

Wilson County Board of Education

Policy Description:

Suspension/Dismissal of Teachers

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Policy Number:

5.200

Amended Date:

06/04/07

Rescinds:

Issued:

06/03/04

1 **SUSPENSION**

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3 The director of schools may suspend a teacher at any time when deemed necessary, pending investigation or
4 final disposition of the case before the Board or an appeal.¹

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6 Under no circumstances shall the director of schools suspend a non-tenured teacher with pay. If reinstated, the
7 teacher shall be paid full salary for the period of suspension, unless suspension without pay is deemed to be an
8 appropriate penalty.²

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10 **DISMISSAL**

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12 The director of schools may dismiss a teacher during the contract year or a tenured teacher at the end of the
13 contract year for the following reasons; incompetence, inefficiency, insubordination, neglect of duty; or
14 unprofessional conduct.³

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16 When charges are made to the Board of Education against a teacher, charging the teacher with offenses which
17 would justify dismissal, the teacher shall be:

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- 19 1. Provided with written reasons for the action (which are signed by the party or parties making the
20 charges);⁴
- 21 2. Given an opportunity to respond; and
- 22 3. Given a written decision of the Board decision, to include a copy of a form which shall be provided by
23 the commissioner of education advising the teacher as to the teacher's legal duties, rights and
24 recourse under the terms of state law.

¹ TCA 49-2-301(f)(1)(EE)

² TCA 49-5-511(3)

³ TCA 49-5-511(2)

⁴ TCA 49-5-511(4)

1 A teacher, having received notice of charges, may, within thirty (30) days after receipt of notice, give written
2 notice to the director of schools of his/her request for a hearing before the Board. The director of schools shall,
3 within five (5) days after receipt of request, indicate the place of such hearing and set a convenient date, which
4 shall not be later than thirty (30) days following receipt of notice requesting a hearing.

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6 The Chairman of the Board shall conduct the hearing and be empowered to issue subpoenas for and administer
7 oaths to witnesses.

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9 The teacher shall be allowed a full, complete and impartial hearing before the Board, including the right to appear
10 at the hearing, plead his/her cause in person or by counsel, present witnesses, have full opportunity to present
11 contentions and to support them with evidence and argument, and have evidence deemed relevant by the
12 teacher included in the record of the hearings.

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

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16 The Board shall within ten (10) days after the hearing decide what disposition to make of the case from the
17 following options:

- 18 1. Dismissal;
- 19 2. Suspension without pay; or
- 20 3. Reinstatement.

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23 The Board shall immediately give the employee written notice of its findings and decision.¹

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31 (NOTE: Non-renewal of non-tenured teachers after the contract year is not suspension or dismissal and does not
32 follow the suspension/dismissal procedures outlined in this policy. Please refer to the Board policy on non-
33 renewal of non-tenured teachers for further information.)

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¹ TCA 49-5-512(a)(1)(2)(3)(4)(5)(6)(7)(9)