

SENATE BILL 2635

By Johnson

AN ACT to amend Tennessee Code Annotated, Title 49,
Chapter 5, Part 5, relative to employee discipline.

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

SECTION 1. Tennessee Code Annotated, Section 49-5-511(a)(3), is amended by deleting the subdivision in its entirety and substituting instead the following:

A director of schools may suspend a teacher at any time that may seem necessary prior to dismissal occurring, pending investigation or final disposition of a case before the board or an appeal. If vindicated or reinstated, the teacher shall be paid the full salary for the period during which the teacher was suspended.

SECTION 2. Tennessee Code Annotated, Section 49-5-512(a), is amended by deleting the language "notification of charges pursuant to § 49-5-511" in the first sentence, and substituting instead the language "notice that the board has determined charges made against the teacher are of such a nature as to warrant dismissal pursuant to § 49-5-511(a)(5)".

SECTION 3. Tennessee Code Annotated, Section 49-5-512, is amended by adding the following language as new subsection (d):

(d) Notwithstanding any other provision of law to the contrary, this section shall not apply to a disciplinary suspension by the director of schools which is for a period of five (5) days or less.

SECTION 4. Tennessee Code Annotated, Section 49-5-513(a), is amended by deleting the subsection in its entirety and substituting instead the following:

A tenured teacher who is dismissed by action of the board pursuant to § 49-5-512(c)(3) may petition for a writ of certiorari from the chancery court of the county where the teacher is employed.

SECTION 5. Tennessee Code Annotated, Section 49-5-513(b), is amended by deleting the last sentence of the subsection in its entirety.

SECTION 6. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 7. This act shall take effect upon becoming a law, the public welfare requiring it.