

# TENNESSEE PUBLIC CHARTER SCHOOL COMMISSION

## COMMISSION MEMBERS

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### Policy Sections

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#### **1. Number.**

The Tennessee Public Charter School Commission (“Commission”) is composed of nine (9) appointed members entitled “Commissioners”.<sup>1</sup>

#### **2. Qualifications.**

The majority of the Commissioners must reside within the geographic boundary of an LEA in which at least one (1) public charter school operates. There must be at least three (3) Commissioners from each grand division of the state serving on the Commission. Elected officials and state employees are prohibited from serving as a Commissioner for so long as they hold the office or position.<sup>2</sup>

#### **3. Terms of Office.**

The terms of initial appointments for Commissioners begin on July 1, 2019, and the terms of the initial nine (9) appointments shall be for three (3) years for three (3) Commissioners, four (4) years for three (3) Commissioners, and five (5) years for three (3) Commissioners, as designated by the governor in the governor’s initial appointments. As terms of the initial Commission members expire, successor Commissioners shall serve five (5)-year terms.<sup>3</sup>

#### **4. Appointments.**

Appointments shall be made by the governor subject to confirmation by the Senate and House of Representatives. If the Senate or the House of Representatives fails to confirm the appointment of each of the Commissioners by the governor within ninety (90) calendar days after the Tennessee General Assembly next convenes in regular session following the appointment, then

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<sup>1</sup> T.C.A. § 49-13-105.

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

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

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the appointment terminates on the day following the ninetieth calendar day.<sup>4</sup>

**5. Vacancies**

The position of any Commissioner shall become vacant if a Commissioner fails, without cause, to attend more than fifty percent (50%) of the Commission’s regular meetings in a calendar year. Cause shall be determined by the Commission. Whenever a vacancy on the commission exists for any reason, the governor shall appoint a member for the remainder of the unexpired term. A member appointed by the governor to fill a vacancy on the commission is subject to confirmation by the General Assembly.<sup>5</sup>

**6. Method and Election of Officers**

The chair and vice chair of the Commission shall be elected by the Commissioners for a term of three (3) years or for the remainder of the respective chair's or vice chair's term on the Commission, whichever is earlier.<sup>6</sup> The chair and vice chair may be reelected. The chair of the Commission shall appoint the chair and members of any committee of the Commission.<sup>7</sup>

The elected vice chair of the Commission shall serve as ex-officio members of any committee established for the purposes of establishing quorum and administering Commission committee business. Further, in the event of an extenuating circumstance, the elected Committee chair shall have the ability to name any confirmed Commission member, other than the elected chair of the Commission, as an ex-officio member of a committee for the purposes of administering Commission business.

**7. New Commissioner Orientation**

To orient and onboard new Commissioners, each new member shall be required to attend an orientation program designed to review the current work of the Commission. It shall be the duty of the Executive Director to design such a program. The program is subject to approval by the chair.

**8. Attendance by Commissioners**

Commission members are expected to attend all regular quarterly meetings, as defined in Commission Policy 1.200, unless the absence is excused by the Commission chair. “If a Commission member misses at least 50% regularly scheduled quarterly Commission meetings within a calendar year, without providing prior notice to the Commission of an acceptable reason,

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<sup>4</sup> *Id.*  
<sup>5</sup> *Id.*  
<sup>6</sup> *Id.*  
<sup>7</sup> *Id.*

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the Commission may declare that commission member's position vacant."<sup>8</sup> Commission members may be excused by the Commission chair from attendance of a regularly scheduled quarterly meeting due to circumstances beyond their control (e.g. illness, family emergencies, jury duty, religious holidays, or other unforeseen extenuating obligations). Except in an emergency, Commission members seeking to be excused from a regularly scheduled quarterly meeting shall notify the Executive Director within fourteen (14) calendar days of the Commission or Committee meeting. The Executive Director will notify the Commission chair of the request, and the Commission chair shall determine if the absence is recorded as excused or unexcused. If a Commission member is found to be in violation of this attendance policy based on the number of unexcused absences, the member shall:

- Consult with the Commission Chair regarding the unexcused absences
- Discuss resolutions to prevent unexcused absences
  - If no mutually satisfactory resolution is possible, the Commission may vote on the member's resignation
  - If the Commission member refuses to resign after a finding of excessive unexcused absences, in accordance with T.C.A. 49-13-105(f), the Commission will declare that member's position vacant.

This Section (8) does not apply to any special-called meeting of the Commission, as defined by Commission Policy 1.200. Any member confirming attendance to a special-called meeting of the Commission, for purposes of maintaining a quorum, shall inform the Executive Director within seven (7) calendar days of the meeting if the member is unable to attend.

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### **9. Representation of Commissioners**

The Executive Director, with concurrence of the chair, shall develop a procedure for designation of members to represent the Commission at appropriate meetings, public hearings, and functions. This shall not abridge the right of Commissioners as public officials to express their individual views.

### **10. Expenses and Reimbursement**

Each Commissioner shall not receive compensation but shall be reimbursed for expenses incurred in the performance of official duties directly related to their role as a Commissioner in accordance

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<sup>8</sup> T.C.A. 49-13-105(f).

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with the comprehensive travel regulations of the state.<sup>9</sup>

**11. Conflict of Interest Disclosure**

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, each Commissioner shall complete the Tennessee Public Charter School Commission Conflict of Interest Disclosure Statement (attached below). Each Commissioner shall amend his or her disclosure because of termination or acquisition of interests of which disclosure is required.

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<sup>9</sup> *Id.*

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**TENNESSEE PUBLIC CHARTER SCHOOL COMMISSION**

**Davy Crockett Tower, 8th Floor  
500 James Robertson Parkway  
Nashville, TN 37243**

**DISCLOSURE STATEMENT FOR INDIRECT INTERESTS  
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:

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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:

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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

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Tennessee Public Charter School Commission:

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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:

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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:

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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:

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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 Commission:

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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:

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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 in Number 1-5 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. 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.

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\_\_\_\_\_

(Signature)

\_\_\_\_\_

(Date)