



State of Tennessee

PUBLIC CHAPTER NO. 211

SENATE BILL NO. 1133

By White, Bowling, Gardenhire, Rose

Substituted for: House Bill No. 528

By Moody, Cepicky, Weaver, Smith, Littleton, Hazlewood

AN ACT to amend Tennessee Code Annotated, Section 49-5-106, relative to temporary teaching permits.

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

SECTION 1. Tennessee Code Annotated, Section 49-5-106, is amended by deleting the section and substituting:

(a) After a director of schools or a director of a public charter school notifies the director's local board of education or the governing body of the director's public charter school, as applicable, that the LEA or public charter school is unable to secure a qualified teacher with a valid license for the type and kind of school in which a vacancy exists, the director of schools or the director of the public charter school may certify same to the commissioner of education. Upon the commissioner's receipt of the certification, the commissioner may grant, on behalf of the state board of education, under conditions prescribed in the state board's rules, a temporary permit to teach in the unfilled position to a person recommended by the director of schools or the director of the public charter school, as applicable, and who is approved by the commissioner. The temporary permit is valid only until June 30 following the date of the permit's issuance.

(b) Notwithstanding subsection (a), the commissioner shall not grant a person, on behalf of the state board, a temporary permit to teach:

(1) A physical education class required under § 49-6-1021(e); or

(2) A course for which an end-of-course examination is required, in accordance with § 49-6-6006.

(c) A local board of education or the governing body of a public charter school may contract with a teacher holding a permit, but not holding a valid license, but only for the period of time during which the local board of education or the governing body of the public charter school is unable to secure a qualified teacher with a valid license for the type and kind of school.

(d) It is the intent of the general assembly to urge local boards of education and the boards' respective directors of schools, and governing bodies of public charter schools and the respective directors for each of the governing bodies' public charter schools, to make every effort to staff kindergarten through grade twelve (K-12) teaching positions with personnel fully licensed and endorsed for such grades.

(e) A director of schools or a director of a public charter school who learns of the conviction of a teacher holding a temporary permit who is employed by the LEA or public charter school, respectively, for any offense listed in § 49-5-417(a) shall report the conviction to the state board of education. The state board shall set the time frame within which a director of schools or a director of a public charter school must report a conviction of a teacher holding a temporary permit. The state board may specify other offenses for which a director of schools or a director of a public charter school is required to report to the state board upon learning of a conviction of a teacher holding a temporary permit for any such offense.

(f) A director of schools or a director of a public charter school shall report to the state board teachers holding a temporary permit who are employed by the LEA or public charter school, respectively, who have been suspended or dismissed, or who have resigned, following allegations of conduct, including sexual misconduct, which, if substantiated, would warrant consideration for disciplinary action under state board rules. As used in this subsection (f), "sexual misconduct" has the same meaning as defined in § 49-5-417(c)(5).

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.


SENATE BILL NO. 1133

PASSED: April 1, 2021


RANDY McNALLY
SPEAKER OF THE SENATE


CAMERON SEXTON, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 22nd day of April 2021


BILL LEE, GOVERNOR