



TENNESSEE

PUBLIC CHARTER SCHOOL COMMISSION

**OPEN RECORDS,
PUBLIC MEETINGS
ACT, CONFLICT OF
INTEREST**

MARCH 24, 2023

OPEN RECORDS ACT

- **Unless an indicated exception applies, all Commission documents and/or communication are considered open:**
 - Commission and/or Committee Agendas
 - Commission Policies and Procedures
 - Disclosure Forms
 - Charter School Appeal documents and agreements
 - Note: Open Records Act includes emails
 - Use of state email protects personal information



PUBLIC MEETINGS ACT

- **T.C.A. § 8-44-101 et. seq.**
- **Requirements for compliance:**
 - Notice - three prong test, met by staff action
 - Agenda - posted by Director of External Affairs
 - Public Presence - Commission Policy 1.200
 - Minutes - maintained by staff
- **Consequence of violation**
 - Nullified Decision



PUBLIC MEETINGS ACT

- **Electronic Communications (e.g. emails)**

- Commission members to Chair, where unavoidable, should be informative only and have no considerations of decisions.
- Communication with General Counsel is protected by Attorney-Client privilege.
 - Where possible, contact the General Counsel prior to an action that could affect the Commission.
- Communication between members about Commission business is not a chance meeting
 - Creates an appearance of impropriety
- State emails preserve the record in the event of litigation
 - Use of personal emails can subject private information to being discoverable



CONFLICT OF INTEREST

- **Occurs when the personal interests, financial or otherwise, of a member actually or potentially diverge with the person's professional obligations**
 - Direct Conflicts of Interest are prohibited
 - Indirect Conflicts of Interest shall be publicly acknowledged
- **Commission members and staff shall complete a disclosure form annually**
- **Any appearance of impropriety should be avoided to the best of the members' ability**
 - Questions should be directed to the Executive Director and/or General Counsel for discussion



TENNESSEE PUBLIC CHARTER SCHOOL COMMISSION	
COMMISSION MEMBERS	1.100

TENNESSEE PUBLIC CHARTER SCHOOL COMMISSION

Davy Crockett Tower, 5th Floor
500 James Robertson Parkway
Nashville, TN 37243

DISCLOSURE STATEMENT FOR CONFLICTS OF INTEREST
OF COMMISSIONERS

I, the undersigned member of the Tennessee Public Charter School Commission, in order to assure that any appearance of conflict of interest is avoided, and in order to assure that any indirect interests are publicly acknowledged, hereby make the following statements and assurances:

1. I am related to the following employees of the Tennessee Public Charter School Commission or any official of any corporation, partnership, sole proprietorship, K-12 public education institution or other entities which do business with, are licensed by, or are otherwise involved with the Tennessee Public Charter School Commission:

2. I am employed or professionally affiliated with the following corporation, partnership, sole proprietorships, associations, K-12 public education institutions or any other entities which are licensed by the Tennessee Public Charter School Commission:

3. I have an ownership interest in or serve on the board of the following corporations, partnerships, sole proprietorships, associations, K-12 public education institutions or other entities which, to my knowledge, do business with K-12 public education institutions coordinated or licensed by the Tennessee Public Charter School Commission:

Adopted: February 18, 2020
Revised: March 24, 2023



TENNESSEE PUBLIC CHARTER SCHOOL COMMISSION	
COMMISSION MEMBERS	1.100

Commission:

8. **DISCLOSURES:** I am currently employed by, personally affiliated with, provide advisory services to, or serve as a member of the following associations, partnerships, corporations, organization, or K-12 educational institutions whose business may affect, influence, or present an appearance of impropriety to matters before the Commission:

I hereby certify that if, during my tenure on the Tennessee Public Charter School Commission, I become directly or indirectly interested as an owner, employee or affiliated as described above, or if there is any change in the information provided in this statement, I shall immediately disclose such information to the Tennessee Public Charter School Commission. If a potential conflict or termination occurs within a calendar year, I shall amend this disclosure form within seven (7) days of the conflict's or termination's discovery. The accuracy of this statement will be reviewed within thirty (30) days after the Commission's regularly scheduled spring meeting, but no later than June 1.

(Signature)

(Date)

By my signature below, I affirm that all of the above statements are true to the best of my knowledge and belief. I attest that I will review public charter school applications, hear appeals, and carry out my Commission duties in a fair and impartial manner.

(Signature)

(Date)

TENNESSEE PUBLIC CHARTER SCHOOL COMMISSION	
COMMISSION MEMBERS	1.100

4. In my household and among my dependents (including parents, siblings, spouse or children), to the best of my knowledge, the following individuals have an ownership interest as stated in Number 3 above:

5. I provide advisory and/or lobbying services to the below organizations, corporations, partnerships, sole proprietorships, associations, K-12 public education institutions or any other entities which do business with, are licensed by, are or may otherwise be involved with the Tennessee Public Charter School Commission:

6. As of the date of my signature, I am the recipient of the following grants administered by the Tennessee Public Charter School Commission, or I am aware of the following affiliations with an entity that administered a grant to an applicant or charter school that may appear before the Tennessee Public Charter Commission on an appellate decision:

7. I have made financial contributions in the past year to the following public charter schools and/or charter management organizations under the authority of the Tennessee Public Charter School

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