

TENNESSEE PUBLIC CHARTER SCHOOL COMMISSION

COMMISSION MEETINGS

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Policy Sections:

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1. Meetings. The Tennessee Public Charter School Commission (“Commission”) will transact all business at official meetings, which may be either regular or special.¹

(a) **Regular Meetings.** The Commission shall meet at least quarterly, however, the Commission may schedule more than four (4) regular meetings per year. The four (4) required meeting dates along with any additional regular meeting dates shall be set by October 15 of the preceding year.

(b) **Special Called Meetings.** The chair of the Commission may call special meetings or committee meetings whenever necessary for the transaction of urgent business, provided that the chair shall notify each commissioner of any special meeting at least five (5) days before the meeting is scheduled to take place.²

A majority of the Commission may petition the chair to call a special meeting in accordance with the above provisions.³ If a Commissioner wishes to build a majority for the purposes of calling a special meeting, said member shall direct the Executive Director of the Commission to notify the other Commissioners of that Commissioner’s desire to call a special meeting. The Executive Director will poll the other Commissioners’ willingness to meet and determine their availability.

(c) **Notice.** The Commission shall comply with Tennessee’s Open Meetings Act, which requires public governing bodies to hold open meetings accessible to all interested citizens.⁴ Adequate public notice must be given prior to all regular or

¹ T.C.A. § 49-13-105

² *Id.*

³ *Id.*

⁴ T.C.A. § 8-44-101 *et seq.*

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special-called meetings of the Commission or its committees.⁵ Meetings of the Commission shall be made available for viewing by the public over the Internet by streaming video accessible from the Commission's website. Archived videos of the Commission's meetings shall also be available to the public through the Commission's website.⁶

- (d) **Quorum.** The quorum for an official meeting of the Commission shall require the presence of a majority of the current voting Commissioners. Absences shall be noted by the chair. The Commission shall have the power to excuse a Commissioner's absence by consent of a majority of the Commission.
 - (e) **Electronic Participation.** Whenever participation by the Commissioners by electronic or other means of communication is necessary, the notice of the meeting shall state that participation via electronic or other means will take place. If a physical quorum is not present at the location of a meeting, a statement of necessity shall be included in the minutes for such meeting and filed with the Secretary of State within two (2) working days of the meeting. All votes at such meetings shall be roll call votes.⁷
 - (f) **Suspension of the Rules.** A quorum of the Commission may agree to suspend portions of this policy by a majority vote of the members entitled to vote.
2. **Election of Officers.** The chair of the Commission shall be elected by the Commissioners for a term of three (3) years. A chair may be reelected. The chair of the Commission shall appoint the chair and members of any committee of the Commission. The Commission also shall elect from among its members a vice chair who will serve a three (3)-year term, and shall preside in the absence of the chair.⁸
3. **Development of the Agenda.** The agenda for any meeting of the Commission or its committees shall be prepared by the Executive Director with concurrence by the chair. An unscheduled item may be included on the agenda of the Commission or its committees at the time of the meeting by permission of the chair and the consent of the majority of the Commissioners entitled to vote, or in the case of a committee agenda item, by majority vote of the committee. An agenda item may be removed from the agenda with

⁵ T.C.A. § 8-44-103.

⁶ T.C.A. § 49-13-105

⁷ T.C.A. § 8-44-108.

⁸ Id.

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the permission of the chair and the consent of a majority of the Commission. All resolutions must be submitted in writing before passage, even if hand written.

4.

- (a) **Consent Agendas.** A “consent agenda” or unanimous consent agenda is a group of similarly situated items for consideration which may be considered “en masse” with a single unanimous vote. The vote will pass all measures on the consent agenda and must be unanimous. Any Commissioner may object to a measure placed on the consent agenda and if objection is raised, the measure so objected to shall be placed at the end of the consent agenda for separate consideration.

A consent agenda may be prepared either in advance of the meeting at the permission of the chair or by unanimous consent of the voting members at a meeting. Consent agendas are most often used for non-controversial items which do not require discussion.⁹

A consent agenda can only consist of similarly situated agenda items. For instance, it is appropriate to have a “final reading consent agenda,” or a “resolutions consent agenda.” No consent agenda can be used to pass items on first reading along with items passed on final reading on the same consent agenda.

- (b) **Distributing Agenda Materials Prior to Commission Meetings.** Agenda materials shall be sent to Commissioners at least five (5) business days prior to the meeting. Copies of the agenda materials will be available for other appropriate parties on the Commission's website. While every effort will be made to distribute complete and accurate materials as far in advance as possible, this section shall not apply to a special-called meeting.

5. Voting.

- (a) **Procedure for Voting.** Every measure or resolution adopted by the Commission will be taken by a roll call vote, by unanimous consent, or by calling ayes and nays.
- (b) **Roll Call Vote.** A roll call vote is required in the case of adopting Rules and Regulations of the Commission. A roll call vote shall also be required for any charter school appeal decision. Multiple rules or other issues may be combined

⁹ Robert's Rules, 11th ed., pp. 361.

