

Item 3:

Special Election of State Board for Educator Certification Vice-Chairperson

DISCUSSION AND ACTION

DESIRED OUTCOME: The State Board for Educator Certification will elect a Vice-Chairperson during a special election as the result of a recent board member vacancy.

STATUTORY AUTHORITY: Texas Education Code (TEC) §21.036 and Texas Constitution, Article 16, Section 17.

The full text of statutory citations can be found in the statutory authority section of this agenda.

EFFECTIVE DATE: Immediately upon Board approval.

PREVIOUS BOARD ACTION: At the April 2022 SBEC meeting, Mr. Andrew Kim was elected Board Vice-Chairperson.

BACKGROUND INFORMATION: Texas Education Code (TEC) requires the State Board for Educator Certification (SBEC) elect one of its members to serve as presiding officer for a term of two years and allows the Board to elect other officers from among its membership. The Board Operating Policies and Procedures (BOPP) mandates the Board elect a Chairperson, Vice-Chairperson, and Secretary according to the terms of the BOPP.

According to the BOPP, elections shall take place at the last regularly scheduled Board meeting of each odd-numbered calendar year, unless a special election to fill a vacant position is necessary. The officer-elect assumes office at the first regularly scheduled meeting of the following calendar year, or for a special election, immediately upon Board vote.

A recent vacancy of the SBEC requires the need for the Board to hold a special election for the Vice-Chairperson officer position. The Vice-Chairperson elected will assume office immediately and the term will be effective until December 2023.

Vice-Chairperson Officer Position Prescribed in the BOPP:

- **Vice-Chairperson.** The Board shall elect one of its members to serve as Vice-Chairperson. In the event of absence or disability of the Chairperson, the Vice-Chairperson shall serve as presiding officer of the Board and carry out all duties of the Chairperson during that absence or disability. In case of vacancy of the office of Chairperson, the Vice-Chairperson shall serve as presiding officer of the Board and carry out all duties of the Chairperson until the position of Chairperson is filled.

As prescribed in the BOPP, officers shall serve for two years, or until a successor has been duly elected in the event of a vacated position.

According to the BOPP, Robert's Rules of Order, and prior SBEC practice, Board officers are nominated and seconded from the floor. If there is more than one nominee for a position, paper ballots are used, with the winner being the person who receives a plurality of the votes (more

votes than any other candidate, whether or not that number constitutes a majority of all votes cast). If the vote results in a tie for the most votes between two or more candidates, the chairperson reopens the floor for additional nominations, if any, and a second vote is taken. If there is still a tie for a plurality of the votes, the election is then postponed to the next SBEC meeting.

ASSOCIATE COMMISSIONER'S RECOMMENDATION:

- Elect a Vice-Chairperson to serve a term to run through the last regularly scheduled Board meeting of 2023, or until a successor is elected.

Staff Member Responsible:

Christie Pogue, Director, SBEC Policy Development and Support