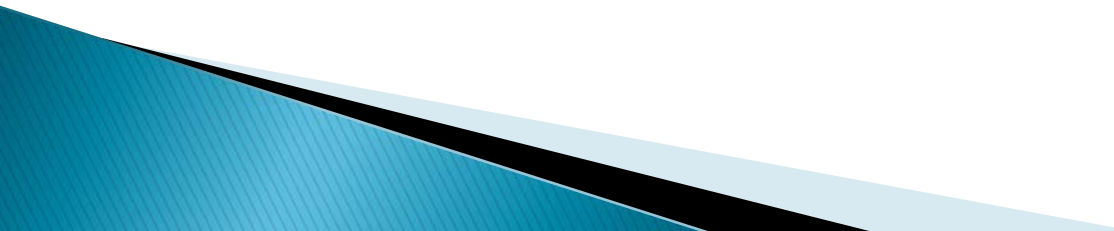
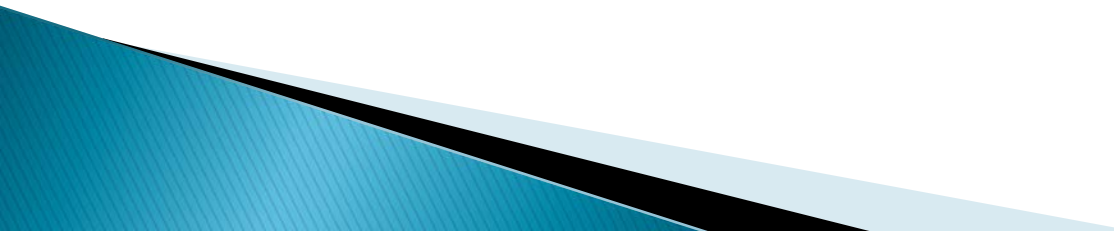


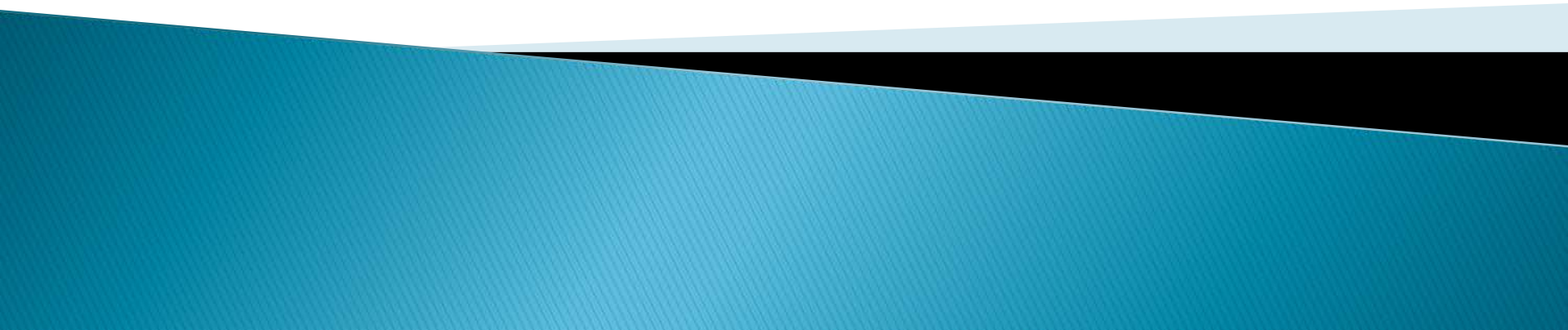
Parliamentary Procedure Guidelines for Effective Meetings

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North Orange County Community College District
Retired Professor, Speech Communication, Cerritos College

Possible Meeting Problems

- ▶ All clearly have an opportunity to contribute to the discussion but if in a minority position, there is a proven risk of being cut-off.
 - ▶ There is a problem especially regarding comments that are not relevant to business and focused on supporting their opinion unrelated to the business at hand.
 - ▶ Disrespectful interaction when someone doesn't get their way; Unprofessional
 - ▶ Venturing into political areas a bit more than needed
- 

