

Shelby County Board of Education

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SCHOOL BOARD MEETINGS

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I. SCHOOL BOARD MEETINGS - GENERAL

The Board of Education shall transact all business at an official meeting of the Board. The chairman shall commence all meetings promptly at the appointed hour.

The Board shall hold various types of meetings, including:

1. Regular Business Meeting - An official meeting held at least quarterly. Regular Business Meetings of the Board shall usually be held on the last Tuesday of each month.
2. Special Called Meeting - An official meeting called as necessary to transact the business of the Board, when because of circumstances, immediate action is

required before the next Regular Business Meeting. Such meetings shall be called by the Chairman whenever, in his/her judgment, the interests of the schools require it, or when requested to do so by a majority of the Board.

To call a Special Called Meeting by a majority of the Board, a Board member shall make the request one (1) of the following ways: 1) by motion during an official meeting or Board Work Session; or 2) in writing (via email, etc.) to the Board Chairman. The request must specifically state the action to be taken at the Special Called Meeting. When the request is made in writing to the Chairman, it must also specify a time limitation for polling Board Members. Upon receipt of a written request, the Chairman shall immediately forward the request to the Superintendent (or designee) to poll the Board members. The results of the poll shall be provided to each Board member. If a majority of the Board members agree to the Special Called Meeting, the Superintendent (or designee) shall poll the Board members for the date, time and location for the meeting.

At the beginning of the meeting, the Board Chairman shall identify the Board members who requested the meeting and the purpose.

Only business related to the call of the meeting, and details related to agenda items shall be discussed or transacted by the Board at a Special Called Meeting. Additional items not related to the original stated action may not be added to the agenda. No items may be added once the agenda is published.

3. Work Session - The primary objectives of a work session are: 1) to discuss background information regarding items that may be placed on the Regular Business Meeting Agenda; and 2) to receive information about educational programs, legislation, and other issues having relevance to the Shelby County Board of Education. No official action can be taken at a Work Session. The Work Session is usually held one week prior to a Regular Business Meeting. Board Work Sessions may be changed to Special Called Meetings when necessary for emergency situations. Under such circumstances, the nature of the emergency necessitating the change must be made a matter of record and approval for changing the Board Work Session to a Special Called Meeting shall require a two-thirds (2/3) vote of the board members present and voting.

Unless decided by prior agreement at an open meeting, the place of the Regular Business Meetings, and Work Sessions will be in the Frances E. Coe Administration Building Auditorium located at 160 S. Hollywood Street, Memphis, Tennessee and

the time of the meeting will be 5:30 p.m. In instances when the date of the Regular Business Meeting or Work Session falls on a legal holiday or during a holiday season, the meeting shall be rescheduled by the Chairman. All Regular Business Meetings shall conclude at 10:00 p.m., unless there is a two-thirds (2/3) vote of the board members present and voting. Any undisposed business items remaining on the agenda at adjournment shall be carried over to Unfinished Business at the next Regular Business Meeting.

The date, time and location of Special Called Meetings shall be provided in the notice for the Special Called Meeting.

A majority of all of the Members constituting the Board, and not merely a majority of the quorum, shall be required to transact all business coming before the Board in all Regular Business or Special Called Meetings. In emergency situations where the Board has provided no policy guidance for administrative action and no meeting of the Board is scheduled, the Superintendent shall have the power to act, but report to the Board when necessary or requested.

Electronic Attendance

A Board member may participate in a scheduled Business or Special Called meeting by electronic means, including but not limited to, telephone, videoconferencing or other web-based media, no more than two (2) times within a calendar year¹ under the following circumstances:

1. The Board member can be visually identified by the Chair;
2. The Board member is absent because
 - a. The member is required to be out of the county for work;
 - b. The member is dealing with a family emergency as provided under Board policy; or
 - c. The member's military service;
3. A quorum of Board members is physically present at the meeting; and
4. The Board member provides at least five (5) days notice to the Board Chair prior to the scheduled Board meeting of his/her intent to participate electronically. The notice shall provide the reason for the absence as provided above.

Robert's Rules of Order - Newly Revised shall be used as the parliamentary authority at all Work Sessions, Regular Business Meetings and Special Called Meetings of the

¹ This limitation does not apply to a Board member who is out of the county due to military service.

Board, unless Board policy provides an exception governing the procedure to be used by the Board.

