

# TENNESSEE EDUCATION RECOVERY INNOVATION COMMISSION

## COMMISSION MEETINGS

### Policy Sections:

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

1. **Meetings.** The Education Recovery Innovation (“Commission”) will transact all business at official meetings, which may be either regular or special.<sup>1</sup>

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

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

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

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

<sup>1</sup> T.C.A. § 49-13-105

<sup>2</sup> *Id.*

<sup>3</sup> *Id.*

<sup>4</sup> T.C.A. § 8-44-101 *et seq.*

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special-called meetings of the Commission or its committees.<sup>5</sup> Archived videos of the Commission's meetings shall be available to the public through the Commission's website.<sup>6</sup>

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

**Commented [NJ1]:** Suspension of the rules of order allows a body to do most anything not prohibited by law. The bar should be higher than a majority of members present. The custom in deliberative bodies requires 2/3rds of members entitled to vote. For the purposes of this body, a majority of members entitled to vote" should be the minimum.

**Commented [AS2]:** Isn't everyone entitled to vote? Is the point of this to say that if the full board isn't present at the meeting that you would need more than a simple majority of those present to approve to suspend the rules? (i.e. if 5 is a majority but only 6 members are in attendance- they would need 5 members to vote yes to suspend the rules?

**Commented [TS3R2]:** What is the recommended update? Is it 2/3 vote per @Nathan comment above?

**Commented [NJ4]:** Again a higher bar should be in order so that a majority of a bare quorum could not alter what is on the agenda (i.e. what the public has been given notice of). Like in our case if we had an SBE meeting and only 5 voting members were present and 3 of the 5 voted to change the agenda you are having the body ruled by a minority. Rules are designed to protect the prerogatives of members and the rights of the minority.

<sup>5</sup> T.C.A. § 8-44-103.

<sup>6</sup> T.C.A. § 49-13-105

<sup>7</sup> T.C.A. § 8-44-108.

<sup>8</sup> Id.

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

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

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

A consent agenda can only consist of similarly situated agenda items. For instance, it is appropriate to have a “report consent agenda,” or a “resolutions consent agenda.”

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

**4. Voting.**

- (a) **Procedure for Voting.** Every measure or resolution adopted by the Commission will be taken by a roll call vote, by unanimous consent, or by calling ayes and nays.
- (b) **Roll Call Vote.** A roll call vote is required in the case of adopting Rules and Regulations of the Commission. Multiple measures may be combined in a single roll call vote. If a member objects to only one of the items being voted on,

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

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separate roll call votes shall be called.<sup>10</sup> If a roll call vote is required or is called for by a Commissioner, the roll call vote shall be called in alphabetical order, with the chair voting last.

A Commissioner may call for the roll on any issue, subject to the approval of the chair.

- (c) **Matters of Unanimous Consent.** The chair or any Commissioner may ask for the Commission to take any action by unanimous consent except those actions specifically requiring a roll call vote under law or this policy. When unanimous consent action is taken by the Commission, such action shall be reflected in the minutes as such.
  - (d) **Reconsideration of Previous Action.** A quorum of the Commission may agree to reconsider previous action.
  - (e) **Rulings of the Chair.** Any commissioner may appeal the ruling of the chair. The chair will then state the matter of the appeal and pose the question, "Shall the ruling of the chair be sustained?" The matter will be decided by a vote of the commission. A majority of commissioners entitled to vote will be required to overturn the ruling of the chair.
  - (f) **Vice Chair acting as Chair.** In the absence of the chair the vice chair will preside and exercise all powers and prerogatives enjoyed by the chair excepting the authority to appoint committees.
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 Commission. Electronic recordings shall suffice as minutes.
6. **Other Considerations.**
- a. **Reading Requirements. One Reading:** Unless decided otherwise by the Chair, the following items shall require only one reading: resolutions and reports.
  - b. **Reading Requirements. Two Readings:** Rules shall require two readings.

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<sup>10</sup> T.C.A. § 4-5-222.

# TENNESSEE EDUCATION RECOVERY INNOVATION COMMISSION

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7. **Rules of Order.** Debates and proceedings before the Commission will be conducted in accordance with Robert's Rules of Order (current edition) when not in conflict with rules or policies of the Commission or other statutory requirements.

- (a) **Recognition of Speakers.** Regular meetings of the Commission shall have up to thirty (30) minutes dedicated to the receipt of public comment. The chair, in their discretion, may increase the time for public comment based on the circumstances. Members of the public who wish to comment shall register through a process designated by State Board of Education staff, and such person(s) shall give his/her name, address, phone number, and the organization, agency or individual he/she will be representing. To the extent time permits, the chair will recognize speakers in the order their names appear on the registration list. Each speaker may be permitted to speak for no more than three (3) minutes, but the chair shall have discretion to set a time limit of less than three (3) minutes based on the circumstances. No person, committee, or delegation shall be heard unless recognized by the chair.
- (b) **Subject of Remarks.** All speakers before the Commission shall confine their remarks to the subject indicated in the recognition by the chair.
- (c) **Procedure for Asking Questions.** Public speakers shall not directly question individual Commissioners or the chair without express permission of the chair, nor shall individual members of the staff address questions directly to the speaker without permission of the chair.
- (d) **Representatives of Groups.** Only one spokesperson for any group appearing before the Commission shall address the Commission. Other members may do so with express permission of the Chair or by previous arrangement.
- (e) **Demonstrations.** Disruptive behavior, placards, and banners shall not be permitted in the meeting room of the Commission. Building security will be asked to remove persons in violation of this section.
- (f) **Enforcement.** Any person violating Rules of Order or this policy shall be denied the floor.

Commented [NJ5]: I think this is a good way to handle this.

### 8. Commission Workshops (Committee of the Whole)

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

Adopted:  
Revised: