

PARLIAMENTARY PROCEDURE

Applying Rules of Order
to
*Keep Your Meeting Efficient
And
Move Your Agendas Ahead*

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What is Parliamentary Procedure

- **Rules and Customs that Govern Deliberative Assemblies**

**PARLIAMENTARY PROCEDURE IS
NOT A BOOK CALLED ROBERT'S
RULES OF ORDER.**

**Others include Sturgis, Demeter,
Cushing's, etc.**

Questions You Want Answered

What is the Real Value of Parliamentary Procedures

- ❑ Keeps the meeting orderly.
 - ❑ Clarity for the members
 - ❑ Clarity for the public
 - ❑ Efficiency – Avoiding Unnecessary Length
 - ❑ Avoid legal trouble
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MOST COMMON QUESTIONS

- Whose Agenda is it?
 - What if the presiding officer doesn't show up?
 - What if we disagree with the ruling of the chair?
 - What is a "quorum" and a "majority"?
 - What happens if there is a tie vote?
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More Frequently Asked

Questions: Keeping the Meeting Going

- May the chair vote?
 - Who can make motions and amendments?
 - How many amendments can we have?
 - “Friendly Amendments”
 - What is debatable and what is not?
 - When to have a roll call?
 - What do we do if we have more than one motion on the floor?
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Still More Frequently Asked Questions

- How do abstentions affect the vote?
 - When to Table vs. Postponement
 - Reconsideration vs. Rescission?
 - When can we “call the question?”
 - When must we have a roll call vote?
 - When should we recess?
 - When is the meeting actually over?
 - Can we change “Robert’s Rules”?
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WHICH RULES DO YOU USE?

- You may modify any rules you want as long as the body agrees.
 - You may not use rules of order to circumvent or disobey the law or your municipal charter.
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Purpose of Parliamentary Procedure

- Assure the rights of:
 - The majority of your committee.
 - Minority factions on your board
 - Individual members
 - Members who are not present
 - The Public
 - Provide Order and Transparency
 - Avoid Ambiguity
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Key Rules for Meetings

- Speakers must be recognized by chair.
 - Robert's Rules Specifies:
 - Do not speak again until others have spoken unless you use modified rules.
 - Generally, speakers are limited to two opportunities. Should not apply to public bodies.
 - Motion sponsors are generally asked to speak first.
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The CHAIR

- ❑ The chair is elected by the membership unless specified in your by-laws or charter.
- ❑ Election of the permanent chair is not rescindable.
- ❑ Vice Chair may also have a special status.

The chair is the steward of the assembly.

Role of the Chair

- Conduct the meeting efficiently.
- Conduct an impartial session.
- Assure the rights of the majority and minority.
- Look out for the interests of the public.

NOTE: Make sure you have a clear rule for election and succession, including tie breaker.

The Chair and Motions

- ❑ The Chair should state the motion and explain actions before the committee.
- ❑ The Chair should explain what votes are taken and the actions taken.

NOTE: Once a motion is made and seconded, it becomes the property of the assembly and can be withdrawn only with permission of the whole board.

Parliamentary Trivia:

“It ain’t over, til it’s over..”

- ❑ The Chair must declare the meeting adjourned.
 - ❑ A successful vote to adjourn does not adjourn the meeting.
 - ❑ ANNOUNCEMENT OF THE CHAIR THAT **“THE MEETING IS ADJOURNED”** DETERMINES THE END OF THE MEETING.
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The Call to Order and the Quorum

- Meeting should not be called to order absent a quorum:
 - Quorum is usually a majority of the full membership.
 - Many committees have a special, customized quorum.
 - When quorum is not present after meeting begins:
 - The meeting is not automatically adjourned.
 - Chair must seek missing members before declaring adjournment.
 - No quorum means no further business except adjournment.
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REPORTS

- You don't need to vote on all reports (e.g., Report for Information)
 - No vote is needed on informational reports.
 - Other Reports should lead to a motion:
 - Report of the Program, Finance, Policy, Membership Committees (etc.)
 - Report with Recommendations.
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It's "Unfinished Business" Not "Old Business"

- Do not use the term "Old" Business
 - Covers what was not completed at the last meeting.
 - Technically, this may include items not completed from the last agenda – even holdover items.
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New Business

- New Items Introduced for the First Time
 - Some rules may require several phases before getting to a vote:
 - Some boards provide for several “readings” before a formal vote.
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The Consent Agenda

- A new trend among many boards
 - Non Controversial items (“Is there an objection to approving the consent agenda?”
If there is, take the items out and act separately.
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Helpful Tip: Unanimous Consent

- The chair should ask:
 - “Is there any objection to (the proposed unanimous action)?”
 - Without objection, the matter is declared to be approved.

