

# TENNESSEE PUBLIC CHARTER SCHOOL COMMISSION

## Personnel/Hiring Procedures

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Commission LEA Policies 5104 through 5910 lay out the broad requirements and expectations for employees of authorized charter schools. Employees of authorized charter schools are not employees of the Commission or the State of Tennessee. However, as the Local Education Agency (LEA), the Commission has certain oversight and monitoring responsibilities regarding the employees of each authorized charter school. This document provides authorized charter schools with the standard operating procedures for compliance with the hiring of personnel. Additionally, each school shall follow all federal and state laws, rules, and policies regarding hiring and employees. These procedures include:

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- [Background Check Requirements](#)
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### **Hiring Process**

Each charter school is responsible for developing and implementing its own hiring process. In accordance with Commission LEA Policy 5106 – Application and Employment, an individual desiring a position with an authorized charter school shall apply to the school leader or the designee on forms developed by the school.

### **Background Check Requirements**

Pursuant to Commission LEA Policy 5118 – Background Investigations, to ensure the safety and welfare of students and staff, the Commission requires criminal history background checks, Department of Children’s Services (DCS) background checks, Department of Health Abuse Registry checks, Sex Offender Registry checks, and fingerprinting of applicants for teaching positions and any other position that requires proximity to children in any authorized charter school, including contractors and volunteers. Additionally, charter schools shall require any person holding a position as a teacher or any other position requiring proximity to school children to undergo a criminal history background check at least every five (5) years after the initial pre-employment background check. The charter school shall have procedures regarding the types of volunteers who shall be required to undergo a background check.

### **Background Check Responsibilities of the Charter School**

Each charter school authorized by the Commission shall apply, receive, and maintain approval from the Tennessee Bureau of Investigation (TBI) to run criminal history background checks for its employees, contractors, and volunteers. The charter school shall follow the policies and procedures set forth by the TBI for the collection, processing, storage, and destruction of criminal history background check information.

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The following background checks shall be performed by the authorized charter school prior to the hire of any employee, contractor, or volunteer to determine if the individual receives a satisfactory background check:<sup>1</sup>

- [Tennessee Bureau of Investigation \(TBI\) Criminal History Background Check](#)
- [Department of Health Abuse Registry Check](#)
- [Sex Offender Registry Check](#)
- [TN Compass Check](#) (for any individual possessing an educator license)

As a part of the TBI Criminal History Background Check process, the charter school is responsible for ensuring each applicant completes the Volunteer and Employee Criminal History System (VECHS) waiver. The charter school shall submit the VECHS waiver to the TBI prior to any background check being run.

Each charter school shall maintain all background check information, including the completed VECHS waiver, in a secure location that is only accessible by authorized personnel. The charter school shall develop procedures regarding the collection, processing, storage, and destruction of background check information, and the Commission may audit the collection, storage, and destruction of background check information at any time.

**Background Check Responsibilities of the Commission**

The following background checks shall be performed by the Commission prior to a charter school’s hire of any employee, contractor, or volunteer:<sup>2</sup>

- Department of Children’s Services background check

The Commission shall maintain all background check information in a secure location that is only accessed by authorized personnel.

**Adoption of Procedures**

Each authorized charter school shall adopt procedures to ensure background check information is stored in a secure location and disposed of under the supervision of the Director of Schools and/or the school leader. The procedures shall include the charter school’s responsibilities over the collection, processing, storage, and destruction of background check information.

Areas in which background check information is processed and handled shall be restricted to authorized personnel identified by the Director of Schools and/or the school leader. The area shall be out of view of the public and unauthorized personnel. The Director of Schools and/or the school leader shall maintain a

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<sup>1</sup> Commission LEA Policy 5118-Background Checks, requires that charter schools develop procedures specifying the types of volunteers who shall be required to undergo a background check. These procedures shall at least require the appropriate background checks for volunteers who may work closely with students.

<sup>2</sup>Any volunteer who requires a background check pursuant to the charter school’s procedures, shall also be submitted to the Commission for the running of the DCS background check.

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list of all employees who have access to, can process, disseminate, and/or destroy background check information.

**Educator Licensure and Endorsement**

It is the responsibility of the charter school to ensure that all teachers or other school personnel are appropriately licensed and endorsed in the subject(s) that they teach or the position for which they are employed. Before a teacher is hired to teach a specific course, each charter school is responsible for verifying that the teacher’s endorsements match the required endorsements for that course through the Tennessee Department of Education’s [Correlation of Course & Endorsement Codes](#). The Commission will audit a school’s staff assignments against the Correlation of Course & Endorsement Codes document as a part of the quarterly personnel audit referenced in this document. The department updates the Correlation of Course & Endorsement Codes annually, so each charter school should refer to the version that applies to the current school year.

**Personnel Reporting to the Commission**

Each authorized charter school shall submit its current list of full and part-time employees or contractors including position and license number (if applicable) in accordance with deadlines set forth on the Commission’s reporting calendar. The Commission shall audit for compliance with its personnel policies and procedures.