

# TENNESSEE STATE BOARD OF EDUCATION

## BOARD MEETINGS

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### Policy Sections:

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- II. Election of Officers
- III. Development of the Agenda
- IV. Voting
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I. **Meetings.** The State Board of Education (“State Board” or “Board”) will transact all business at official meetings, which may be either regular or special.<sup>1</sup>

(1) **Regular Meetings.** The Board shall hold at least four (4) meetings each year. Meetings may be held at the State Capitol or at another location within the State as determined by the Board. The four (4) required meeting dates shall be set by October 15 of the preceding year.

(2) **Special Called Meetings.** The Chair of the Board may call special meetings or committee meetings whenever necessary for the transaction of business, provided that the Chair shall notify each member of the Board and the Commissioner of Education of any special meeting before the meeting is scheduled to take place, in order to determine the ability to obtain a quorum.

A majority of the Board may petition the Chair to call a special meeting in accordance with the above provisions.<sup>2</sup> If a Board member wishes to build a majority for the purposes of calling a special meeting, said member should direct the Executive Director of the Board to notify the other members of that member’s desire to call a special meeting. The Executive Director will poll the other members’ willingness to meet and determine their availability.

(3) **Notice.** The Board shall comply with Tennessee’s Open Meetings Act, which requires public governing bodies to hold open meetings accessible to all interested citizens.<sup>3</sup>

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<sup>1</sup> T.C.A. § 49-1-301(d)(1)-(2).

<sup>2</sup> T.C.A. § 49-1-301(d)(3).

<sup>3</sup> T.C.A. § 8-44-101 *et seq.*

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Adequate public notice shall be given prior to all regular or special called meetings of the Board or its committees.<sup>4</sup> Meetings of the Board shall be made available for viewing by the public over the Internet by streaming video accessible from the Board's website. Archived videos of the Board's meetings shall also be available to the public through the Board's website.<sup>5</sup>

- (4) **Quorum.** The quorum for an official meeting of the Board shall require the presence of a majority of the current members of the Board entitled to vote. Absences shall be noted by the Chair. The Board shall have the power to excuse a member's absence by consent of a majority of the members of the Board entitled to vote.<sup>6</sup>
- (5) **Electronic Participation.** Whenever Board participation by electronic or other means of communication is necessary, the notice referenced paragraph (3) above shall state that participation via electronic or other means will take place. 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.<sup>7</sup>
- (6) **Suspension of the Rules of Order.** The Board may agree to suspend portions of this policy, or portions of Roberts Rules of Order by a majority vote of the members entitled to vote.

- II. **Election of Officers.** Beginning with the first quarterly meeting of the Board in 2023, and in each odd numbered year thereafter, the Board shall elect from among its members a Chair and Vice Chair for a term of two (2) years. The Chair of the Board shall appoint the chair and members of any committee of the Board. The Chair shall rule on all parliamentary questions arising before the Board and such rulings shall be subject to appeal to the Board by any voting member. The Vice-Chair shall preside over the Board in the absence of the Chair and shall succeed to the duties of the chair in the event of the resignation of the Chair, failure of the Chair to achieve legislative confirmation, death of the Chair, or inability of the Chair to serve. In the event of a vacancy in the office of the Chair or Vice-Chair, the Board may hold an interim election at its next meeting to fill the vacancy for the remainder of the unexpired term. Officers may be reelected. The election of officers shall be presided over by the most senior member of the Board as defined by total years of service.

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<sup>4</sup> T.C.A. § 8-44-103.

<sup>5</sup> T.C.A. § 49-1-301(d)(4).

<sup>6</sup> T.C.A. § 49-1-301(a)(1).

<sup>7</sup> T.C.A. § 8-44-108.

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Upon completion of a member's service as Board Chair, the Board may vote by resolution or on motion of a member to grant the honorific title "Chair Emeritus" to that member in commemoration of his or her previous service as Chair. There shall be no duties or privileges associated with the distinction other than those required of Board members generally.

**III. Development of the Agenda.** The proposed agenda shall be prepared by the Executive Director with concurrence by the Chair. An item may be removed from the proposed agenda up to three (3) days prior to the Board meeting with the permission of the Chair. An agenda item may be removed from the adopted agenda with the permission of the Chair and the consent of a majority of the Board members entitled to vote. All resolutions must be submitted in writing before passage, even if handwritten.

(1) **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 member 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 consideration.

A consent agenda may be prepared either in advance of the meeting at the direction 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.<sup>8</sup>

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.

(2) **Distributing Agenda Materials Prior to Board Meetings.** Proposed agenda materials shall be sent to Board members at least ten (10) business days prior to the meeting, unless the item is accompanied by a letter of necessity from the Commissioner of Education as set forth in subparagraph (3) below or in the event of materials generated by Board staff, explanation from the Executive Director. Copies of the proposed agenda materials will be available for other appropriate parties on the Board's website. While every effort will

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<sup>8</sup> Robert's Rules, 11<sup>th</sup> ed., pp. 361.

