

Dyer County Board of Education

Descriptor Term:

Dismissal of Tenured Teachers

Descriptor Code:

GBNA

Rescinds:

Board Approved:

8/20/96

Board Approved:

1 The causes for which a tenured professional employee may be dismissed are as follows: incompetence,
2 inefficiency, neglect of duty, unprofessional conduct and insubordination.¹

3
4 When charges are made against a tenured teacher, charging the teacher with offenses which may justify
5 dismissal, the charges shall be made in writing, specifically stating the offenses which are charged and
6 shall be signed by the party or parties making the charges.

7
8 If, in the opinion of the Board, the charges are of such nature as to warrant the release of the tenured
9 teacher, the director of schools shall give the tenured teacher a written notice of this decision, a copy of
10 the charges against the teacher, and a copy of a form provided by the Commissioner of Education
11 advising the tenured teacher of his/her legal duties, rights and recourse.

12
13 An employee who has been given notice of charges against him/her may within thirty (30) days after
14 receipt of notice give written notice to the director of schools of his/her request for a hearing before the
15 Board.

16
17 The director of schools shall within five (5) days after receipt of request, indicate the place of such
18 hearing and set a convenient date, which shall not be later than thirty (30) days following receipt of
19 notice requesting a hearing.

20
21 The chairman of the Board shall conduct the hearing and be empowered to issue subpoenas for and
22 administer oaths to witnesses.

23
24 The tenured teacher shall be allowed a full, complete and impartial hearing before the Board, including
25 the right to have evidence deemed relevant by the teacher included in the record of the hearings, even if
26 the chairman objects.³

27
28 A complete transcript of the hearing shall be prepared and included in the record.

29
30 The Board shall within ten (10) days after the hearing decide what disposition to make of the case from
31 the following: (1) dismissal; (2) suspension without pay;² or (3) reinstatement. The Board shall imme-
32 diately thereafter give the employee written notice of its findings and decision

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Legal References:

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38 1. TCA 49-5-511 through 513.
39 2. Lee v. Franklin, August 5, 1991, not published.
40 3. TCA 49-5-512, 513.

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