

Houston County Board of Education

Monitoring: Review: Annually, in January	Descriptor Term: Background Investigations	Descriptor Code: 5.118	Issued Date: 01/13/25
		Rescinds:	Issued: 06/10/19

General

Background checks shall be required for applicants, employees, contract workers, and volunteers.¹ Individuals who (1) have been identified by the Department of Children's Services as perpetrators of child abuse, severe child abuse, child sexual abuse, or child neglect or who pose an immediate threat to the health, safety, or welfare of children; or (2) are listed on the state's abuse of vulnerable persons registry maintained by the Department of Health shall not be employed.²

The Director of Schools/Designee shall develop any necessary corresponding procedures.

Applicants, current employees, contractors, and volunteers shall be entered into the federal RAP back program.³ Notice of the following shall be provided:

1. Possible fees charged by the Tennessee Bureau of Investigation; and
2. Fingerprints will be retained by the Tennessee Bureau of Investigation and the Federal Bureau of Investigation for all purposes and uses authorized for fingerprint submission.

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

USE AND DISSEMINATION

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/Designee 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 violations and shall not be disseminated. Results shall be considered confidential and only accessible to district personnel identified by the Director of Schools/Designee. 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 shall sign an awareness statement and shall indicate that they have been specially trained on the subject. The training shall provide those with access to CHRI with a working knowledge of federal and state regulations and laws governing the security and processing of criminal history information. The Director of Schools/Designee is responsible for ensuring that authorized personnel

receive such training within sixty (60) days of employment or job assignment and every three (3) years.

RETENTION AND SECURITY

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

DISPOSAL OF CHRI

When CHRI is no longer needed, it shall be destroyed by burning, shredding, or other methods rendering the information unreadable. Record destruction shall be conducted under the supervision of the Director of Schools/Designee.

MISUSE

Employees who misuse CHRI or violate this policy shall be subject to disciplinary action up to and including termination. Any employee with knowledge of misuse shall immediately report a violation to the Director of Schools.

Legal References

1. [TCA 49-5-413](#)
2. [TCA 49-5-406\(a\)\(1\)](#); [TCA 49-5-403](#);
[TCA 49-5-413\(a\)\(2\)](#), (e)
3. [TCA 49-5-413\(f\)](#)
4. [TCA 49-5-413\(c\)](#)
5. [34 USCA § 40316](#)

Cross References

School Volunteers 4.501
Application and Employment 5.106
Substitute Teachers 5.701