



State of Tennessee
PUBLIC CHAPTER NO. 823

SENATE BILL NO. 2723

By Finney, Ford

Substituted for: House Bill No. 2883

By Fitzhugh, Hardaway, Shaw, Parkinson, Brown, Towns, Harry Brooks, Cooper

AN ACT to amend Tennessee Code Annotated, Title 8, Chapter 44, Part 1 and Title 49, Chapter 2, relative to meetings of local boards of education.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 49-2-203, is amended by adding the following language as a new, appropriately designated subsection:

(1) Notwithstanding Title 8, Chapter 44, Part 1, a local board of education may conduct a scheduled board meeting by electronic means as long as the member can be visually identified by the chairman, including, but not limited to, telephone, videoconferencing or other Web-based media, if a member is absent because the member is required to be out of the county in which the LEA is located for the member's work, the member is dealing with a family emergency as determined by the LEA, or because of the member's military service. Only members who are out of the county for work, family emergency or military service may attend and participate in the meeting electronically.

(2) No board meeting shall be conducted with electronic participation unless a quorum of members are physically present at the location of the meeting.

(3) A board member wishing to participate in a scheduled board meeting electronically who is or will be out of the county because of work shall give at least five (5) days notice prior to the scheduled board meeting of the member's intention to participate electronically.

(4) No board member shall participate electronically in board meetings more than two (2) times per year; except, that this limitation shall not apply to a board member who is out of the county due to military service.

(5) The local board of education shall develop a policy for conducting such meetings.

SECTION 2. The provisions of this act shall not apply in any county having a metropolitan form of government and a population in excess of five hundred thousand (500,000) according to the 2010 federal census or any subsequent federal census.

SECTION 3. This act shall take effect July 1, 2012, the public welfare requiring it.

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PASSED: April 5, 2012



RON RAMSEY
SPEAKER OF THE SENATE



BETH HARWELL, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 25th day of April 2012



BILL HASLAM, GOVERNOR