



STATE OF TENNESSEE
TENNESSEE EMERGENCY COMMUNICATIONS BOARD
DEPARTMENT OF COMMERCE & INSURANCE
500 JAMES ROBERTSON PARKWAY
NASHVILLE, TENNESSEE 37243-0582
615-253-2164

RANDY PORTER
CHAIRMAN

CURTIS SUTTON
EXECUTIVE DIRECTOR

POLICIES

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AMENDED POLICY NO. 1

COMMITMENTS RELATED TO DISBURSEMENTS AND REIMBURSEMENTS

Unless otherwise determined, neither the Board nor its employees shall make any commitment related to disbursements or reimbursements from the "911 Emergency Communications Funds" as set forth in Tennessee Code Annotated § 7-86-303; provided, however, that this shall not apply to those funds required for the administrative and operating expenses of the Board, or to such expenditures that are required and necessary to implement, operate, maintain, or enhance statewide wireless enhanced 911 service in conformance with Tennessee Code Annotated § 7-86-306(a)(10), any applicable rules or orders of the Federal Communications Commission, or any other state and federal requirements that pertain to wireless enhanced 911 service in Tennessee. Any such commitment to reimbursement or disbursement shall be made subject to the availability of funds in accordance with Tennessee Code Annotated § 7-86-306(a)(10).

Upon receipt of a request for disbursement or reimbursement not authorized under Paragraph 1 of this policy, the Board's Executive Director is authorized, without further Board action, to inform the requestor that no such disbursement will be considered or made until such time as the "911 Emergency Communications Fund" is fully funded and methods of disbursement and reimbursement have been instituted.

The Executive Director shall inform the Board of all such requests received.

Adopted 11-23-99.

POLICY NO. 2

**AUTHORIZATION TO EXECUTIVE DIRECTOR
ON PERSONNEL MATTERS**

Subject to the provisions of T.C.A. Title 9, Chapter 6, and T.C.A. §7-86-306(3), the Board's Executive Director is authorized to make all decisions related to the employment and termination of personnel within the Board's office.

Adopted 12-15-98

POLICY NO. 3

**AUTHORIZATION TO EXECUTIVE DIRECTOR
ON CONTRACTUAL MATTERS**

Subject to the provisions of T.C.A. Title 12, and T.C.A. §7-86-306, and after review and approval by the Board's legal counsel and a designated member of the Board (the Comptroller of the Treasury or the Comptroller's designee), the Board's Executive Director is authorized to enter into contracts in order to assist the Board in performing its statutory duties.

Adopted 12-15-98; amended 5-27-04

POLICY NO. 4

PROCEDURES FOR HANDLING PROPRIETARY INFORMATION

When information is submitted to the Board in conformity with Rule 0780-6-1-.03 (Submission of Proprietary Information) the following procedures shall be followed by the Board's staff.

1. Documents, envelopes and/or packages received by the Board office that are marked "CONFIDENTIAL" shall only be opened and/or reviewed by the Board's Executive Director or other individuals designated by the Director. All such individuals shall be in conformity with Rule 0780-6-1-.04 (Access to Proprietary Information).
2. Proprietary information that is received by the Board office in envelopes and/or packaging that has previously been opened shall be immediately brought to the attention of the Executive Director or the Director's designee(s). **As soon as possible thereafter, the delivering entity and the sender shall be notified in writing of the condition of the envelope or packaging as it existed when received by the Board office.**
3. Proprietary information that is received by the Board office in envelopes and/or packaging that is not marked "CONFIDENTIAL" and that is subsequently opened by a Board staff member other than the Executive Director or the Director's designee, shall be immediately brought to the attention of the Executive Director or the Director's designee(s).
4. The Board's Executive Director or the Director's designee(s) shall review the information and determine if it qualifies as proprietary information under the Board's rules.
5. Information that is deemed proprietary shall be shall be secured and stored in accordance with rule 0780-6-1-.05.
6. Information that is not deemed to be proprietary shall be sealed and returned to the sender via certified mail. A notation shall be made in a Board log that specifies the date the information was returned and the individual or entity to whom it was returned.

Adopted 8-22-00

POLICY NO. 5

DESIGNATIONS REGARDING THE MEDIA

The Emergency Communications Board ("the Board") finds that it is necessary to designate representatives who are authorized to speak to Media representatives on behalf of the Board and to make statements to other individuals and organizations regarding established Board policies, standards, rules, and decisions. Therefore, the Board hereby designates the Board Chair and/or the Board's Executive Director as such authorized representatives. No other individual shall speak on behalf of the Board without first obtaining approval from the Board, which approval must be properly voted upon on the record at a full Board meeting. Nothing contained herein shall prohibit the Board's staff attorney or General Counsel from making any statements regarding legal matters affecting the Board.

Adopted 6-29-00

POLICY NO. 7

AUTHORIZATION TO PROVIDE OPINIONS TO DISTRICTS

The Executive Director and/or Staff Attorney are hereby authorized to render opinions to local Emergency Communications Districts and CMRS providers regarding matters which can be addressed through reference to the Emergency Communications District Law or any Rules, Policies or Standards established by the Emergency Communications Board. In formulating such opinions, the Director and/or Attorney are authorized to take into consideration any previous opinions/actions taken by the Board regarding the same or similar matters.

Adopted 2-22-01

POLICY NO. 9

CONTACT AND INFORMATION REQUIREMENTS FOR CMRS PROVIDERS, PSAPS AND DISTRICTS

WHEREAS, the Tennessee Emergency Communications Board (the Board) finds that there is a need for public safety answering points (PSAPs) to obtain a caller's identification, call-back number and location information from commercial mobile radio service (CMRS) providers immediately in an emergency situation; and

WHEREAS, Title 47, United States Code, Section 222 specifically permits the release of such information to public safety answering points and providers of emergency services:

NOW THEREFORE, the Board hereby enacts the following policy:

Requirements for CMRS Providers:

1. All CMRS Providers providing Commercial Mobile Radio Service in the State of Tennessee shall establish a dedicated emergency toll-free number restricted for use in emergency situations by Emergency Communications Districts (Districts), PSAPs, and other public safety emergency service providers (as defined by T.C.A. §7-86-103(1)). This number shall be staffed twenty-four hours per day, seven days per week.
2. All CMRS Providers shall provide a customer's name and address immediately upon request of a District, PSAP or other public safety emergency services provider for use in an emergency situation. No subpoena shall be necessary. Nothing herein shall prohibit a CMRS provider from requesting written confirmation of the request after the emergency has abated.
3. Each CMRS Provider shall provide the Board and each District in its service area with the provider's non-emergency toll-free number, as well as the number established pursuant to item number one above, and with the address to which any non-emergency requests or subpoenas for information should be sent.
4. Each CMRS Provider shall provide the Board and each District director with an escalation list within the provider's company that can be followed by the District in the event that the procedures outlined below are not followed by the provider's employees.

