



**State of Tennessee**  
**PUBLIC CHAPTER NO. 383**

**SENATE BILL NO. 867**

**By Gresham, Hensley**

Substituted for: House Bill No. 847

By Ragan

AN ACT to amend Tennessee Code Annotated, Title 49, Chapter 5, Part 4, relative to teachers acting as representatives of a professional employees' organization.

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

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 5, Part 4, is amended by adding the following language as a new, appropriately designated section:

49-5-4\_\_.

(a) An LEA may grant release-time to a professional employee to hold office as a representative of a local professional employees' organization as defined in § 49-5-602. Release-time may be granted if the local board approves the request or if release-time is agreed to as part of a memorandum of understanding under the Professional Educators Collaborative Conferencing Act of 2011. Release-time may be granted for a portion of the year or for an entire year. If the release is granted for an entire year, the release-time shall be granted from a date certain to a date certain.

(b) If an LEA grants release-time, the professional employees' organization shall:

(1) Reimburse the LEA the full per diem salary of the professional employees' organization representative for each day of service the employee is released from duty, or the LEA shall deduct the day from the employee's accumulated personal leave, if the release is granted for less than the entire school year; or

(2) Reimburse the LEA the full cost of the employee's salary and benefits, if the release is granted for an entire school year.

(c) If release-time is granted to a professional employee for more than ninety (90) days, the LEA shall maintain the employee's position without advancement on the salary scale.

(d) An LEA may allow a teacher representative of a professional employees' organization whose presence has been requested by another teacher participating in a grievance procedural meeting or a disciplinary or employment rights meeting to attend the meeting. The teacher representative's attendance shall be considered as engaging in school duties.

(e) This section does not apply if an agreement is made between a professional employees' organization and the LEA granting release-time of less than one (1) full day per week to perform organizational duties.

(f) This section does not apply to an LEA, in which a collective bargaining agreement between the LEA and its professional employees is in effect on July 1, 2013, until the collective bargaining agreement's scheduled expiration.

SECTION 2. This act shall take effect July 1, 2013, the public welfare requiring it.

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PASSED: April 17, 2013



RON RAMSEY  
SPEAKER OF THE SENATE



BETH HARWELL, SPEAKER  
HOUSE OF REPRESENTATIVES

APPROVED this 14<sup>th</sup> day of May 2013



BILL HASLAM, GOVERNOR