This can save a lot of time by avoiding the inviting of unnecessary comments.

MOTIONS

- There are four categories of motions:
 - MAIN Motions (e.g., the original motion)
 - SUBSIDIARY Motions (e.g., amendment)
 - PRIVILEGED Motions (e.g., recess, adjourn)
 - INCIDENTAL Motions (e.g., point of order)
 - *Robert's rules recognizes more than 80 kinds of motions, all of which fall into one of these four categories.
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Bringing Forth a Motion

- It is important to have motion making done correctly:
 1. Member makes a motion after being recognized.
 2. Someone seconds (chair may ask for a second)
 3. Chair states the question. This can be helpful to the clerk and can save time in preparing minutes.
 - At this moment, the motion becomes official. Before this, the maker of the motion can withdraw it without permission of the seconder.
 - At this moment, the motion no longer belongs to the maker and cannot be withdrawn without permission.
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Key Questions Related to Motions

1. Can the person with a motion interrupt a member who is speaking?
 2. Does the motion require a second?
 3. Is the motion debatable?
 4. Can the motion be amended?
 5. What does the motion actually do or require?
 6. What is the precedence of the motion relative to others before the committee?
 7. To what other motions may the motion apply?
 8. What other motions can be applied to this motion?
 9. Can the motion be renewed, remade or refiled
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1. Interrupting another Speaker

- Matters whose urgency allows interruption:
 - Reconsideration if time is running out.
 - Appeal a ruling of the chair.
 - Calling for a Roll Call or Division of the Assembly.
 - Matters involving immediate rights of member:
 - Point of Order
 - Parliamentary Inquiry
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2. Requiring a Second

- Some motions are actually, technically “requests” and may not require a second – but just an explanation.
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3. Debatable Motions

- Main Motions are generally debatable because of substantive questions at hand.
 - Some motions restrict debate only to the pure reasons for action:
 - Recess
 - Postpone to a Time Certain
 - Refer to Committee
 - Limit Debate
 - Reconsider
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3a. Some Motions are Not-Debatable

- Deal with procedural elements that do not need discussion:
 - Table
 - Adjourn
 - Amendment to an undebatable motion;
 - Consideration by paragraph or “seriatim”;
 - Division of a question;
 - Fix the time to which to adjourn (when privileged);
 - Limit or extend limits of debate;
 - Motions relating to methods of voting and the polls;
 - Motions relating to nominations;
 - Recess (when privileged).
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4. Amendable?

- Some motions cannot be amended.

(Explanations coming later)

5. What Vote Does the Motion Require to be Approved?

- ❑ Majority Vote of those present/voting
 - ❑ Majority of full board even if absence
 - ❑ Customized Majority Vote
 - ❑ Supermajority vote (i.e., 2/3)
 - For example, suspending the rules
 - ❑ Customized Supermajority
 - Frequently found in large assemblies.
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A Note on a “Majority” or “Supermajority”

- Be sure your operating rules clarify what is a majority or supermajority with specificity:
 - Majority of the whole body when fully constituted, or
 - Majority of those members present at the time?
 - Robert’s says no one can be forced to vote.
 - Consider carefully what constitutes the entire board for counting purposes.
 - Some local rules allow for a yea, nay, or “present.”
 - “Present” may be a counted vote and may make a majority harder to reach.
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What is the precedence of a motion?

- If several motions are in play, in which order to you consider them?
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May the motion be renewed

Includes:

- To Reconsider
 - To Repeal via Motion to Rescind
 - To Be Introduced Again
 - At the same meeting
 - At a subsequent meeting
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The MAIN MOTION(s)

- A main item for deliberation
 - Committee may consider only one main motion at a time.
 - Requires a Second
 - Is Debatable
 - Can be Amended
 - Requires a Majority Vote
 - Many kinds of motion may apply to it.
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Motion to Reconsider (Main Motion)

- Made by Member on “Prevailing Side*”
 - May interrupt proceedings (because of time limits)
 - Requires a Second
 - Debatable only as to reasons for reconsideration – not the merits of the main motion
 - Requires majority vote
 - If approved, status reverts to that prior to approval (for example, earlier status of program voted upon)

 - Some authorities and some customized committee by-laws allow any member to move reconsideration.
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Motion to Rescind (Main Motion)

(Motion to Repeal)

- Applies only if action can be undone.
 - May not interrupt a speaker (time is not urgent)
 - Requires Second
 - Not Debatable
 - Not Amendable
 - Requires majority
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SUBSIDIARY MOTIONS

- Amend
 - Refer (to committee)
 - Postpone to a Time Certain
 - Close Debate ("Previous Question")
 - Postpone Temporarily ("Lay on the Table")
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Subsidiary: Amendment

- ❑ Apply to Main Motions and Motions to Amend
- ❑ Must be Germane to the Main Motion*
- ❑ May be Hostile – There is no such item as a “friendly amendment.”
- ❑ There may be an amendment to the amendment, but that’s as far as it goes.