Requirements for PSAPs and Districts:

1. Each District shall provide the Board with PSAP information lists for all PSAPs within their service area together with the following information for each PSAP:
 - a. Name of Supervisor/Director;
 - b. Call-back number for use by CMRS providers; and
 - c. Address.The Board shall provide each CMRS provider with this information for PSAPs within the provider's service area.
2. The District's Director or the PSAP's supervisor shall serve as the contact for CMRS providers in the event that PSAP personnel fail to follow proper procedures in obtaining customer information as outlined below.

Information Request Procedures:

1. Where a PSAP, District, or emergency services provider requires customer information in an emergency situation, the person calling shall:
 - a. Call the provider's dedicated emergency toll-free number;
 - b. Identify themselves and their PSAP by name and county and give their Operator name and number;
 - c. Identify the emergency; and
 - d. Specify the information required.
2. Upon receipt of a request for information in an emergency, the CMRS provider shall immediately look up the customer information requested. The provider shall then reference the PSAP information list provided by the Board and contact the Director/Supervisor designated thereon for the requesting PSAP to deliver the information.

Adopted 2-22-01

POLICY NO. 12

DIRECT DEPOSIT POLICY

Effective July 1, 2002, funds remitted to the Tennessee Emergency Communications Board by wireless carriers shall be sent via direct deposit.

Adopted 5-24-02.

POLICY NO. 13

TIME FOR FILING BUDGETS

Effective June 30, 2003, individual Tennessee Emergency Communications District's approved budgets are due to the Tennessee Emergency Communications Board no later than 45 days after the local ECD approval budget has been approved.

Adopted 9-12-02.

POLICY NO. 15

DISTRICT CONTACT INFORMATION REQUIREMENTS

Effective February 1, 2004, each Emergency Communications District in Tennessee shall annually provide to the Tennessee Emergency Communications Board the name, address, telephone number and email address, if any, of each current member of such Emergency Communications District Board. Any vacancies arising on an Emergency Communications District Board and/or any change in the membership of a Board and the newly appointed member's name, address, telephone number and email address, if any, shall be reported within ten (10) days of the confirmation of such member or the effective date of the change in membership, if the member is appointed without confirmation.

Emergency Communications Districts that vote to adjust their landline rates by any authority other than TECB approval under Tenn. Code Ann. § 7-86-306 shall notify the Tennessee Emergency Communications Board within seven (7) days of the amount and effective date of the adjustment.

Adopted 1-15-04; amended 8-30-07.

POLICY NO. 16

Financially Distressed and At Risk Districts

I. Financial Distress

- A. **Defined:** Tenn. Code Ann. § 7-86-304(d) deems emergency communications districts (ECDs) financially distressed that “as shown by the annual audits” have a negative change in net assets for a period of three (3) consecutive years. This is intended to discourage ECDs from the practice of habitually spending more revenue than they receive and does not take reserves into consideration. By law, ECDs are also financially distressed if they have deficit total net assets, or are in default on any indebtedness.

The Tennessee Emergency Communications Board (Board or TECB) may determine that a district is financially distressed if: a district is the subject of a lien filed by the internal revenue service; it appears that the district cannot satisfy its financial obligations to the extent that the continued operation of the district is at risk; or the district has defaulted on any indebtedness due to insufficient funds, such default is not cured within sixty (60) days and, upon determination of the board, it appears that the district cannot satisfy its financial obligations to the extent that the continued operation of the district is at risk.

Pursuant to Tenn. Code Ann. § 7-86-304(d)(1), financially distressed ECDs “shall be subject to the supervision and evaluation of the Board.”

- B. **Notice:** ECDs shall provide the TECB with notice in the event that they are: (1) predicting or operating under an annual net loss; (2) in default on any debt; and or 3) anticipating a decrease in local governmental funding or support. Such notice shall be provided in writing within ten (10) days of becoming aware of such event. (Formally Policy No.21)
- C. **TECB Evaluation:** The TECB shall, during an open meeting, evaluate the financial statements and operations of a financially distressed emergency communications district. At a minimum, the ECD Chair and Director shall attend this meeting and be prepared to respond to questions from the TECB regarding the ECD’s financial status. After considering the evaluation and recommendation of TECB staff, the TECB may elect to designate a financially distressed district a “Confirmed” financially distressed district or an “At Risk” district. In determining whether an ECD will be designated “Confirmed” or “At Risk,” the ECD’s financial status shall be taken into consideration, including, but not limited, to the following
1. The ECD’s fund balance in relation to its most recent operating budget.
 2. Amount of the negative changes in net assets for the three years which determined the ECD as financially distressed in relation to revenue received by the ECD for those years.

3. Increase or decrease in the cash flow.
4. Source of cash resources which paid for excessive expenditures.
4. Recurring or non-recurring nature of expenditures which caused negative change.
6. Effect of recording depreciation expense on change in net assets.