A Rule of Order may be suspended by a two-thirds (2/3) vote of the Members present and voting.

Every meeting of the Board, will be open to the public with the exception of:

1. Meetings with the Board attorney to discuss pending or threatened litigation; and
2. Any meeting relating to school security, the district-wide school safety plans or the building-level school safety plans; however, the Board shall not discuss or deliberate on any other issues or subjects during such a meeting.

Legal Reference:
T.C.A. § 49-2-202
T.C.A. § 49-6-804
T.C.A. § 8-44-101, *et seq.*

II. NOTIFICATION OF BOARD MEETINGS

Regular Business Meetings and Work Sessions shall be held on the schedule set forth under Section I of this policy.

Dates of Regular Business Meetings shall be provided in annual announcements made available to the news media, the public, and all Board Members.

Except in rare emergencies, the notification for all Special Called and/or rescheduled Regular Business Meetings shall be sent to the media and posted on the website at least twenty-four (24) hours in advance, except when Board Work Sessions are changed to Special Called Meetings for emergencies. Board Members shall be contacted by telephone and via e-mail as soon as the necessity for the Special Called and/or rescheduled meeting is determined, unless the Board Members have been notified of the date and time of the Special Called and/or rescheduled meeting during a Board Work Session or Regular Business Meeting. In emergencies, notice shall be given to all appropriate parties as is practical.

The Board Chairman or the Chairman's designee shall give reasonable notice of the time and location of all meetings subject to the Tennessee Open Meetings Law to the Presidents of the Memphis City and Shelby County Education Associations.

District-wide or School Level Safety Plans Meetings

Reasonable notice shall be given to the general public prior to meetings pertaining to district-wide or school level safety plans, however, such meetings are not subject to open meetings.

Legal Reference:

T.C.A. § 8-44-103

T.C.A. § 49-2-202

T.C.A. § 49-6-804

III. AGENDA PREPARATION AND DISSEMINATION

BOARD WORK SESSIONS AND REGULAR BUSINESS MEETINGS

The Superintendents shall prepare all Work Session and Regular Business Meeting agendas of the Board. In doing so, the Superintendents shall consult with the Board Chairman and appropriate members of the Superintendents' administrative staff.

Agenda Preparation and Review

For items to be considered on the Regular Business Meeting agenda, all items must first advance through Board Work Session (BWS), except non-business items (items not requiring Board action, e.g. special recognitions/presentations, discussion only items, reports) or where otherwise provided. The submission and planning process is outlined below.

Board Work Session Planning/Submission Schedule

1. Submission Deadline for Board Work Session Agenda Items
(Wednesday or at least 6 calendar days before BWS)

Board members and the Administration shall submit items for the BWS agenda to the Superintendent (or designee) no later than 5:00 pm on the Wednesday before (or at least the day before) the posting/distribution of the BWS Agenda which is the Thursday (or at least five (5) calendar days) before the scheduled BWS meeting.

Supporting materials pertaining to BWS and Regular Business Meetings shall be distributed to Board Members at least five (5) calendar days prior to the work

sessions. If, at the work session, additional supporting information is requested, said information must be distributed to Board Members at least three (3) calendar days prior to the Regular Business Meeting; no agenda item may be voted upon unless the aforementioned supporting information has been received by Board Members at least three (3) calendar days before the Regular Business Meeting, except by a two-thirds (2/3) vote of the Members present and voting. Requests made to the Superintendent (or his/her designees) after the BWS for additional supporting information pertaining to an agenda item shall be provided to all Board Members as soon as practicable. Said agenda item, however, shall remain on the agenda for a vote by the Board.

2. Convening of Board Work Session Meeting (Tuesday or at least 7 calendar days before the Regular Business Meeting)

In preparation for the Regular Business Meeting, the BWS shall be held seven (7) calendar days before the Regular Business Meeting on the second to last Tuesday of each month at 5:30 p.m., unless otherwise scheduled.

Regular Business Meeting Planning/Submission Schedule

1. Development of Regular Business Meeting Agenda (Tuesday or at least 7 calendar days before the Regular Business Meeting)

The order of business for Regular Business Meetings shall be set out in the agenda accompanying the board meeting notice. The Executive Committee of the Board shall be responsible for developing the agenda for each board meeting the Tuesday (or at least seven (7) calendar days) before the Regular Business Meeting.

Board Member agenda items that advanced through BWS may not be removed from the agenda without that Board Member's permission.

