

RULES OF ORDER

Rationale

Robert's Rules provides a strong rationale for using a formal parliamentary procedure in its *Principles Underlying Parliamentary Law*. This document is included below.

The Minuteman School Committee has customarily worked with less formal rules than those described in Robert's Rules of Order. This document describes how the normal operating rules of the School Committee differ from Robert's. However, in the event that either the Chairperson or the Committee by majority vote decides that the situation facing the Committee requires a more formal set of rules, then the operation of the meeting will be governed by Robert's Rules.

Chairperson's Role In Deliberations

The Chairperson's role is very powerful, as the Chairperson can control the agenda and make recommendations on the assignments of subcommittees. However, the Chairperson is paradoxically a servant of the School Committee, maintaining order, ensuring that business is accomplished, and serving as its spokesperson.

Recognizing the inherent power of the Chairperson, Robert's Rules typically requires the Chairperson to remain neutral, and not to participate in deliberations. However, in a multi-town School Committee where each member town is represented by only one member, loss of deliberation rights for the Chairperson would mean that the Chairperson's community would lose some of its right of representation. For School Committees it is therefore typical for the Chairperson to retain all the same rights and responsibilities as other members, including the right to participate in deliberations.

The Minuteman Chairperson is allowed to deliberate and to vote on all issues, and is required to vote on all budgetary issues. However, to ensure that there is not undue power afforded to the Chairperson, and because the Chairperson serves solely at the will of the Committee, the Chairperson will be extremely judicious in making comments, so as not to dominate the discussion or give excessive influence to his/her community, and may even choose to refrain from voting on non-budgetary matters, except to break a tie.

Agenda

The agenda is set by the Superintendent with final approval from the Chairperson. If a Committee member wants an item added to the agenda, the member should make a request of the Chairperson who will:

1. request the Superintendent to add the item to the agenda,
2. refer the item to one of the subcommittees,
3. refer the item to the Superintendent,
4. request that the member further develop the proposed item before its addition to an agenda or
5. decide that the item is inappropriate as an agenda item.

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If the member disagrees with the Chairperson's decision on the proposed item, then the member can make a motion under the *New Business* item of the next School Committee meeting to add the item as a future agenda item. The School Committee, then, will have the prerogative to decide if the item will be placed on an agenda and come before them.

Unanimous Consent

Uncontroversial issues may be addressed without a formal vote. For example, due to the late arrival of a guest it may make more sense to delay an agenda item until later in the meeting. In this case, the Chairperson will say something to the effect, "If there is no objection we will postpone this agenda item until the arrival of our guest." The Chairperson will then pause and listen for any objections. If there are no objections then the Chairperson will assume unanimous consent. If there is even one objection then the issue must be brought to a formal vote.

Motions

A member who has been recognized introduces a motion by the phrase "I move that..." followed by the body of the motion or by reference to a written motion. A motion is in order when:

1. there is no current motion already on the table,
2. the proposed motion is an amendment to the current motion,
3. the motion pertains to the topic of the current agenda item,
4. the motion does not simply restate a motion that has already been decided.

In practice, the committee does not follow all the formality of the procedures of Robert's Rules especially the rules for classification of motions. This is especially true in the handling of amendments where, under Robert's Rules, even a simple amendment requires significant time to handle. Thus, in general, Relaxed Rules are followed, as long as the approach is understood and agreed to by the membership.

Relaxed Rules: For example, in the case of an amendment to the current motion, the Chairperson may deem that the amendment is so simple and uncontroversial that the Chairperson will first ask the maker of the motion if he/she accepts the amendment. If there is acceptance, then the Chairperson will ask for the membership to unanimously act as if the amendment were part of the main motion. This avoids the processes of creating and voting on the amending motion. If just one member objects, even if the maker of the motion accepts the proposed amendment, then the amendment will be handled more formally as an amending motion.

If, in the Chairperson's judgment, or by vote of a majority of the committee, an item is considered too complex or controversial for the Relaxed Rules, then the Chairperson will follow a more formal approach to the handling of the motion.

To Be Recognized

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To ensure that order is maintained, for a member to be able to speak the member must be recognized by the Chairperson. To be recognized the member should raise his/her hand. In deciding who is to be recognized next the Chairperson will give priority to those members who have not yet spoken on the current issue. If a Committee member is either ruled out of order or not formally recognized by the Chairperson, but persists in speaking, the remarks made by the member will not become part of the minutes of the meeting and no action will be taken on them. Only one question at a time may be considered, and only one person may have the floor at any one time. The member has the right to speak uninterrupted. All discussion must be relevant to the immediately pending question.

Questions After a Report

In Robert's Rules, all discussion/deliberations occur after a motion has been made. However, for the Minuteman School Committee, it is often useful to question a report-giver even if no motion is immediately appropriate. Thus the Chairperson will generally allow a reasonable question and answer period after a report before insisting that a motion be placed before the committee.

According to Robert's Rules all questions and comments are to be addressed to the Chairperson. The Chairperson will then direct the question to the most appropriate party. However, if a member has a question for the giver of a report, then, in most cases, the Rules of Order are relaxed in the sense that a member can ask to be recognized by the Chairperson and then pose the question directly to the report giver. If, however, in the Chairperson's judgment, the meeting can be best served by more formal operations, then Robert's Rules on recognition shall be followed.

Deliberations

Before the motion is restated by the chair, any member can rise, without waiting to be recognized, and suggest a modification of the wording to clarify the motion. The maker of the motion can choose to accept or reject the modified wording (does not require a second). If the motion is in order, the chair will restate the motion and open debate (if the motion is debatable). The maker of a motion has the right to speak first in debate.