D. TECB Supervision of “Confirmed” Financially Distressed Districts: Financially distressed ECDs in which such status is deemed “Confirmed” by TECB shall be subject to the following:

1. Pursuant to Tenn. Code Ann. § 7-86-304(d)(3), after holding a public hearing within such district's service area, the TECB may prescribe a rate structure, up to the maximum established pursuant to § 7-86-108(a)(2)(A), to be adopted by the financially distressed ECD, as may be necessary to cause the district to liquidate in an orderly fashion any deficit total net assets, to cure a default on any indebtedness of the district, and to eliminate the negative change in net assets, or any of these.
2. A financially distressed ECD must request and obtain TECB approval before authorizing, making or entering into an obligation to obtain goods or services or incur debt with a cost in excess of five thousand dollars (\$5,000) or increasing their budgeted recurring payroll costs over one thousand dollars (\$1,000). This requirement applies to purchases and expenditures involving partial payments of less than \$5,000, provided the payment totals more than \$5,000 over time. Subject to the provisions of Tenn. Code Ann. § 7-86-306, the TECB executive director is authorized to approve or deny such requests. If such a request is denied by the Executive Director, the district may appeal the decision to the TECB members at a TECB meeting. (Formerly Policy No. 37).
3. A financially distressed ECD shall adopt a balanced budget or be prepared to explain any unbalanced budget to the TECB. A balanced budget is one in which recurring operating expenditures include depreciation expense as a budget line item expenditure and recurring expenditures do not exceed recurring revenues. A financially distressed ECD must provide the TECB with a copy of any proposed budget and advise the TECB at least ten (10) days prior to any ECD board meeting in which the ECD budget or any amendment to the budget is on the agenda to be discussed or approved.
4. A financially distressed ECD board of directors must meet at least bi-monthly (six (6) times per year) in order to review and consider financial statements, operations, and efforts to end its distressed status. The ECD must provide copies to the TECB of all ECD board of directors meeting minutes and the financial reports required to be provided at every regularly scheduled meeting under Tenn. Code Ann. § 7-86-123. Minutes shall be filed with the TECB no later than seven (7) days after approval; financial reports shall be filed no later than seven (7) days after each ECD meeting. (formerly Policy No. 41).

5. A financially distressed ECD shall provide written notice to TECB staff of all meetings and hearings held by the ECD board of directors no less than ten (10) days in advance of such meeting or hearing. Reasonable notice of emergency meetings shall be provided to the TECB.
 6. A financially distressed ECD must provide a written corrective action plan to the TECB within three months of the designation of financial distress. The corrective action plan shall describe efforts or activities that will move the ECD toward having positive changes in net assets.
 7. TECB staff shall make periodic visits and/or establish frequent communications with ECDs to advise and to be available to assist in efforts to improve financial health.
2. **Duration of “Confirmed” Financial Distress Status:** An ECD deemed a “Confirmed” financially distressed district pursuant to Tenn. Code Ann. § 7-86-304(d) with three (3) consecutive years of negative changes in net assets is subject to the supervision and evaluation of the TECB until the ECD demonstrates a positive change in net assets on audited financial statements for two (2) consecutive years. (Formerly Policy No. 16)

II. “At Risk”

- A. **Defined:** An ECD that is financially distressed pursuant to Tenn. Code Ann. § 7-86-304(d)(1)(A) for having a negative change in net assets for three (3) consecutive years may be deemed “At Risk” by the TECB as described in subsection C above. (Formerly Policy No. 27)
- B. **TECB Evaluation and Supervision of “At Risk” Districts:** The following procedures and policies shall be applicable to ECDs deemed “At Risk”: (Formerly Policy No. 27)
1. The status of each “At Risk” ECD shall be reviewed annually by TECB staff and recommended for consideration by the TECB for one of the following actions: 1) removal from “At Risk” status, 2) continuation of “At Risk” status, or 3) designation as a “Confirmed” financially distressed district.
 2. TECB members annually shall be provided a list of ECDs that are “At Risk” as determined by staff analysis of audits and other available reports.
 3. ECDs deemed “At Risk” must submit a balanced budget and all budget amendments to the TECB. A balanced budget is one in which recurring operating expenditures include depreciation expense as a budget line item expenditure and recurring expenditures do not exceed recurring revenues.
 4. ECDs deemed “At Risk” shall provide a written corrective action plan to the TECB within three months of the designation of “at risk”. The corrective action plan shall describe efforts or activities that will move the ECD toward having positive changes in net assets.

5. The ECD shall provide copies of all minutes from ECD board of directors meetings and the financial reports required to be provided at every regularly scheduled meeting under Tenn. Code Ann. § 7-86-123. Minutes shall be filed with the TECB no later than seven (7) days after approval; financial reports shall be filed no later than seven (7) days after each ECD meeting.
 6. ECDs deemed “At risk” shall work with TECB staff to try to avoid a designation of financial distress under Tenn. Code Ann. § 7-86-304(d).
 7. TECB staff shall make periodic visits and/or otherwise assist the ECD in efforts to improve financial health.
- C. **Duration of “At Risk” Status:** An “At Risk” ECD may be deemed no longer “At Risk” upon attaining a positive change in net assets in an audit report.

III. Assistance to ECDs with one and/or two consecutive years of negative changes in net assets as shown by their annual audits:

- A. **One Year with a negative change:** An ECD that has a negative change in net assets reflected on an annual audit will be offered assistance and guidance by TECB.
1. A written notification of a negative change in net assets and offer of TECB assistance will be provided to the ECD director, board chair and the TECB.
- B. **Two consecutive years of negative changes in net assets:**
1. A written notice of the existence of two consecutive years of negative changes will be submitted to the ECD director, board chair and the TECB. TECB staff is directed to provide an annual review of the status of all ECDs with two consecutive years negative changes in net assets to the TECB.
 2. TECB will request an explanation of the cause of the negative change and request a meeting with the ECD director and board chair to offer assistance and develop a plan of corrective action. Corrective action must include at least:
 - a. ECD board approval of a balanced budget. A balanced budget is one in which recurring operating expenditures include depreciation expense as a budget line item expenditure and recurring expenditures do not exceed recurring revenues.
 - b. Providing copies to TECB of all minutes and financial reports required for every regularly scheduled meeting ECD board meeting
 - c. Working with TECB staff to try to avoid a designation of financial distress under Tenn. Code Ann. § 7-86-304(d).
 3. The TECB shall make periodic visits and/or otherwise assist ECDs in their efforts to improve their financial health.

- C. **Duration:** One year of having a positive change in net assets will remove any of the conditions or requirements imposed under this policy for ECDs with two consecutive years of negative changes in net assets.

Adopted 1-15-04; amended 04-19-07, 09-16-10, 8-25-11, 10-25-12, 8-22-13.

