

TENNESSEE TENURE LAW

	PRIOR TO 2011	AFTER 2011
Attaining Tenure Eligibility	3 years or 27 months in last 5 years service as a probationary teacher; last year must be as a regular teacher	5 years or 45 months in a 7 year period as a probationary teacher
Evaluation Criteria	None	Received evaluations demonstrating in overall performance effectiveness level of :above expectations” (4) or “significantly above expectations” (5) during the last two years of the probationary year
Attaining Tenure	Upon recommendation of director of schools and approval by the board	[same]
Waiver of Tenure	Tenure status cannot be waived; must be granted or teacher must be non-renewed	Tenure status cannot waived or withheld; must be recommended and approved or teacher must be non-renewed
Leaves of Absence	Do not count toward eligibility for tenure	[same]
Duration of Tenure	Permanent until retirement, resignation or termination	Teacher may lose tenure status if the overall performance effectiveness level falls to “below expectations” (2) and/or “significantly below expectations” (1) for two consecutive years
Restoration to Tenure	N/A	Teacher may regain tenure status by raising the overall performance effectiveness levels to “above expectations” (4) and/or “significantly above expectations” (5) for two consecutive years
Recommendation for Return to Tenure Status	N/A	Subsequent to the loss of tenure status and after attaining two years of overall performance effectiveness levels to “above expectations” (4) or “Significantly above expectations” (5) the teacher shall be recommended by the director of schools for tenure; if not granted shall be non-renewed.

	OLD LAW	NEW LAW
Transfer of Tenure	Probationary period may be waived and tenure granted	If a teacher transfers to another LEA, the prior LEA shall send the result of the last 5 evaluations (or all evaluations if less than 5) to the new employer. A transferring teacher who has tenure status and 5 or more years of service may have the probationary period waived upon recommendation of the director of schools and approval by the board of education and shall become tenured. A transferring teacher who is not tenured and does not have 5 years of service must wait until at least 5 years of service is earned and the evaluation scores are sufficient prior to being recommended and approved for tenure
Teacher Separated from Service and Return to Former LEA	A teacher under permanent tenure status must serve a two year probationary period and receive the recommendation of the director of schools and approval of the board of education prior to being returned to tenure status. If tenure is not recommended or is denied, the teacher must be released.	The criteria for overall performance levels apply. Must review evaluations to ascertain if a returning teacher is eligible for tenure. However, if the teacher acquired permanent tenure under prior law, only a two year probationary period need be served prior to recommendation and approval for tenure. If the teacher is not recommended or approval is withheld, the teacher cannot remain employed.