

LOUISIANA TEACHER CERTIFICATION APPEALS COUNCIL (TCAC)

BYLAWS

ARTICLE I

PURPOSE AND DUTIES

SECTION 1 – The Teacher Certification Appeals Council (TCAC) shall manage an appeals process that is available to an individual who has applied for certification and been denied the requested certification due to the absence of certification requirements.

SECTION 2 – The TCAC shall evaluate all certification appeals and submit a written report of its findings to the Board of Elementary and Secondary Education (BESE).

SECTION 3 – The decision of the TCAC shall be final.

ARTICLE II

MEMBERSHIP AND VOTING PROVISIONS

SECTION 1 – Membership

The TCAC shall consist of no less than nine (9) voting members recommended by the state superintendent of education and approved by BESE. TCAC members shall serve four-year terms.

- (1) College of Education Faculty Member representing a postsecondary education institution participating in both traditional and alternative certification programs; appointed by BESE as recommended by the State Superintendent of Education from a list of nominees submitted by the Louisiana Association of Colleges for Teacher Education (LACTE)
- (2) College of Education Faculty Member representing a postsecondary education institution participating in both traditional and alternative certification programs; appointed by BESE as recommended by the State Superintendent of Education from a list of nominees submitted by the Louisiana Association of Independent Colleges and Universities (LAICU)
- (3) College of Education Faculty Member representing a postsecondary education institution participating in both traditional and alternative certification programs; appointed by BESE as recommended by the State Superintendent of Education from a list of nominees submitted by the Louisiana Association of Teacher Educators (LAATE)
- (4) Classroom Teacher; appointed by BESE as recommended by the State Superintendent of Education from a list of nominees submitted by the Associated Professional Educators of Louisiana (A+PEL)
- (5) Classroom Teacher; appointed by BESE as recommended by the State Superintendent of Education from a list of nominees submitted by the Louisiana Association of Educators (LAE)
- (6) Classroom Teacher; appointed by BESE as recommended by the State Superintendent of Education from a list of nominees submitted by the Louisiana Federation of Teachers (LFT)
- (7) Certified School or System Administrator; appointed by BESE as recommended by the State Superintendent of Education from a list of nominees submitted by the Louisiana Association of School Executives (LASE)
- (8) Certified School or System Administrator; appointed by BESE as recommended by the State Superintendent of Education from a list of nominees submitted by the Louisiana State Association of School Personnel Administrators (LSASPA)
- (9) Certified School or System Administrator; appointed by BESE as recommended by the State Superintendent of Education from a list of nominees submitted by the Louisiana Association of School Superintendents (LASS)

SECTION 2 – Voting

Each TCAC member shall be entitled to one vote.

SECTION 3 – Quorum

The presence in person or by proxy of a simple majority of the membership shall constitute a quorum.

SECTION 4 – Proxy

Any person serving on the TCAC who cannot attend a scheduled meeting may designate a person in an equivalent membership role to attend as his/her proxy, as long as the appointing authority does not object. Proxies shall not retain voting privileges. To receive reimbursement for travel and other expenses, a proxy must be properly designated by the active members and recorded in the minutes as present.

SECTION 5 – Public Comment

Opportunity to comment publicly at the TCAC may be provided according to the following procedures:

- (1) Person desiring to address the commission must complete a Request to Comment card and submit it to the presiding chair prior to the vote on the motion. The completed comment cards shall identify the agenda item to be addressed.
- (2) All speakers shall conduct themselves in a decorous manner.
- (3) The order of discussion shall be left solely to the discretion of the presiding chair.
- (4) Person addressing the commission shall confine remarks to the merits of a specific agenda item before the panel; refrain from attacking a commission member's motives; address all remarks through the presiding chair; refrain from speaking adversely on a prior action not pending; read reports only without objection; and refrain from disturbing the meeting.
- (5) Public comments shall be limited to three minutes per person and persons may only comment once per agenda item.
- (6) Person making public comments shall identify themselves and the group they represent, if any.
- (7) Groups and/or organizations should designate one spokesperson.
- (8) The presiding officer or chair shall have discretion to manage situations not addressed in these procedures.

ARTICLE III

TCAC MEMBERS

SECTION 1 – Term

Members serve at the pleasure of the appointing authority and may be removed or changed at the appointing authority's discretion.

SECTION 2 – Removal of TCAC Members

A TCAC member shall be notified after an absence of two consecutive meetings without a proxy or excused absence submitted to the Louisiana Department of Education staff and may be recommended for removal from membership upon a letter from the Chairman of TCAC to the appointing authority.

SECTION 3 – TCAC Member Resignation

Any TCAC member may resign at any time by sending a written notice of such resignation to both the TCAC Chairman and the Louisiana Department of Education. Unless otherwise specified, the resignation shall take effect immediately.

SECTION 4 – TCAC Vacancies

If a seat on the TCAC becomes vacant by reason of death, resignation, retirement, disqualification, removal, or otherwise, the appointing authority shall appoint a successor.

ARTICLE IV

CHAIRMAN

SECTION 1 - Chairman

The TCAC shall have one Chairman appointed/elected by majority vote of TCAC members<<>>. The appointed/elected Chairman shall preside at all meetings of the TCAC, and perform such duties as may be required by the TCAC.

ARTICLE V

MEETINGS

SECTION 1 - Location

All meetings of the TCAC membership shall be held in Baton Rouge, Louisiana at the Louisiana Department of Education. The meeting place and time may be changed at the discretion of the Louisiana Department of Education.

SECTION 2 - Notice

It shall be the duty of the Louisiana Department of Education to send a notice of each meeting stating the time, place and purpose. The notices shall be sent 7 days before the meeting. TCAC meeting agendas shall be set by the Louisiana Department of Education.

SECTION 3 - Meetings

a) Open Meetings

All meetings shall be open meetings in accordance with the Louisiana Open Meetings Act - The Louisiana Open Meeting Law legislates to the methods by which public meetings are conducted.

b) Regular Meetings

TCAC meetings shall be held at least three (3) times per year. Meeting dates and times shall be determined by the Louisiana Department of Education in consultation with the Chairman of the TCAC.

SECTION 4 - Minutes of the Meetings

The minutes of all TCAC meetings shall be maintained and available for review for a minimum of three years.

ARTICLE VI

AMENDMENTS TO THE BYLAWS

Amendments to the bylaws shall be proposed and adopted in the following manner:

SECTION 1 - Notice

A copy of the proposed amendment(s) shall be distributed by the Department of Education staff five (5) days prior to any meeting at which the proposed amendment(s) is to be considered.

SECTION 2 - Adoption

An amendment(s) shall be adopted if it receives a three-fourths majority vote of the TCAC membership present at the meeting.

SECTION 3 - Inclusion

The amendment(s) shall become effective immediately upon approval.

SECTION 4 - Limitation

No amendment shall be approved that is in conflict with the rules and regulations set forth in the *Federal Register*.

SECTION 5 - Format

Proposals to amend existing bylaws shall contain the full text to be amended. New words shall be underlined and the words to be deleted shall be struck through.

ARTICLE VII
COMPENSATION

SECTION 1 – Reimbursement

Members of TCAC may be entitled to reimbursement for travel expenses pending availability of funds. Requests for reimbursement for expenses shall be submitted in accordance with the regulations promulgated by the Commissioner of Administration in the Louisiana Travel Guide.