POLICY NO. 17

PENALTY FOR FAILURE TO SUBMIT ANNUAL BUDGET

Effective February 1, 2004, pursuant to Tenn. Code Ann. § 7-86-108(f), the Executive Director of the Emergency Communications Board is authorized to withhold the distribution of the wireless emergency telephone service charge collected pursuant to Tenn. Code Ann. § 7-86-108(a)(1)(B) to all Emergency Communications Districts that fail to submit an annual budget as required by Tenn. Code Ann. § 7-86-304(c) no later than 45 days after local Emergency Communications District approval of such budget. The emergency telephone service charge shall be withheld until a copy of such budget is filed.

Adopted 1-15-04.

POLICY NO. 18

TECB ETHICS POLICY

1. Persons covered. This Policy applies to all members of the Tennessee Emergency Communications Board.
2. Board member responsibilities. Each board member shall avoid any action, whether or not specifically prohibited by statute, regulation, or this Policy, which might result in or create the appearance of:
 - i. Using public office for private gain;
 - ii. Giving preferential treatment to any person;
 - iii. Impeding government efficiency or economy;
 - iv. Losing complete independence or impartiality;
 - v. Making a government decision outside of official channels; or
 - vi. Affecting adversely the confidence of the public in the integrity of the Emergency Communications Board.
3. Gifts. No board member shall solicit or accept, directly or indirectly, on behalf of himself or herself or any member of the board member's household, any gift, including but not limited to any gratuity, service, favor, food, entertainment, lodging, transportation, loan, loan guarantee or any other thing of monetary value, from any person or entity that:
 - i. Has, or is seeking to obtain, contractual or other business or financial relations with the Emergency Communications Board or any other entity in which the board member is employed; or
 - ii. Conducts operations or activities that are regulated by the Emergency Communications Board or any other entity in which the board member is employed; or
 - iii. Has interests that may be substantially affected by the performance or nonperformance of the board member's official duties.
4. Exceptions. The prohibition on accepting gifts in paragraph 3 does not apply to:
 - i. A gift given by a member of the board member's immediate family, or by an individual if the gift is given for a nonbusiness purpose and is motivated by a close personal friendship and not by the position of the board member. In determining whether a gift falls within this subsection, the factors contained in Tenn. Code Ann. Section 3-6-114(b) (3) (A) and (B) shall apply.
 - ii. Informational materials in the form of books, articles periodicals, other written materials, audiotapes, videotapes, or other forms of communication;
 - iii. Sample merchandise, promotional items, and appreciation tokens; provided they are routinely given to customers, suppliers or potential customers in the ordinary course of business;
 - iv. Unsolicited tokens or awards of appreciation, honorary degrees, or bona fide awards in recognition of public service in the form of a plaque, trophy, desk item, wall memento and similar items; provided that any such item shall not be in a form which can be readily converted to cash;

- v. Food, refreshments, foodstuffs, entertainment, or beverages provided as part of a meal or other event, if the value of such items does not exceed fifty dollars (\$50.00) per occasion; provided that the value of a gift made pursuant to this subsection may not be reduced below the monetary limit by dividing the cost of the gift among two or more persons or entities identified in paragraph 3;
 - vi. There may be circumstances where refusal or reimbursement of a gift (such as a lunch or dinner) may be awkward and contrary to the larger interests of the State. In such circumstances, the board member is to use his or her best judgment, and provide to the other board members a written disclosure of the gift, including a description, estimated value, the identity of the person or entity providing the gift, and any explanation necessary within fourteen (14) days;
 - vii. Food, refreshments, meals, foodstuffs, entertainment, beverages or intrastate travel expenses that are provided in connection with an event where the board member is a speaker or part of a panel discussion at a scheduled meeting of an established or recognized membership organization which has regular meetings; and
 - viii. Loans from established financial institutions made in the ordinary course of business on usual and customary terms, so long as there are no guarantees or collateral provided by any person described in paragraph 3.
5. Financial Interests.
- i. With the exception of the salary of the board member appointed pursuant to Tenn. Code Ann. § 7-86-302(b)(2), if such board member is a state employee, no board member shall enter into or derive any benefit, directly or indirectly, from any contractual arrangement with the State or any of its agencies with regard to matters related to E911 or emergency communications. In recognition of the fact that many husbands and wives have separate careers, the normal employment compensation of a spouse whose regular, ongoing employer or business has a “benefit” to the board member, provided the contract with the State was procured without any participation, assistance or influence by the board member.
 - ii. No board member shall have a direct or indirect financial interest that conflicts substantially, or appears to conflict substantially, with his or her board-related duties or responsibilities. “Indirect financial interest” in this case includes a substantial interest on the part of a parent, spouse, or minor child of the board member. This subsection shall not apply to interests that have been placed into a “blind trust” arrangement pursuant to which the board member does not have knowledge of the retention or disposition of such interests. This subsection also shall not apply to ownership of publicly traded stocks or bonds where such ownership constitutes less than two percent (2%) of the total outstanding amount of the stocks or bonds of the issuing entity. If, at the time the board member begins his or her term on the board or at any subsequent time while serving on the Board, the board member possesses such direct or indirect financial interests prohibited by subsections (i) or (ii), the board member shall divest such interest within a reasonable time.
6. Use of information. No board member shall, directly or indirectly:
- i. Use, disclose, or allow the use of official information which was obtained through or in connection with his or her membership on the Emergency Communications Board and which has not been made available to the general public for the purpose of furthering the private interest or personal profit of any person, including the board member; or

- ii. Engage in a financial transaction as a result of, or primarily relying upon, information obtained through his or her membership on the Emergency Communications Board.
- 7. Use of government property. No board member shall make use of the facilities, equipment, personnel or supplies of the State or its agencies for private use or gain, except to the extent that the use is incidental or *de minimus* or is lawfully available to the general public.
- 8. *Ex Parte* Communications in pending proceedings pursuant to Tenn. Code Ann. § 7-86-312.
 - i. Upon receipt by the Board of a resolution from a city or county governing body requesting the Board to review a decision of the board of directors of the emergency communications district serving such city or county pursuant to Tenn. Code Ann. § 7-86-312, Board members may not communicate, directly or indirectly, regarding any issue related to the decision under review, while the request for review is pending, with any person without providing notice and an opportunity to participate in the communication.
 - ii. Notwithstanding subsection (i) Board members may communicate with Board staff on pending requests for review, members of the staff of the attorney general and reporter or a licensed attorney who has no interest in the decision being reviewed and agrees that the communication is privileged.

