



**State of Tennessee**  
**PUBLIC CHAPTER NO. 335**

**SENATE BILL NO. 905**

**By Watson**

Substituted for: House Bill No. 1475

**By Forgety**

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) and by substituting the following language:

(FF) All persons who are employed in a position for which no teaching license is required shall be hired at the will of the director of schools. The local board of education shall develop a policy for dismissing such employees.

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 non-tenured, licensed 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 non-tenured, 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 July 1, 2011, the public welfare requiring it.

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PASSED: May 18, 2011

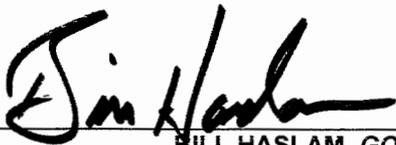


RON RAMSEY  
SPEAKER OF THE SENATE



BETH HARWELL, SPEAKER  
HOUSE OF REPRESENTATIVES

APPROVED this 30th day of May 2011



BILL HASLAM, GOVERNOR