After a motion is made, the Chairperson will maintain an orderly discussion by recognizing members to speak (see To Be Recognized). The Chairperson will call first on members who have not already spoken on the issue.

Postpone Indefinitely - made when the assembly does not want to take a position on a motion. Its adoption kills the motion for the duration of the session and avoids a direct vote on the motion. It is useful in disposing of a poor motion that cannot be either adopted or expressly rejected without possibly undesirable consequences.

Limit or Extend Debate - is to require that debate be closed at a specified time. It requires a two-thirds vote.

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Objection to the Consideration of a Question - suppresses business that is irrelevant or inappropriate and undesirable to be discussed. The objection must be made immediately (acceptable to interrupt a speaker). Does not require a second, is not debatable, and requires a two-thirds vote opposed to consideration in order to pass.

Time: The Minuteman School Committee has no formal time limits on deliberations. Members should self-regulate the length of their comments as a courtesy to other members. If the Chairperson believes that continued deliberation on the current motion would be ineffective then he or she might ask for a motion to terminate deliberation to see if the committee agrees. The Chair may unilaterally terminate deliberations that are out of order.

Deliberations are out of order if they:

1. are not pertinent to the current motion,
2. are disrespectful,
3. contain any type of personal comment or personal attack,
4. are made in an excessively emotional manner,
5. repeat a question that has already been asked and answered or
6. violate the rights of any person present (such as the right to Executive Session to discuss the character of an employee).

Voting

After deliberations are complete, the Chairperson will bring the motion to a vote. With the exception of those taken in Executive Sessions, School Committee votes are normally made by the Chairperson asking, "In Favor," followed by hands raised in favor; "Opposed." with hands raised opposed; and "abstentions," with hands raised for abstentions. The Chairperson declares the result of the vote and the vote totals are recorded in the Minutes.

Appeal

If a member disagrees with a ruling by the Chairperson (for example perhaps the Chairperson stated that a question was out of order and the member disagreed), then the member can, without being recognized, ask for an appeal, "I appeal the ruling of the Chair that..." If the request for an appeal is seconded then a modified deliberation will occur. During this deliberation every member is allowed to speak exactly once on whether or not the ruling of the Chairperson should stand or be overridden, except the Chairperson is allowed to speak twice, once at the start of the deliberations and once at the end. After the deliberation, the appeal is brought to a vote to determine whether the Chairperson's ruling will stand.

Point Of Order

When a member believes that the rules of order for the meeting are being violated then the member may raise his/her hand and state, "Point of order," calling upon the Chairperson to enforce the rules. There is no debate on a point of order. The Chairperson will then ask the member what rule the member believes to be violated. The Chairperson will then rule on the

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member's point of order – to determine whether or not the rules of order are being violated. If the member disagrees with the Chairperson's ruling then the member is free to appeal. (see above)

Move The Question

If a member believes that further deliberations on the current motion would be counterproductive, then that member can raise his/her hand and state, "I move the question." Moving the question immediately suspends all deliberation on the current motion and is not debatable. A vote is called immediately. If two thirds are in favor of moving the question, then deliberation on the current motion is terminated and it is brought to a vote. Otherwise, moving the question fails and deliberation continues.

Moving the question is a good way to bring a lengthy, overly emotional, or counterproductive deliberation to an end. However, in calling to move the previous question, members should be respectful of their fellow School Committee members. A good rule is to not to move the question unless it seems that each member who wants to discuss the current motion has had the opportunity to speak at least once.

Principles Underlying Parliamentary Law **From *Robert's Rules Of Order Newly Revised 10th Edition*, Perseus Publishing**

The rules of parliamentary law found in this book will, on analysis, be seen to be constructed upon a careful balance of the rights of persons or subgroups within an organization's or an assembly's total membership. That is, these rules are based on a regard for the rights:

- of the majority,
- of the minority, especially a strong minority—greater than one third,
- of individual members,
- of absentees, and
- of all these together.

The means of protecting all of these rights in appropriate measure forms much of the substance of parliamentary law, and the need for this protection dictates the degree of development that the subject has undergone.

Parliamentary procedure enables the overall membership of an organization—expressing its general will through the assembly of its members—both to establish and empower an effective leadership as it wishes, and at the same time to retain exactly the degree of direct control over its affairs that it chooses to reserve to itself.

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Ultimately, it is the majority taking part in the assembly who decide the general will, but only following upon the opportunity for a deliberative process of full and free discussion. Only two thirds or more of those present and voting may deny a minority or any member the right of such discussion.

In this connection, there is an underlying assumption of a *right* that *exists* even though it may not always be prudent or helpful for it to be exercised. Each individual or subgroup has the right to make the maximum effort to have his, her, or its position declared the will of the assembly to the extent that can be tolerated in the interests of the entire body.

Another important principle is that, as a protection against instability arising—for example, from such factors as slight variations in attendance—the requirements for changing a previous action are greater than those for taking the action in the first place.

Fundamentally, under the rules of parliamentary law, a deliberative body is a free agent—free to do what it wants to do with the greatest measure of protection to itself and of consideration for the rights of its members.

The application of parliamentary law is the best method yet devised to enable assemblies of any size, with due regard for every member's opinion, to arrive at the general will on the maximum number of questions of varying complexity in a minimum amount of time and under all kinds of internal climate ranging from total harmony to hardened or impassioned division of opinion.

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