Adopted 1-15-04.

POLICY NO. 20

GIS MAPPING SYSTEM CAPABILITIES

- A. Effective April 1, 2004, within one year, All ECD public safety answering points in Tennessee that are receiving cost recovery for their Geographic Information Systems ("GIS") Mapping systems from the Tennessee Emergency Communications Board ("TECB"), and are receiving 911 calls with enhanced 911 data, shall obtain and be capable of effectively operating their GIS Mapping system in accordance with the minimum standards set forth by the TECB. It is recommended that emergency communications districts cooperate with neighboring governmental entities, if possible, to obtain and/or utilize a single GIS Mapping system meeting such minimum standards in their area, rather than expending limited resources on duplicate systems. Public safety answering points that are not receiving cost recovery for their GIS Mapping systems from the TECB are strongly encouraged to utilize the TECB's minimum standards for GIS Mapping systems.
- B. Effective May 26, 2005, within six months, all public safety answering points operated by emergency communications districts shall secure an agreement to obtain a GIS Mapping system that will be fully operational no later than December 31, 2005.
- C. Effective May 19, 2011, All public safety answering points (PSAPs) affiliated with emergency communications districts (ECD) shall migrate their Geographic Information Systems ("GIS") data to follow the Tennessee Information for Public Safety ("TIPS") format,¹ defining field naming conventions for address points, street centerlines and ESN boundaries. This shall be required for participation in the Next Generation 911 network and for participation in the GIS Financial Incentive.

Each ECD shall:

1. Provide the TECB with the name of an individual who shall be responsible for their GIS Mapping and maintenance.
2. Obtain the approvals necessary to migrate their GIS data to the TIPS format and provide that data to OIR/GIS or another TECB designee as requested.
3. Coordinate with OIR/GIS or other TECB designee to migrate GIS data to the TIPS format and maintain TIPS data on a monthly basis.
4. Annually update GIS maintenance plan on a form provided by the TECB and submit the form to OIR/GIS or other TECB designees.
5. Implement and maintain the following data layers and provide that data to OIR/GIS or other TECB designees:

¹ The TIPS format is available at http://gis.state.tn.us/tips_docs/TIPS_Specifications_v50.pdf and is incorporated by reference into Policy No. 20. TIPS incorporates current GIS standards adopted by the National Emergency Number Association (NENA) and uses the ESRI (Environmental Systems Research Institute) data format.

- i. Street Centerlines;
- ii. Address Points;
- iii. Emergency Service Zone Boundaries (ESN Boundaries);
- iv. Area Landmarks;
- v. Fire Hydrants;
- vi. Administrative Boundaries (City, State, and County);
- vii. Ortho Photography;
- viii. Other layers NENA may require.

Absent a waiver by the TECB, data layers for Street Centerlines, Address Points and ESN Boundaries shall be implemented no later than June 1, 2012.

6. Upon request, cooperate with OIR/GIS or other TECB designees and GIS personnel in adjacent counties/jurisdictions to ensure that:
 - i. Emergency service zones and street centerline data layers are seamless between counties with no gaps or overlaps between boundary polygons; and
 - ii. All boundary street centerlines share an exact begin or end node with the adjacent county street centerline.
7. Comply with NENA GIS Mapping Standards.²

Adopted 3-12-04; amended 5-26-05, 11-10-05 and 05-19-11.

² The NENA GIS Standards are available at http://www.nena.org/sites/default/files/02-014_20070717.pdf

POLICY NO. 24

NOTICE TO TECB

Effective July 16, 2004, in order to be effective all documents, notices and notifications to the Tennessee Emergency Communications Board ("TECB") shall be provided in writing to the Executive Director at the TECB offices located at 500 James Robertson Parkway, Nashville, Tennessee 37243 or by some form of electronic communication.

Adopted 7-16-04.

POLICY NO. 25

INTERLOCAL AGREEMENTS

Effective August 1, 2004, all agreements or arrangements between an emergency communications district and another governmental entity in which facilities, resources and/or income of any kind are shared, contributed or obtained shall be memorialized in written interlocal agreements and adopted by the board of directors of the local emergency communications district before the implementation of such an agreement.

Adopted 7-16-04

POLICY NO. 31

NOTICE OF OUTAGE

Emergency communications districts (“ECDs”) or their agents or designees responsible for carrying out “operations of the district,” shall notify the Network Operations Center designated by the Tennessee Emergency Communications Board (“Board”) of any misrouted 911 calls or any failure or decrease in the level of any type or degree of 911 service of a duration over, or predicted to be over, thirty (30) minutes. Such notices shall be provided as soon as practicable after the outage occurs or notice of a predicted outage is received in order to permit the Board to assist in the restoration of service, if appropriate. The Executive Director shall determine the Board’s level of involvement, if any, in assisting ECDs, carriers and service providers in restoring the appropriate level of E-911 service.

Consistent with current practice, in the event of service interruptions, ECDs shall be responsible for maintaining and/or restoring service. ECDs and carriers shall receive authorization from the Executive Director or the Executive Director’s designee prior to halting or reducing the level or quality of E-911 service within any area of the state.

The NOC shall be notified of all activities in the PSAP that could impact NG911 equipment or connectivity to the NG911 network as follows:

1. No later than 24 hours prior to scheduled activities; and
2. As soon as possible for unscheduled events and no later than one hour after such event.
3. Upon the second violation of this Policy, the Board may require the director and chairman of the Emergency Communications District to appear at the next regularly scheduled meeting of the TECB for a determination of whether the district is taking sufficient actions or acting in good faith to establish, maintain or advance 911 service for the citizens of the district as contemplated by Tenn. Code Ann. § 7-86-108(f). It is recommended that ECD leadership require their CPE vendors to execute an agreement promising not to undertake any activities that could impact NG911 equipment or connectivity to the network without first notifying the NOC consistent with this Policy

Adopted March 17, 2005, Amended October 31, 2013, Amended February 20, 2014

AMENDED POLICY NO. 32

MINIMUM BACKUP POWER REQUIREMENTS

All public safety answering points ("PSAPs") operated by Emergency Communications Districts shall obtain:

1. an uninterruptible power supply ("UPS") capable of providing uninterrupted power to emergency communications operations for a minimum of one hour; and
2. an emergency generator and fuel source for the generator capable of providing power sufficient to maintain minimum E-911 service operations and a suitable work environment to the PSAP for a minimum of forty-eight hours;

Minimum backup power requirements shall apply to equipment used to provide Next Generation 911 service to the PSAP.

