

Professional Educators of Tennessee



Legal Questions: What are my rights and responsibilities under the law?

Be informed of your rights and what is expected of you as a professional under Tennessee statutes. The standards for qualifications, reduction in force, benefits, and many other aspects of the employment relationship with a public school district have been clearly defined by the Tennessee legislature. In addition, the standards for certain responsibilities of a teacher have been well established by statute. Take the time to know your rights and responsibilities.

Tennessee statutes are available on the World Wide Web or can be located through your local library service.

Just a few sections to be aware of:

Section 49-5-201 Duties of teachers.

Section 49-5-203 Change in School organization - Teacher's rights preserved.

Section 49-5-204 Tuition reimbursement for licensing renewal courses.

Section 49-5-413 Investigation of applicants for teaching positions. This section has been amended effective January 1, 2000. In addition to the requirements of Section 49-5-406, a local school board of education shall require any person who works with school children to:
"(1) Agree to the release of all investigative records to the board of examination for the purpose of verifying the accuracy of criminal violation information...; and
"(2) Supply a fingerprint sample and submit to a criminal history records check to be conducted by the Tennessee bureau of investigation.

Effective January 1, 2000 Any reasonable costs shall be paid by the applicant the first time he applies for a position with a local school board. The applicant shall receive a copy of the criminal history check records documentation to use for submission with subsequent applications for teaching positions. It is up to the discretion of local school boards as to whether costs for these investigations shall be reimbursed.

Section 49-5-501 Teachers' Tenure. This section defines the provisions of teacher tenure, the types of tenure, and the procedures for suspension and dismissal of teachers with tenure.

Section 49-5-601 Collective Bargaining. This Act is cited as the "Education Professional Negotiations Act. It provides information regarding the rights of individual employees to organize, to participate in a union, as well as information regarding the procedures for desertification of a union as a bargaining representative. It also outlines those acts which constitute unlawful employment practices by a union or school administration.

Section 49-5-701 Teacher Leaves. This section grants the state board of education to adopt rules and regulations setting up sick leave, personal and professional leaves of absence for teachers. The section sets forth the provisions of professional leaves, sick leave and personal leaves. It also outlines the basis for reinstatement of a teacher after a leave of absence.

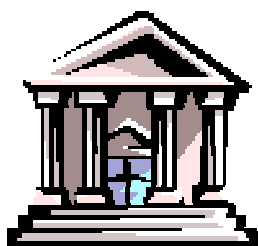
Section 49-5-801 Teachers' sick leave bank. This part shall be known and may be cited as the "Tennessee Teachers' Sick Leave Bank Act."

Section 49-6-901 Student report cards.

Section 49-6-1001 General curriculum provisions. This section sets forth the provisions for instruction on such topics as teaching on the flag of the United States of America, sex education, character education, AIDS education, use of school time for athletics, safety instruction periods of silence and prayer.

Section 49-6-4101 School Discipline Act. This section shall be known as the "School Discipline Act." The section sets forth the statutes that govern student conduct and discipline of students, corporal punishment, arrest and prosecution for injury to a student.

To contact us:
Phone: Voice: 615-778-0803
Fax: 615-778-0149



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