

SENATE BILL 3522

By Tate

AN ACT to amend Tennessee Code Annotated, Section 49-2-301, relative to school personnel.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 49-2-301, is amended by deleting subdivision (b)(1)(FF) in its entirety and by substituting instead the following language:

(FF) All persons who are employed in a position for which no teaching license is required shall be hired on a year-to-year contract after completing a basic employment period of two (2) school years as an at-will employee. The director shall provide written notice of the change in employment status and a starting and ending date for the year-to-year contract. The director of schools shall provide a person employed on a year-to-year contract fifteen (15) days' notice of nonrenewal of the contract before the end of the contract period.

SECTION 2. Tennessee Code Annotated, Section 49-2-301, is further amended by deleting subdivision (b)(1)(GG)(i) and by substituting the following language:

(GG)

(i) The director may dismiss any employee under the director's jurisdiction for incompetence, inefficiency, insubordination, improper conduct or neglect of duty, after giving the employee, in writing, due notice of the charge or charges and providing a hearing; provided, that no nontenured, licensed employee under the director's jurisdiction shall be dismissed without first having been given, in writing:

(a) Notice of the charge or charges;

(b) An opportunity for a full and complete hearing before an impartial hearing officer selected by the board;

(c) An opportunity to be represented by counsel;

(d) An opportunity to call and subpoena witnesses;

(e) An opportunity to examine all witnesses; and

(f) The right to require that all testimony be given under oath.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.