* If chair rules an amendment out of order, the full body can overrule the chair.

Amendments - 2

- Amendments are debatable, but only if the main motion is debatable.
 - Amendments take precedence over the main motion.
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SUBSIDIARY: Motion to Refer

- Sends matter to committee
 - Requires a Second
 - Debatable only as to procedure
 - Amendable only to procedure (i.e., which committee)
 - Requires Majority Vote
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Subsidiary: Postpone to Time Certain

- Requires second
 - Restricted to reasons for postponement only
 - Amendments restricted to time of postponement.
 - Requires Majority
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Subsidiary: (“Move the Question”) Close Debate Immediately

- Requires a Second
 - Not Debatable
 - Requires 2/3 vote to approve
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Subsidiary: (“Lay on the Table”) Postpone Temporarily

- Designed to postpone to later in same meeting.
 - Unethical** to use this motion to kill other motion.
 - Requires a Second
 - Not Debatable
 - Unamendable
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PRIVILEGED MOTION

- Addresses decisions that must be made immediately:
 - Questions of Privilege (for the assembly, for the individual)
 - Motion to Recess
 - Motion to Adjourn
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Privilege: Recess

- Requires a second
 - Debatable only for time, duration, and need
 - Amendable only for time, duration, and need
 - Requires majority vote
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Privilege: Adjourn

- ❑ Adjournment is a Main Motion if no other items are pending.
 - ❑ Ends the Meeting
 - ❑ Meeting is not adjourned until the Chair declares the meeting adjourned.
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Motion to Adjourn

- May not interrupt someone who is speaking.
 - Some customized rules prohibit adjournment while a matter is before the committee.
 - Requires a second
 - Not Debatable when Privileged
 - Requires majority
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INCIDENTAL Motions

- ❑ Motion to Appeal
 - ❑ Motion to Suspend the Rules
 - The Gordian Knot Motion (Start Over)
 - ❑ Point of Order
 - ❑ Parliamentary Inquiry
 - ❑ Request to Withdraw a Motion
 - ❑ Division of a Question (into parts)
 - ❑ Division of the Assembly (i.e., roll call, hands)
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Incidental: Motion to Appeal

“Shall the Chair be Sustained?”

- Appeals decision of the chair
 - May interrupt a speaker (urgency)
 - Debatable
 - Everyone gets to speak ONCE.
 - Requires majority in negative to overrule
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Incidental: Suspend the Rules

- ❑ Cannot suspend voting methods or quorum
 - ❑ You are usually limited to what you can “suspend.”
 - “Bylaws, except clauses in the nature of rules of order, cannot be suspended, unless they expressly provide for their suspension.” (American Association of Parliamentarians)
 - ❑ MOTION TO SUSPEND RULES:
 - Requires a second
 - Not debatable
 - Unamendable
 - Requires 2/3 vote (which your by-laws should define)
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The Gordian Knot Situation

- ❑ When things get incomprehensibly complicated
 - ❑ Too many amendments
 - ❑ Confusion permeates the assembly
 - ❑ Gordian Knot: Call for suspension of the rules to cancel all action to date and start over.
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Roll Calls – When to Have Them

- If there is no written rule, the chair may decide subject to approval of the board. (Often $1/5^{\text{th}}$ of the assembly.)

Abstaining from the Vote

- An abstention can lower the number of votes required for “majority.
 - EXAMPLE:
 - Twenty-one member board votes 10 Yeas, 9 Nays, and two abstentions. The motion passes.
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Knotty Problems

1. Split Board Unable to Elect a Chair
 2. Absentee Voting
 3. Explaining Your Vote During Voting
 4. Who prevails in a split vote (i.e., 3-3) to determine who can move reconsideration?
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Resources

- Keep a Motions Guide Handy
 - Know your precedence of motions (and exceptions)
 - National Association of Parliamentarians
 - www.parliamentarians.org
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