

HOUSE BILL 1189

By VanHuss

AN ACT to amend Tennessee Code Annotated, Title 49,
relative to the director of schools.

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

SECTION 1. Tennessee Code Annotated, Section 49-2-203(a)(14)(A), is amended by deleting the first sentence of the subdivision and substituting instead:

Notwithstanding any other public or private act to the contrary, employ a director of schools under a written contract of up to four (4) years' duration, which may be renewed pursuant to subdivision (a)(14)(C).

SECTION 2. Tennessee Code Annotated, Section 49-2-203(a)(14)(A), is further amended by deleting the following language from the subdivision:

An option to renew a contract that exists on May 22, 2001, may be exercised within the time period set out in this subdivision (a)(14)(A).

SECTION 3. Tennessee Code Annotated, Section 49-2-203(a)(14), is amended by deleting subdivision (C) and substituting instead the following:

(C)

(i) If the school board wants to renew a contract of the director of schools, then the board shall, by resolution, direct the county election commission to hold a referendum for the purpose of determining the will of the electorate with respect to retention of such person as director of schools pursuant to this subdivision (a)(14)(C).

(ii) At least nine (9) months prior to the expiration of a person's contract as director of schools and before the local board of education extends or renews the contract of such person as director of schools, by resolution, the board shall

direct the county election commission to hold a referendum for the purpose of determining the will of the electorate with respect to retention of such person as director of schools. The county election commission shall conduct a referendum on the question pursuant to § 2-3-204. The county election commission shall cause the following question to be placed on the ballot:

Shall (Name of person holding office as director of schools) be retained in office of Director of Schools? Yes _____ or No _____.

No party designation shall appear on the ballot. If a majority or one-half (1/2) of those voting on the question vote against retaining the named person as director of schools, then the local board of education shall at the expiration of such person's contract as director of schools employ a temporary director of schools for a period not to exceed one (1) school year or until such time as the local board of education employs a new director of schools. If a majority of those voting on the question vote to retain the named person as director of schools, then the local board of education may extend such person's contract as director of schools for a term not to exceed four (4) years.

(iii) Notwithstanding subdivisions (a)(4)(C)(i) and (ii), if the contract of the director of schools expires prior to the nine-month period pursuant to subdivision (a)(4)(C)(ii), then the contract of such director of schools shall be extended by the school board only until the next election in which such director of schools shall be subject to the referendum to determine the will of the electorate with respect to retention of such person as director of schools.

SECTION 4. This act shall take effect July 1, 2015, the public welfare requiring it.