If any item of business placed on the agenda by a Board Member or Superintendent was not on the BWS agenda, it may be added during the Regular Business Meeting by a two-thirds (2/3) vote of the Members present and voting.

Additionally, any Board Member or the Superintendent may add non-business items (items not requiring Board action) to the agenda at the Regular Board Meeting prior to approval of the agenda.

2. Submission Deadline for Regular Business Meeting Agenda Items (Wednesday or at least 6 calendar days before the Regular Business Meeting)

Agenda items approved for the Regular Business Meeting during BWS are due in final format to the Superintendent (or designee) the Wednesday (or at least six (6) calendar days) before the Regular Business Meeting, except where otherwise provided.

Posting/Distribution of Board Work Session and Regular Business Meeting Agendas
(Thursday or at least five (5) calendar days before the meeting)

The Board Chairman and/or the Superintendent (designee) shall approve the BWS and Regular Business Meeting agendas prior to posting/distribution. The BWS and Regular Business Meeting agendas shall be posted/distributed to Board Members and made available to the news media, members of the community, staff and student organizations at least five (5) days in advance of the scheduled BWS/Regular Business Meeting, if possible.

Order of Business

The order of business for Regular Business Meetings shall be as follows unless the order of business is altered by a two-thirds (2/3) vote of the Members present and voting:

Roll Call

Pledge of Allegiance and Posting of Colors

Moment of Silence

Special Recognition/Presentations - (not to exceed fifteen (15) minutes per school district)

Approval of Agenda

Public Comment (as set forth in Section IV)

Approval of Minutes of Previous Meeting

Reports

Chairman's Report (not to exceed fifteen (15) minutes, exclusive of questions and answers)

Committee Reports (not to exceed ten (10) minutes per Committee, exclusive of questions and answers)

Superintendents' Reports (not to exceed fifteen (15) minutes per Superintendent, exclusive of questions and answers. The time may be extended at the Chairman's discretion or by a two-thirds (2/3) vote of the Members present and voting.)

General Counsels' Report

Unfinished Business (agenda items carried forward from prior Business Meeting)

New Board Business (items considered at the previous Work Session)

- Consent Agenda
- Policies
- Requests for Action

Items added to agenda during “Approval of Agenda”

Superintendents' recognition of Grants, Gifts and Donations (not to exceed fifteen (15) minutes per Superintendent)

Adjournment

Items of business considered during Board Work Sessions are moved forward, with or without recommendations, and appropriately placed on the Board Meeting Agenda unless objected to by a motion to Object to Further Consideration of the item. (see Section VI. Special Rules of Order).

The Consent Agenda contains items reviewed and moved forward during the Board Work Sessions related to the specific business operations of the Districts requiring Board approval. (See SCBE policy #2006 Purchasing Authority and Service and Construction Contracts.) If any member objects to an item on the Consent Agenda, that item shall be moved to Requests for Action.

The order of business for Board Work Sessions shall be as follows unless the order of business is altered by a two-thirds (2/3) vote of the Members present and voting:

Roll Call

Pledge of Allegiance

Moment of Silence

Approval of Agenda

Chairman's Report

Superintendent Report(s)

Staff Action Items

Board Items

Adjournment

SPECIAL CALLED MEETINGS

The order of business for Special Called Meetings shall be set out in the agenda accompanying the Board meeting notice, which shall contain the following:

Roll Call

Announcement of Poll Results and Meeting Purpose

Pledge of Allegiance

Moment of Silence

Public Comment (as set forth in Section IV)

Request for Action - only the item(s) for which the meeting was called (as set forth in Section I)

Adjournment

The agenda for all Special Called Meetings of the Board shall be distributed at the time the meeting is noticed to Board Members and shall be made available to the news media, members of the community, staff and student organizations at least 24 hours in advance or as soon as is practicable.

IV. PUBLIC PARTICIPATION AT BOARD MEETINGS

Tennessee law makes no specific provisions for the participation of the public at meetings of local boards of education. Public comment is not permitted at Board Work Sessions. Members of the public desiring to address the Board may do so at Regular Business and Special Called Meetings. Only those Members of the public who submit “Public Comment Cards/Forms” to the Board Chairman prior to the commencement of Business Meetings shall be permitted to address the Board. Public comments shall be taken in the order in which the “Public Comment Cards/Forms” are received.

