution. Any
17 employee with knowledge of misuse shall immediately report a violation to the director of
18 schools.