

HOUSE BILL 2263

By Hill M

AN ACT to amend Tennessee Code Annotated, Title 49,
relative to education.

WHEREAS, the state board of education recently adopted licensure policy changes for public school teachers of the state; and

WHEREAS, the state board of education adopted these licensure changes in a conference call meeting on August 16, 2013; and

WHEREAS, the state board education's policy changes may take effect August 1, 2015, unless the General Assembly takes appropriate action; and

WHEREAS, the licensure of public school teachers of the state should not be based on student performance; and

WHEREAS, the state board of education's policy changes undermine the sacrifice and commitment of public school teachers of the state; and

WHEREAS, members of the public should be able to hold public school teachers accountable for professional errors or misconduct; and

WHEREAS, the department of education needs a system for members of the public to submit online or hardcopy complaints to the department of education against public school teachers for professional errors or misconduct; now, therefore,

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

SECTION 1. This act shall be known and may be cited as the "Educator Respect and Accountability Act of 2014".

SECTION 2. Tennessee Code Annotated, Title 49, Chapter 1, Part 3, is amended by adding the following language as a new, appropriately designated section:

The board or the department of education shall not adopt or promulgate any rule, regulation, policy, or guideline that grants, renews, advances, restricts, revokes, or penalizes the professional license of any public school teacher on the basis of standardized test scores or any statistical estimate utilizing standardized test scores.

SECTION 3. Tennessee Code Annotated, Title 49, Chapter 1, Part 2, is amended by adding the following language as a new, appropriately designated section:

(a) The department of education shall post on its web site an electronic template form for complaints against licensed teachers of the state. The template form shall include, at a minimum, the following information:

- (1) Name, address, and phone number of complainant;
- (2) Name of the teacher;
- (3) Basis for the complaint along with supporting documentation and dates;
- (4) Name and address of school;
- (5) Name of school administrator;
- (6) Signature line for the complainant; and
- (7) Address and contact information for the department of education.

(b) Any member of the public may submit a complaint form by hardcopy or electronically on the department's web site; provided, that complaints shall not be submitted anonymously.

(c)

(1) Upon receipt of the complaint, the director of the office of educator licensing shall determine whether there is probable cause to believe that grounds for discipline exist that would affect the license of the teacher.

(2) If the director of the office of educator licensing determines there is probable cause, then the director shall give notice to the teacher of the facts

surrounding the complaint and refer the complaint to the local board of education within thirty (30) days after the determination is made.

(3) Upon receipt of a complaint from the director of the office of educator licensing, the local board of education may take action pursuant to chapter 5, part 5 of the title.

(d) The department shall utilize existing resources and personnel in the implementation of this section.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.