- ▶ The committee needs to more closely follow parliamentary procedure to avoid confusion.
 - ▶ There is a concern when members have been encouraged to keep comments brief yet ramble on.
 - ▶ All should remain respectful of other members and staff and not grandstanding during the meeting or afterwards on social media
- 

- I. The purpose and benefits of parliamentary procedure
 - II. Basic parliamentary procedure questions
 - III. Initiating and handling motions
 - IV. Ensuring that parliamentary procedures are followed
 - V. Authority of the Board Chair and Board Chair guidelines
 - VI. Creating more efficient Board agendas
 - VII. Guidelines for public access to the Board
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I. The Purpose and Benefits of Parliamentary Procedure

- ▶ Allows everyone to be heard
- ▶ Helps make decisions without confusion
- ▶ It means
 - democratic rule
 - flexibility
 - protection of rights
 - a fair hearing for everyone

(All information based upon Robert's Rules of Order, 10th edition)

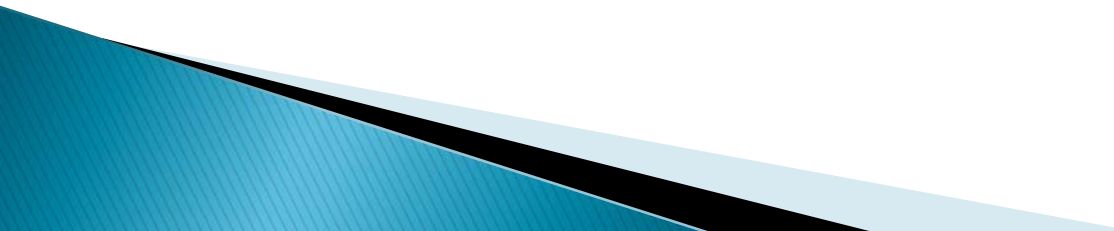
II. Basic Parliamentary Procedure: What Questions to Ask?

- ▶ May you interrupt the speaker?
- ▶ Do you need a second?
- ▶ Is the motion debatable?
- ▶ Can the motion be amended?
- ▶ What vote is needed?
- ▶ Can it be reconsidered?

Debate / Deliberation

- Must allow debate on most motions
- Cannot vote on a motion without an opportunity to discuss (Some exceptions)
- Chair should make sure everyone has the opportunity to speak before a person speaks more than once

III. Initiating and Handling Motions

1. Initiating motions
 2. Amending motions
 3. Dividing/splitting motions
 4. How to move debate forward if there is a problem
 5. What to do if we change our mind
 6. How do we close debate?
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1. How Do I Bring Something to the Table?

“I move

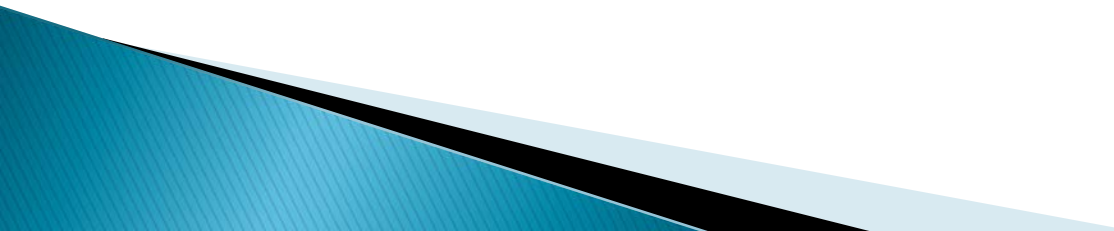
- ▶ Must be recognized by the Chair to make a motion
- ▶ It may not interrupt a speaker
- ▶ It requires a second (Don't need to be recognized to second a motion—just say “I second the motion.”)
- ▶ It is debatable
- ▶ It can be amended
- ▶ It requires a majority