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in a single roll call vote. If a member objects to only one of the items being voted on, separate roll call votes shall be called.¹⁰ If a roll call vote is required or is called for by a Commissioner, the roll call vote shall be called in alphabetical order, with the chair voting last.

A Commissioner may call for the roll on any issue.

- (c) **Matters of Unanimous Consent.** The chair or any Commissioner may ask for the Commission to take any action by unanimous consent except those actions specifically requiring a roll call vote under law or this policy. When unanimous consent action is taken by the Commission, such action shall be reflected in the minutes as such.
 - (d) **Reconsideration of Previous Action.** A quorum of the Commission may agree to reconsider previous action.
6. **Minutes.** Minutes shall be kept according to T.C.A. § 8-44-104. The term “minutes” refers to the proceedings of official meetings of the Commission. True and correct copies of the minutes which cross-reference the electronic recordings of Commission meetings shall be prepared under the supervision of the Executive Director and Chair after each meeting and copies shall be sent to all members. All committee minutes shall be filed in the Commission office. The electronic recordings of the Committee of the Whole (workshop) meetings will serve as minutes for those meetings.
7. **Rules of Order.** Debates and proceedings before the Commission will be conducted in accordance with Robert’s Rules of Order (current edition) when not in conflict with rules or policies of the Commission or other statutory requirements.
- (a) **Recognition of Speakers.** Regular meetings of the Commission shall provide at least thirty (30) minutes dedicated to the receipt of public comment. The chair, in their discretion, may increase the time for public comment based on the circumstances. Members of the public who wish to comment shall register through a process designated by Commission staff, and such person(s) shall give his/her name, address, phone number, and the organization, agency or individual he/she will be representing. To the extent time permits, the chair will recognize speakers in the order their names appear on the registration list. Each speaker

¹⁰ T.C.A. § 4-5-222.

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may be permitted to speak for no more than three (3) minutes, but the chair shall have discretion to set a time limit of less than three (3) minutes based on the circumstances. No person, committee, or delegation shall be heard unless recognized by the chair.

- (b) **Subject of Remarks.** All speakers before the Commission shall confine their remarks to the subject indicated in the recognition by the chair.
- (c) **Procedure for Asking Questions.** Public speakers shall not directly question individual Commissioners or the chair without express permission of the chair, nor shall individual members of the staff address questions directly to the speaker without permission of the chair.
- (d) **Representatives of Groups.** Only one spokesperson for any group appearing before the Commission shall address the Commission. Other members may do so with express permission of the Chair or by previous arrangement.
- (e) **Demonstrations.** Disruptive behavior, placards, and banners shall not be permitted in the meeting room of the Commission. Building security will be asked to remove persons in violation of this section.
- (f) **Enforcement.** Any person violating Rules of Order or this policy shall be denied the floor.

8. Other Considerations.

(a) **Reading Requirements.**

One Reading: Unless decided otherwise by the chair, the following items shall require only one reading: charter school appeals, charter agreements and amendments, and local educational agency (LEA) policies. With permission of the chair, new Commission policies or policy changes, additions, and deletions may be considered on only one reading in order to accommodate special circumstances (ex: timing considerations, etc.).

Two Readings: Unless decided otherwise by the chair, the following items shall require two readings: new Commission policies; changes, additions, and deletions to current Commission policies; new Commission rules and regulations; changes, additions, and deletions to current Commission rules and regulations; new

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Commission performance frameworks; and changes, additions, and deletions to current Commission performance framework.

Consent: Unless decided otherwise by the chair, the following items shall be placed on the consent agenda: adoption of the agenda; approval of minutes of prior Commission meetings; deletion of items from the regular agenda, technical corrections to Commission policies or guidance that are strictly grammatical in nature or required by law; and other items which are determined to be appropriate for the consent agenda by the Executive Director with approval by the chair.

9. Commission Workshops (Committee of the Whole)

- (a) **Committee of the Whole.** Workshops of the Commission are gatherings of the Commission for informational purposes. While the dispositions of Commission meeting agenda items are not formally decided by the Commission, workshops provide valuable time for the consideration of the implications of policies and rules with the Commission meeting as a Committee of the Whole. The chair of the Commission, or the vice chair acting in the chair's absence, shall chair the Committee of the Whole.

- (b) **Policy applicability.** Other portions of this policy apply generally to the Commission when acting as a Committee of the Whole with the exception of the following:
 - 1. No formalized minutes other than the electronic recording shall be made of the Commission workshop.
 - 2. No formal action of the Commission is taken.
 - 3. Voting when in the Committee of the Whole shall be limited to matters of procedure and privileged motions.