An additional backup emergency generator that utilizes an alternative fuel source is recommended but not required.

It is also recommended that ECD management assure that backup power equipment and fuel supplies are not located in areas prone to flooding.

Additionally, it is recommended that UPS systems be of the "online" type, providing filtered power to protect against surges, voltage drops and other power-related issues often caused by switching to and operating on generator power or interruptions or degradation of the commercial power supply.

Adopted March 17, 2005; Amended May 26, 2005; Amended February 20, 2014; Amended May 22, 2014.

AMENDED POLICY NO. 33

MINIMUM TECHNICAL OPERATING STANDARD OF CARE FOR E-911 SERVICE

Pursuant to Tenn. Code Ann. § 7-86-306(a)(8), all public safety answering points in Tennessee shall:

1. Be capable of receiving and utilizing the data elements associated with wireline and wireless E-911 Phase II service, including Automatic Numbering Identification ("ANI") to determine a caller's phone number, Automatic Location Identification ("ALI") to pinpoint a wireline caller's location, and Phase II wireless coordinates as contemplated by 47 C.F.R. § 20.18 and the applicable orders of the Federal Communication Commission and their progeny; and
2. Possess and regularly maintain a GIS Mapping system capable of auto-populating E-911 location data.
3. Possess:
 - (1) an uninterruptible power supply ("UPS") capable of providing uninterrupted power to emergency communications operations for a minimum of one hour; and
 - (2) an emergency generator and fuel source for the generator capable of providing power sufficient to maintain minimum E-911 service operations and a suitable work environment to the PSAP for a minimum of forty-eight hours.

An additional backup emergency generator that utilizes an alternative power source is recommended but not required.

4. No later than 12 months from the adoption of this amendment, arrange with other PSAPs within the District or within a close proximity for 911 call answering in the event of a major equipment failure or PSAP evacuation.³ In cases where a PSAP is so large that another PSAP within close proximity cannot adequately provide call answering, then that PSAP should establish an alternate answering center or arrangement that ensures that 911 calls do not go unanswered. It is strongly recommended that ECDs develop partnerships with adjacent ECDs to avoid building backup PSAP facilities or mobile PSAP units that are unused the majority of the time.
5. Prepare and regularly test (at least annually) a PSAP Operations Continuity Plan that specifically provides procedures for on-duty personnel in the re-routing of 911 calls, switchover to backup systems, evacuation plans, temporary call answering plans, return to normal plans, and other plans that ensure that 911 calls do not go unanswered. (The TECB will provide, upon request, a model plan that can be customized for individual PSAPs.)

Adopted 3-17-05; amended 5-26-05 and 10-31-06

³ Typically, alternate routing of 911 calls to an adjacent PSAP or mobile PSAP unit would be considered a short range plan with a projected duration of less than a week. This gives the PSAP and ECD managers time to implement more long range plans when re-occupancy of a PSAP will be delayed due to fire, tornado damage, or other significant event.

AMENDED POLICY NO. 34

FINANCIAL SUPPORT TO PROMOTE CONSOLIDATION OF ECDs

In order to effectuate the purposes of Tenn. Code Ann. § 7-86-105(b)(6) each emergency communications district (ECD) that consolidates with another, up to a maximum of three (3) ECDs, shall be eligible for financial assistance up to a maximum of \$150,000 each toward the cost of consolidation, to be determined on a case-by-case basis after a site visit and analysis by the Board or its designee, and the development in conjunction with the effected districts of a consolidation plan, including the projected costs associated with the project, subject to the Board's approval. The consolidation shall be memorialized in a written intergovernmental agreement consistent with Tenn. Code Ann. § 7-86-105(b)(6). The amount of financial support for consolidation of more than three (3) ECDs shall be determined on a case-by-case basis by the TECB.

Adopted 7-28-05; amended 6-22-06 and 2-22-07.

POLICY NO. 35

**MINIMUM STANDARDS FOR FREQUENCY OF ECD BOARD MEETINGS
AND ELECTION OF OFFICERS**

Effective April 20, 2006, Each Emergency Communications District ("ECD") board of directors shall meet at least quarterly, and at the call of the chair. Each board also shall elect a chair and such other officers as it deems appropriate. At a minimum, such elections shall be conducted at least every two (2) years.

Adopted 4-20-06.

POLICY NO. 36

REQUIREMENT FOR ECDs TO ADOPT A WRITTEN PLAN FOR REROUTING 911 CALLS IN CASE OF NETWORK, EQUIPMENT, OR FACILITY FAILURE⁴

All Emergency Communications Districts shall develop and adopt a written plan that defines how 911 calls will be rerouted for all affiliated or self-operated Public Safety Answering Points (PSAPs) in the event network facilities are disrupted, equipment fails, the PSAP(s) must be evacuated, or for any other reason that 911 calls cannot be answered at the intended PSAP(s). Each ECD must file its plan(s) with the TECB on or before July 31, 2009. Plans that require calls to be rerouted to another ECD must include a written agreement with the ECD that will receive the rerouted calls. Any changes or revisions to the plan must be filed with the TECB thirty (30) days after such changes or revisions are made.

Adopted 4-20-06; amended 05-07-09; amended 02-07-13

⁴ The plan required under this policy may be included in the overall and written contingency plans for the ECD or their agents or designees if desired. This policy does not negate the requirement in Policy No. 31 that the ECB Executive Director or designee be notified when outages exceed a duration of over sixty (60) minutes.

POLICY NO. 38

REMOVAL OF COMMITTEE MEMBERS

If a member of any Tennessee Emergency Communications Board (“TECB”) committee has more than three (3) unexcused absences⁵ in a twelve (12) month period, the TECB may, at its option, remove or replace the member upon notice.