Not more than, thirty (30) minutes of each Regular Business and Special Called Meeting shall be devoted to public comment as provided on the agenda. Public comments shall be limited to up to 3 (three) minutes per “Public Comment Card/Form”; no recognized speaker may yield his/her time to another speaker. At the discretion of the Chairman, limitations may be placed on the following: 1) a speaker's time to comment; 2) the number of speakers commenting on the same topic; and/or 3) the number of speakers representing the same group or organization.

Speakers will be introduced by the Chairman of the Board at the appropriate time during the agenda. Speakers must state their name, home address, organization he/she is representing, if any, and subject of the presentation before they are permitted to proceed. Speakers may offer objective comments about school operations and programs that concern them. Speakers are asked to refrain from using names of personnel or names of persons connected with the school system, particularly when lodging a complaint. Speakers will not be permitted to engage in gossip, make defamatory comments, or use abusive or vulgar language. The Chairman shall have the authority to terminate the remarks of any individual who is disruptive or does not adhere to Board rules.

All Business Meetings, Special Called Meetings and Work Sessions that are subject to the Tennessee Open Meetings law shall be broadcast live or tape-delayed via radio and/or television.

Legal Reference:
T.C.A. § 8-44-102

V. MINUTES

The Secretary (Superintendent) shall keep, or cause to be kept, a complete and accurate record of the proceedings of all meetings of the Board. Copies of the minutes of each meeting of the Board shall be provided to the members of the Board within five (5) days of the meeting at which they are to be approved. Corrections in the minutes may be made at the meeting at which they are to be approved. Following their approval by the Board, the minutes shall be signed by the Secretary and Chairman of the Board. The minutes will become permanent records of the Board and will be in the custody of the Superintendent (Secretary), who will make them available to interested citizens and the news media upon request. Copies of the approved minutes shall be mailed to the president of the local education associations no more than thirty (30) days after approval by the Board. Any subsequent corrections, modifications, or changes in the minutes shall be distributed in the same manner.

The minutes shall include:

1. The nature of the meeting (Business Meeting or Special Called Meeting), time, place, date, Board members present or absent, and the approval of the minutes of the preceding meeting;
2. A record of all motions, proposals, and resolutions passed or denied by the Board, together with the names of the members making and seconding the motions, and a record of the members voting “aye” and “nay” in the event of a roll call, standing, electronic or other type of method that specifically identifies the Board member's vote;
3. Reports, documents and objects relating to a formal motion may be omitted from the minutes if they are referred to and identified by title and date;
4. Names of persons addressing the Board and the purpose of their remarks; and
5. A brief account of those items discussed, and whether or not any motions were made regarding those items.

Legal Reference:
T.C.A. § 49-2-301
T.C.A. § 49-2-203

VI. SPECIAL RULES OF ORDER

The *Robert's Rules of Order- Newly Revised* shall be used as the parliamentary authority at all Work Sessions, Business Meetings, and Special Called Meetings of the Board, except when otherwise required by law, or where the Board provides Special Rules of Order in policy, including the following exceptions:

Voting

No vote may be taken by ballot.

Member Parliamentarian

Any member of the Shelby County Board of Education who acts as parliamentarian or who gives parliamentary advice to the Chairman shall retain all rights of membership, including, but not limited to, the right to make motions, speak in debate, and vote.

Limits on Debate

Each Board Member shall be allowed to speak two (2) times on each debatable motion. Debate shall be limited to three (3) minutes the first time and two (2) minutes the second time.

Motions that are Not in Order

The motion to *Reconsider and Enter on the Minutes* shall not be used. A motion to "*Reconsider and Enter on the Minutes*" is a special form of the motion to reconsider, which may be made only by a Board Member who originally voted with the prevailing side of the motion to be reconsidered. If seconded, it halts action on the adopted motion until the next meeting, which cannot be held on the same day.

Motion to Object to Further Consideration of an Agenda Item

The motion to *Object to Further Consideration of an Agenda Item* is applicable only to Board Work Session agenda items. It allows the Board, by a majority vote of the members present and voting, to prevent an item from moving forward to the Regular Business Meeting agenda. When the vote occurs, the Chair shall announce it as "Shall the motion be further considered?" If there is a majority vote in the negative, the item is not moved forward to the Regular Business Meeting agenda. The motion may be made only after debate has occurred pertaining to the item. The motion is non-debatable and non-amendable.