

49-1-301. Composition -- Chair -- Meetings.

(a) (1) The state board of education shall be composed of nine (9) appointed members, one (1) public high school student member and one (1) ex officio member. One (1) appointed member shall be appointed from, and represent, each congressional district. The member shall reside within the congressional district from which the member is appointed as such district is apportioned at the time of the member's appointment. The position of any member shall become vacant when the member ceases to reside in such district. Appointments from reapportioned congressional districts shall be made as vacancies occur. No incumbent member shall be removed from the incumbent member's seat prior to the expiration of the incumbent member's current term as a result of changes in congressional districts occasioned by reapportionment. The position of any member shall become vacant when the member misses, without cause, more than two (2) consecutive meetings within any twelve-month period. Cause shall be determined by the board.

(2) The terms for all members shall begin April 1, 1984. The terms of the initial nine (9) appointments shall be three (3) years for three (3) members, six (6) years for three (3) members, and nine (9) years for three (3) members as designated by the governor in the governor's appointments. As the terms expire, successors shall be appointed for five-year terms. Vacancies shall be filled for the remainder of the unexpired term. At least three (3) members shall be appointed from both the majority and minority parties, as defined in § 2-1-104. At least one (1) member shall be a member of the minority race. Board members may be reappointed. In making appointments to the board, the governor shall strive to ensure that at least one (1) person appointed to serve on the board is sixty (60) years of age or older. Appointments made after January 1, 1995, shall alternate such that every other appointment of a new member to the board shall be a female until the membership of the board reflects the percentage of females in the population generally, after which the provisions of this sentence shall cease to be effective.

(3) All appointive members shall be appointed by the governor subject to confirmation by the senate and house of representatives, but appointments shall be effective until adversely acted upon by the senate and house of representatives. Members of the existing board of education shall continue to serve until their successors are appointed and confirmed.

(4) No appointed member of the board shall be an elected official or employee of the federal, state or a local government. Beginning with appointments made on or after January 1, 2004, at least one (1), but not more than one (1), appointed member of the board shall be employed, at the time of the appointment, as a kindergarten through grade twelve (K-12) public school teacher.

(5) The executive director of the higher education commission shall be an ex officio, nonvoting member of the board.

(6) The high school student shall be of superlative standing and shall serve for a one-year term in an ex officio capacity. The student member shall be appointed each year from nominees chosen by the local board of education in each school system at each board's discretion, with no more than one (1) student from each school system being nominated, and with the students having reached their junior or senior year in high school.

(b) The chair of the board shall be elected by the members of the board for a term of four (4) years. A chair may be reelected. The chair of the board shall appoint the chair and members of any committee of board members.

(c) Each member shall be reimbursed for travel expenses in accordance with the provisions of the comprehensive travel regulations as promulgated by the department of finance and administration and approved by the attorney general and reporter.

(d) (1) The board shall meet at least quarterly at the state capital. Other meetings may be held at the capital, or at such other location within the state as the board may determine.

(2) The chair may call special meetings whenever necessary for the transaction of urgent business. The chair of the board shall notify each member of the board and the commissioner of education of any special meeting before the time fixed for the special meeting.

(3) A majority of the board may petition the chair to call a special meeting in accordance with subdivision (d)(2).

(4) Meetings of the board shall be made available for viewing by the public over the Internet by streaming video accessible from the board's web site. Archived videos of the board's meetings shall also be available to the public through the board's web site.

(e) For administrative purposes, the board shall be housed in the department of education, but this shall not allow the commissioner of education any administrative or supervisory authority over the board or its staff.

HISTORY: Acts 1925, ch. 115, § 5; Shan. Supp., § 1487a24; Code 1932, § 2315; Acts 1935, ch. 186, § 1; 1937, ch. 33, § 57; 1955, ch. 203, § 1; 1963, ch. 200, § 1; 1967, ch. 179, § 8; 1976, ch. 806, § 1(76); T.C.A. (orig. ed.), §§ 49-106, 49-107; Acts 1984 (1st Ex. Sess.), ch. 6, §§ 3, 29; 1987, ch. 386, § 1; 1988, ch. 1013, § 16; 1989, ch. 54, § 1; 1994, ch. 731, § 1; 2003, ch. 91, § 1; 2004, ch. 837, § 2; 2007, ch. 316, § 1; 2010, ch. 1051, § 1.