

# TENNESSEE STATE BOARD OF EDUCATION

## BOARD MEETINGS

1.400

### Policy Sections:

1. Meetings
2. Election of Officers
3. Development of the Agenda
4. Voting
5. Minutes
6. Rules of Order
7. Other Considerations
8. Board Workshops (Committee of the Whole)

1. **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>

(a) **Regular Meetings.** The Board is to 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 required meeting dates shall be set by October 15 of the preceding year.

(b) **Special Called Meetings.** The Chair of the Board may call special meetings or committee meetings whenever necessary for the transaction of urgent 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.

(c) **Notice.** The State Board of Education 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> Adequate public notice must be given prior

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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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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 web site.<sup>5</sup>

(d) **Quorum.** The quorum for an official meeting of the State Board shall require the presence of a majority of the current voting members of the Board. 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 Board.<sup>6</sup>

(e) **Electronic Participation.** Whenever participation by the Board members by electronic or other means of communication is necessary, the notice 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 working days of the meeting. All votes at such meetings shall be roll call votes.<sup>7</sup>

(f) **Suspension of the Rules.** A quorum of the State Board may agree to suspend portions of this policy by a majority vote of the members present.

**2. Election of Officers.** The Chair of the board shall be elected by the members of the board for a term of two (2) years. A chair may be reelected. The Chair of the board shall appoint the chair and members of any committee of board members. The Board also shall elect from among its members a Vice Chair who will serve a two (2)-year term.<sup>8</sup>

**3. Development of the Agenda.** The agenda shall be prepared by the Executive Director with concurrence by the Chair. An unscheduled item may be included on the agenda of the Board or its committees at the time of the meeting by majority vote of the Board members present, or in the case of a committee agenda item, by majority vote of the committee members present. An agenda item may be removed from the agenda with the permission of the Chair and the consent of a majority of the Board members present. All resolutions must be submitted in writing before passage, even if hand written.

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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.

<sup>8</sup> T.C.A. § 49-1-301(b).

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- (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 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>9</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.

- (b) **Distributing Agenda Materials Prior to Board Meetings.** Agenda materials shall be sent to State Board members at least ten (10) business days prior to the meeting. Copies of the agenda materials will be available for other appropriate parties on the Board'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.
- (c) **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 State Board shall be sent by Department staff to the State Board of Education 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 explanation 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

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<sup>9</sup> Robert’s Rules, 11<sup>th</sup> ed., pp. 361.

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

**4. Voting.**

- (a) **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 ayes and nays.
- (b) **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. Multiple rules or other issues may be combined 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.<sup>10</sup> If a roll call vote is required or is called for by a 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.

- (c) **Matters of Unanimous Consent.** The Chair or any 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.
- (d) **Reconsideration of Previous Action.** A quorum of the State Board of Education may agree to reconsider previous action.

**5. 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 State Board of Education. 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 members. All Committee minutes shall be filed in the State Board of Education office. The electronic recordings of the Committee of the Whole (workshop) meetings will serve as minutes for those meetings.

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<sup>10</sup> T.C.A. § 4-5-222.

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6. **Rules of Order.** Debates and proceedings before the Board will be conducted in accordance with *Robert's Rules of Order* (current edition) when not in conflict with rules of the Board or other statutory requirements.
- (a) **Recognition of Speakers.** Persons wishing to comment regarding an item on the Board and/or committee agenda shall notify the Executive Director of the State Board at least forty-eight (48) hours prior to the scheduled meeting. Such person(s) shall give his/her name, address, phone number, and the organization, agency or individual he/she will be representing. The Executive Director shall notify all Board members of the notification. No person, committee, or delegation, not on the agenda, shall be heard unless recognized by the Chair.
  - (b) **Subject of Remarks.** All speakers before the Board 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 members of the Board 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 Board shall address the Board. 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 Board. Building security will be asked to remove persons in violation of this section.
  - (f) **Enforcement.** Any person violating rules of this article (Rules of Order) shall be denied the floor.
7. **Other Considerations.**
- (a) **Reading Requirements.**  
One Reading: Unless decided otherwise by the Chair, the following items shall require only one reading: salary schedules; amendments to the ESSA accountability workbook; course name changes; PRAXIS test scores; and teacher

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license denial, formal reprimand, suspension, revocation, or restoration requests. With permission of the Chair, new Board policies or Board 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 Board policies; changes, additions, and deletions to current Board policies; new Board rules and regulations; changes, additions, and deletions to current Board rules and regulations; curriculum standards; and licensure or employment 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 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.

- (b) **Regulations Resulting from Legislation.** Regulations or laws resulting from legislation and pertaining to education will be reviewed at the end of each legislative session in the State Board of Education meeting.

#### **8. Board Workshops (Committee of the Whole)**

- (a) **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 State Board, 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 Board 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 Board workshop.
  2. No formal action of the Board is taken.

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3. Voting when in the Committee of the Whole shall be limited to matters of procedure and privileged motions.