Adopted 6-22-06.

⁵ Unexcused absences are all absences except: (1) absences required due to an unavoidable conflict, which are excused in advance of the meeting by TECB staff or (2) unexpected absences due to unavoidable emergency circumstances (such as medical or family emergency), provided notice of the emergency is given to TECB staff within five (5) business days. When a committee has provided for telephonic participation, a committee member is not deemed to be absent when the member participates in the meeting by telephone.

POLICY NO. 40
CATASTROPHIC LOSS ASSISTANCE

On January 26, 2006, the Tennessee Emergency Communications Board ("TECB") initiated a program making an emergency communications district ("ECD") with a catastrophic loss or losses eligible for financial assistance in an amount up to \$100,000, per catastrophic event. This program was initiated to: 1) provide immediate temporary assistance to ECDs in the event of a catastrophic loss; and 2) provide assistance for costs due to a catastrophic loss in excess of ECD comprehensive insurance coverage. Enactment of the 911 Funding Modernization and IP Transition Act of 2014 decreased the resources of TECB and, therefore, only immediate temporary assistance to ECDs in the event of a catastrophic loss will be provided.

ECDs without comprehensive insurance coverage are not eligible for this assistance. Completed claims must be filed with the insurance company within thirty (30) days after incurring the catastrophic loss, or justified to and approved by TECB that the time limitation needs to be extended.

Catastrophic loss is defined as a partial or complete loss of equipment or facilities which incapacitates or reduces the ability of the ECD to perform 911 functions, due to fire, earthquake, tornado, lightning, hazardous waste, acts of God, or other events deemed catastrophic by the TECB in accordance with this policy.

Items that are eligible for consideration of TECB reimbursement, if properly justified and documented, include: the purchase price for replacement of equipment or property that was damaged; the cost of clean-up and waste/trash removal; the cost of materials and labor to install or prepare replacement equipment and property for use; the cost of refurbishing the facilities to make them useful, safe, and habitable; the cost of overtime pay that might be incurred for staff for clean-up; overtime and premium overtime salary costs to maintain 911 services disrupted by the event; etc. This list is not inclusive of every cost that may be eligible.

An ECD may request funds for immediate needs and repay the TECB after insurance settlement. All funds advanced for immediate needs must subsequently be justified and supported after insurance settlement is complete by the submission of appropriate documentation. Any overpayment from the advance must be returned to TECB within thirty (30) days after receiving final settlement from the insurance company for the event loss.

The need for a site visit by the Director of E-911 Technical Services to verify use of the funds will be determined on a case by case basis, as soon as practicable after the event.

In order to expedite assistance to ECDs during a catastrophe, the Executive Director of the TECB is authorized to release funds, subject to approval by the TECB chairman, if the following criteria have been met:

1. Release of the funds is necessary for the restoration or adequate provision of 911 service;
2. The funds shall be used only for items authorized by the 911 Revenue Standards;

3. The ECD Director or Chairperson completes a form designated "Request for Advance of Catastrophic Loss." This form is available on the website; it includes certifications:
 - Of the total amount needed;
 - That the ECD is in immediate need of cash resources to initiate and maintain 911 services at an acceptable level of operations.
 - That the ECD had a valid insurance policy in effect at the time of the catastrophic event and will file claims for reimbursement in accordance with the policy requirements to the extent necessary to ensure full allowable reimbursement and that the full amount of any advance received shall be returned to the TECB after settlement with the insurance company.
 - That the request for cost reimbursement is correct and valid, and that the amount claimed will be expended to implement, operate, maintain or enhance statewide wireless enhanced 911 service in conformance with all applicable orders and rules of the Federal Communications Commission and other federal and state requirements that pertain to wireless enhanced 911 service.
4. Copies of vendor quotation(s) for the item(s) for which funding is sought must be provided

Commencing July 1, 2012, all emergency communications districts shall obtain comprehensive insurance on equipment for which the district received reimbursement of all or part of the purchase price from the Tennessee Emergency Communications Board. It is strongly recommended that comprehensive insurance be obtained on all real or personal property, facilities and/or equipment owned by or used in the operation of the district. Districts that fail to procure insurance are ineligible to apply to the TECB for advances for catastrophic losses or damages.

Adopted 4-19-07; amended 8-30-07, amended 3-19-09, amended 5-17-12, amended 9-18-14

Policy No. 42

NOTIFICATION TO TECB OF REDUCTION IN FUNDING

EFFECTIVE September 24, 2009, Emergency Communications Districts (ECDs) participating in the \$14 Million operational funding program or any successor program such as the Recurring Operational Funding (ROF) Program shall notify the TECB within ten (10) business days of receiving notice that local governmental entities that were providing contributions to the ECD intend to reduce such contributions. ECDs are facing decreasing landline revenue and increasing costs for personnel, operations and technical improvements. The purpose of this Policy is to ensure that the revenue associated with the above mentioned funding programs is used for maintenance or enhancement of ECD operations as contemplated by Tenn. Code Ann. § 7-86-102(d) and not to supplant funding provided to the ECD by local government.

Adopted 09-24-09

POLICY NO. 43

COMPOSITION AND SELECTION OF BOARD OF DIRECTORS OF MULTI-JURISDICTIONAL DISTRICT CREATED PURSUANT TO TECB ORDER OF CONSOLIDATION

The board of directors of a multi-jurisdictional district created by order of consolidation of the Tennessee Emergency Communications Board ("the Board" or "TECB") pursuant to Tennessee Code Annotated §7-86-305 shall be composed of no fewer than seven (7) and no more than twelve (12) members, unless otherwise directed by the TECB.

No less than twenty-five percent (25%) and no more than thirty-four percent (34%) of the membership of the consolidated board of directors of such district shall represent the area of the financially distressed district.

The members representing the financially distressed district shall be appointed by the county mayor or chief executive officer and confirmed by the legislative body of the area they represent. If the legislative body does not act to confirm or reject the appointment within ninety (90) days or until the conclusion of its next regularly scheduled meeting, whichever is later, the appointment shall take effect without confirmation. The members representing the financially distressed district shall be appointed for staggered terms of two (2), three (3) and four (4) years, dating from the effective date of consolidation. Thereafter, the members shall serve for a term of four (4) years.

