

SENATE BILL 142

By Tate

AN ACT to amend Tennessee Code Annotated, Title 49, Chapter 1, Part 6, relative to the achievement school district.

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

SECTION 1. Tennessee Code Annotated, Section 49-1-614(g)(2), is amended by deleting the subdivision and substituting instead the following:

(2)

(A) Except as provided in subdivision (g)(2)(B), the ASD, or the entity under contract to operate schools within the ASD, shall have the authority to determine whether any teacher who was assigned to such school prior to the school's transfer into the ASD shall have the option of continuing to teach at that school as an employee of either the ASD or the operating entity.

(B) The ASD, or entity under contract to operate the school, shall hire a teacher who was assigned to the school prior to the school's transfer into the ASD and who attained an overall performance level of "above expectations" or "significantly above expectations" on the teacher's most recent evaluation under § 49-1-302, if the teacher wants to remain at the school. However, the ASD, or the entity under contract to operate the school, shall not be required to hire such teachers to fill more than thirty percent (30%) of the school's teaching positions.

(C) Any tenured teacher not given the option of continuing to teach at that school pursuant to subdivision (2)(A) shall remain an employee of the LEA, subject to § 49-5-511. The LEA, if it so chooses, may continue the employment of a nontenured teacher not given that option. Moreover, any teacher who accepts that option may, at the discretion of the LEA, return as an employee of

the LEA, should the ASD or operating entity later determine not to continue to employ that teacher.

SECTION 2. This act shall take effect July 1, 2015, the public welfare requiring it.