

BOARD MEMBERS: QUALIFICATIONS AND ELECTION

I. PURPOSE

To set forth the legal number, qualifications, terms of office, method of election, and method for filling vacancies for Shelby County Board of Education members.

II. SCOPE

This policy applies to all Board members of the Shelby County Board of Education.

III. POLICY STATEMENT

The legal basis for education in Tennessee is expressed in the state Constitution and state statutes, as interpreted by the courts. Boards are instruments of the state, and members of the Board are state officers representing local citizens and the state in the management of the public schools.¹

The governing body shall be the Board of Education, serving residents within the boundaries of the school system and non-residents under conditions specified by state law and the Board.² The legal composition, qualifications, terms of office, method of election, and method of filling vacancies shall be in compliance with state law and/or county charter as provided below:

Number: The Shelby County Board of Education shall consist of nine (9) members.

Qualifications: Members of the board shall be residents and voters of the district in which they are elected and shall be citizens of recognized integrity, intelligence and ability to administer the duties of the office.

Only persons who are residents of the area served by the Shelby County school

system are eligible to serve on the Shelby County Board of Education.

It is desirable that members of the Board have a genuine interest in and devotion to public education, a willingness to give time and effort to the work, a capacity for understanding people, and the ability to work cooperatively with others.

No person seeking a position on the board shall campaign as the nominee or representative of any political party.

No member of the county legislative body nor any other county official shall be eligible for election to the Board. If a member moves from the county, the position becomes vacant.

No person shall qualify as a candidate for a position on the Board until the person has filed with the County Election Commission proof that the candidate graduated from high school or received a GED, evidenced by a diploma or other documentation satisfactory to the Commission.

Terms of Office: The members of the board shall be elected for a term of four (4) years, and may succeed themselves.

Method of Election: A nine (9) single member district plan as adopted by the Shelby County Board of Commissioners shall be utilized for the election of Board members by the voters residing solely within the Shelby County school district with each voting district to be composed of the areas encompassed by the wards and precincts of Shelby County as designated. The members shall be elected for staggered terms of four year.^a

^a Effective September 1, 2014, members elected to serve Districts 2 and 4 in the 2012 County General Election terms expire August 2016; members elected during the August 2014 General Election for Districts 1, 6, 8, and 9 serve four year terms, with said members thereafter serving four year terms, and members from Districts 3, 5, and 7 serve two year terms; thereafter, members elected during the August 2016 election for Districts 2, 3, 4, 5 and 7 serve four year terms, with said members thereafter serving four year terms. See *Shelby County Commission Resolution Redistricting the Shelby County Board of Education to Establish Nine Districts Pursuant to TCA 49-2-201*, adopted February 24, 2014.

Vacancies: When a vacancy occurs, the unexpired term shall be filled at the next regular meeting of the Shelby County Board of Commissioners or at a special meeting of the Shelby County Board of Commissioners. Any person so appointed must meet qualifications for a board member and shall serve until a successor is elected at the next election occurring after the vacancy.

Legal References

1. TCA 49-1-101; TCA 49-1-102 (c); TCA 49-1-103
2. TCA 49-6-3104
3. TCA 49-2-201
4. TCA 49-2-202
5. CONSTITUTION OF THE STATE OF TENNESSEE