The number and terms of the members representing the non-financially distressed district shall not change as a result of the consolidation unless agreed to otherwise by the non-financially distressed district and the TECB prior to consolidation.

Members shall serve until a successor is duly appointed and confirmed.

Adopted May 19, 2011

AMENDED POLICY NO. 44

DEPLOYMENT OF NEXT GENERATION 911 PROJECT: ADDITIONAL TRUNK CARDS AND RELOCATION OF PSAPS

The Next Generation 911 (NG911) project to convert Tennessee's 911 infrastructure from analog to digital is being deployed in the most public safety-conscious way possible. Wireless and Voice over Internet Protocol (VoIP) service is being deployed first. This will allow the extra layer of redundancy from the wireline infrastructure to remain in place during deployment.

The TECB has provided funding for the State's 100 emergency communications districts (ECDs) to purchase NG911 capable equipment to connect to the new infrastructure (i3 Compliant Controllers). ECDs that have not purchased i3 Compliant Controllers can still connect to the NG911 infrastructure with some additional equipment.

It is recommended that ECDs that have not purchased i3 Compliant Controllers and have limited trunking capacity obtain additional trunk cards to take advantage of the extra layer of redundancy from the wireline infrastructure that is remaining in place. ECDs that have not purchased i3 Compliant Controllers and do not obtain additional trunk cards should be aware that they could be limiting or reducing the number 911 calls that their PSAP can receive, thereby not taking advantage of the extra layer of redundancy built into the deployment plan. The Tennessee Emergency Communications Board assumes no liability for districts that choose to operate without an i3 controller or sufficient trunks to take advantage of the added redundancy built into the deployment plan.

ECDs planning to relocate PSAPs shall provide the TECB with written notice no later than 60 days prior to the move. ECDs with PSAPs that are connected to the NG911 infrastructure prior to relocation shall bear the costs connecting their new locations to the NG911 Infrastructure.

Adopted May 17, 2012; Amended February 7, 2013.

POLICY NO. 45

DEPLOYMENT OF NEXT GENERATION 911 PROJECT: ECD TIMELINES

1. Timeline for Connecting to the NG911 Infrastructure Using CAMA Gateways or i3 Capable Controllers

In order to fully and efficiently deploy the NG911 project, it is necessary for each PSAP to connect to the NG911 infrastructure in a manner that will not delay deployment of the entire project. The NG911 infrastructure can be connected to via an i3 controller or a CAMA gateway into an analog controller. Connection to the NG911 infrastructure is not dependent upon the purchase of an i3 controller. Allowing both methods of connection provides PSAPs with the autonomy to deploy NG911 in a manner of their choosing without impacting the progress of the project as a whole.

The timelines for connecting to NG911 are as follows:

A. Notification to TECB of Method of Connection:

PSAPs not connected to the NG911 infrastructure must notify the TECB by April 1, 2013 whether they will be prepared to connect using an i3 controller or will connect with a CAMA gateway.

B. Connect to NG911

All PSAPs shall be ready to connect to the NG911 infrastructure by the method they choose – either i3 or CAMA gateway by July 15, 2013.

In order to encourage deployment of i3 controllers, before ECDs that have not purchased an i3 controller by the effective date of this Policy may access any of the additional \$300,000 added to the Essential and Necessary equipment program during the August 2012 the following conditions shall apply:

- a) ECDs must provide a written request to the TECB describing the proposed purchase and explaining why it should have priority over the purchase of an i3 controller.
- b) The purchase will be subject to the approval of TECB staff. Only compelling explanations related to public safety may be approved.
- c) Staff's decision shall be appealable to the TECB at an open meeting.

2. Timeline for GIS Mapping Centerlines:

To assure that the NG911 team has sufficient information to deploy Tennessee's own ALI database, each ECD, with the assistance from OIR/GIS technicians, shall have their street centerline data synchronized with their MSAG by July 15, 2013. Obtaining this data will allow the TECB to prepare for its role as ALI database provider by having a GIS

dataset that matches the current MSAG, thus allowing address validation for existing phone numbers.

3. Timeline for GIS Mapping Address Points:

Address validation is required to provide true and accurate i3 call routing. Therefore, address points shall be completed to 98% accuracy by December 1, 2013.

Adopted February 7, 2013.

POLICY NO. 47

DISTRIBUTION OF EXCESS SURCHARGE REVENUE

I. Definitions

- a. "Board" means the Tennessee Emergency Communications Board established under Tenn. Code Ann. § 7-86-302.
- b. "District" means an Emergency Communications District created pursuant to Tenn. Code Ann. § 7-86-104.
- c. "Excess Surcharge Revenue" means any 911 Surcharge Revenue, as defined in Tenn. Code Ann. 7-86-103(2), collected in excess of the annual fiscal requirements of the Tennessee Emergency Communications Board and the bimonthly disbursements made to the Emergency Communications Districts pursuant to Tenn. Code Ann. § 7-86-303.

II. Distribution of Excess Surcharge Revenue

- a. Seventy-five percent (75%) of excess surcharge revenue shall be distributed among the districts in individual lump sum payments to each district.
- b. Each district shall receive a proportionate share of the seventy-five percent (75%) distribution in an amount equal to the district's proportionate share of the base funding distributed by the Board pursuant to Tenn. Code Ann. § 7-86-303(e). For example, if a district receives 1% of the total base funding, that district will receive 1% of the excess fund distribution.
- c. The Board may authorize additional distributions of excess surcharge revenue.

III. After the close of each fiscal year, Board staff shall determine whether there is any excess surcharge revenue. In the event there is excess surcharge revenue, Board staff shall present a calculation of such excess surcharge revenue to the Board. The calculation presented to the Board shall identify the following:

- a. The total amount of excess surcharge revenue.
- b. The total amounts to be distributed to each district based on each district's proportionate share as set forth in Section II. b. above.
- c. The total amount of excess surcharge revenue remaining for Board use.

IV. The Policy Advisory Committee shall review the distribution of excess funds under this policy within (2) years after its effective date and report any recommended changes to the Board.

Effective February 4, 2015.