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be made to distribute complete and accurate materials as far in advance as possible, this section shall not apply to a special called meeting.

- (3) **Consideration of Materials by Board Staff and Preparation of Materials for Members.** All items, defined as new or revised rules, policies, standards, and other documents requiring a Board vote, submitted by the Tennessee Department of Education (“Department”) for consideration by the Board shall be sent by Department staff to the Board offices at least twenty (20) business days in advance of the meeting. Items submitted after that point in time must be accompanied by a letter of necessity from the Commissioner of Education explaining the delay. Such letters shall also be made part of the record of the meeting. 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.

#### IV. Voting.

- (1) **Procedure for Voting.** Every measure or resolution adopted by the Board will be taken by a roll call vote, by unanimous consent, or by calling for the ayes and nays.
- (2) **Roll Call Vote.** A roll call vote is required in the case of adopting Rules and Regulations of the Board. A roll call vote shall also be required for any licensure action with the exception of licensure settlements that are placed on the consent agenda in accordance with this policy. Multiple rules or other issues may be combined in a single roll call vote. If a Board member objects to only one (1) of the items being voted on, separate roll call votes shall be called.<sup>9</sup> If a roll call vote is required or is called for by a Board member, the roll call vote shall be called in alphabetical order, with the Chair voting last.

A Board member may call for the roll on any issue, subject to the approval of the Chair.

- (3) **Matters of Unanimous Consent.** The Chair or any Board member may ask for the Board to take any action by unanimous consent except those actions specifically requiring a roll call vote under law. When unanimous consent action is taken by the Board, such action shall be reflected in the minutes as such.

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<sup>9</sup> T.C.A. § 4-5-222.

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(4) **Reconsideration of Previous Action.** A majority of the members of the Board entitled to vote may agree to reconsider previous action.

V. **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 Board. True and correct copies of the minutes which cross-reference the electronic recordings of Board meetings shall be prepared under the supervision of the Executive Director and Chair after each meeting and copies shall be sent to all Board members. All Committee minutes shall be filed in the Board office. The electronic recordings of the Committee of the Whole (workshop) meetings will serve as minutes for those meetings.

VI. **Rules of Order.** Debates and proceedings before the Board will be conducted in accordance with this policy and *Robert’s Rules of Order* (current edition) when not in conflict with Board policy, rule, or other statutory requirements. Rules governing requests to provide public comments at Board meetings are outlined in Board Rule 0520-09-01-.02.

VII. **Other Considerations.**

(1) **Reading Requirements.** One Reading: Unless decided otherwise by the Chair, the following items shall require only one (1) reading: salary schedules; amendments to school and district accountability performance goals and measures; school and district accountability designations; course name changes; course access providers; course access courses; textbook/instructional materials waiver requests; charter and local board training course options; adoption of revised assessment cut scores for Tennessee educators; emergency rules; educator preparation provider and specialty area program approvals; standard setting for state assessments; state education funding formula allocations; special course approvals; revisions to the Board’s Master Plan; charter school authorizer evaluation reports; and teacher license denial, formal reprimand, suspension, revocation, or restoration requests. With permission of the Chair, other items, including, but not limited to new Board policies or Board policy changes, additions, and deletions may be considered on only one (1) 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 (2) readings: new Board policies; changes, additions, and deletions to current Board

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policies; new Board rules (except emergency rules); changes, additions, and deletions to current Board rules (except emergency rules); and course standards.

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 Board meetings; deletion of items from the regular agenda; technical corrections to Board policies, guidance, or other measures that are strictly grammatical in nature or required by law; license discipline settlement approvals in accordance with Board Personnel Policy 1.300; and other items which are determined to be appropriate for the consent agenda by the Executive Director with approval by the Chair.

- (2) **Review of New Legislation.** New laws resulting from legislation and pertaining to education will be reviewed at the end of each legislative session in a Board meeting or Board workshop.
- (3) **Rulemaking Hearings.** The Board's General Counsel (or his/her designee) is authorized to conduct rulemaking hearings required by T.C.A. § 4-5-204. For any rule requiring a rulemaking hearing, such rulemaking hearing shall occur prior to presenting a rule to the Board for approval on second reading.

### VIII. Board Workshops (Committee of the Whole)

- (1) **Committee of the Whole.** Workshops of the Board are gatherings of the Board for informational purposes. While the dispositions of Board meeting agenda items are not formally decided by the Board, workshops provide valuable time for the consideration of the implications of policies and rules with the Board meeting as a Committee of the Whole. The Chair of the Board, or the Vice Chair acting in the Chair's absence, shall chair the Committee of the Whole.
- (2) **Policy applicability.** Other portions of this policy apply generally to the Board when acting as a Committee of the Whole with the exception of the following:
  - (a) No formalized minutes other than the electronic recording shall be made of the Board workshop.
  - (b) No formal action of the Board is taken.

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- (c) Voting when in the Committee of the Whole shall be limited to matters of procedure and privileged motions.