2. How Do I Change a Motion?

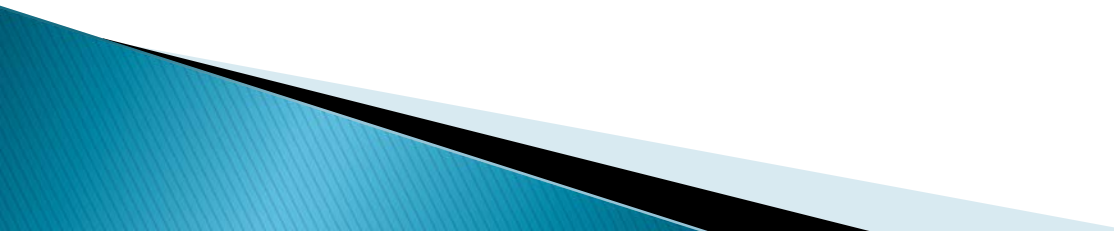
“I move to amend the motion”

- ▶ Is out of order when another has the floor
- ▶ Must be germane to the original motion
- ▶ It requires a second
- ▶ It is debatable when the motion to which it applies is debatable
- ▶ It is amendable
- ▶ It requires a majority
- ▶ It can be reconsidered


How do I amend an amendment?

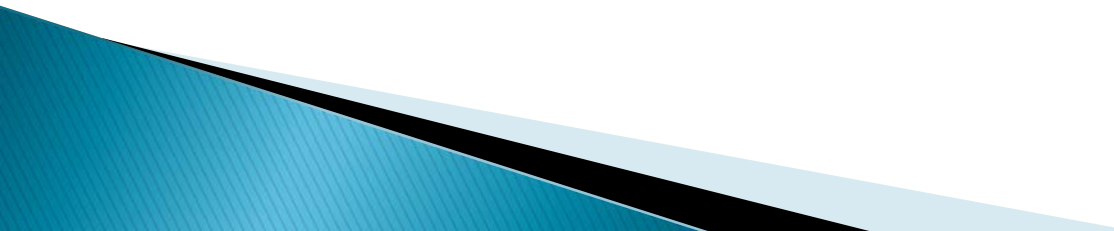
- ▶ Is called a “secondary amendment”
 - ▶ It must be germane to the primary amendment
 - ▶ A secondary amendment cannot be amended
 - ▶ Is out of order when another has the floor
 - ▶ It requires a second
 - ▶ It is debatable when the motion to which it applies is debatable
 - ▶ It requires a majority
 - ▶ It can be reconsidered
- 

What is a “friendly” amendment?

- ▶ Generally made to improve the main motion “presumably to the satisfaction of its maker”
 - ▶ It must be open to debate whether or not the maker of the main motion accepts the amendment
 - ▶ It must be open to debate and voted on formally (unless there is unanimous consent/no objection)
- 

3. How do we divide/split a motion?

- ▶ It can be done if a motion on a single subject contains several parts each of which is capable of standing as a complete proposition if the others are removed
 - ▶ Takes precedence over the main motion
 - ▶ Is out of order when another has the floor
 - ▶ Must be seconded
 - ▶ Is not debatable
 - ▶ Is amendable
 - ▶ Requires a majority vote
 - ▶ Cannot be reconsidered
- 

- ▶ How does your committee handle these items?
 - ▶ Which of these ideas do you think is particularly important/useful?
- 

4. How Do I Move Discussion Forward if There is a Problem?

Five Strategies

- ▶ Table the Motion
- ▶ Refer the Item to Committee
- ▶ Postpone the Motion to a Certain Time
- ▶ Limit (or Extend) Debate
- ▶ Postpone the Motion Indefinitely

1. Table the Motion

“Postpones the Motion to a Future Time”

- ▶ It may not interrupt
- ▶ It requires a second
- ▶ It is not debatable
- ▶ It is not amendable
- ▶ It requires a majority
- ▶ It cannot be reconsidered
- ▶ To reverse the action, move to take the action from the table

2. Refer the Motion to a Committee

“It stops discussion and refers the item to a committee to report back”

- ▶ It may not interrupt
- ▶ It requires a second
- ▶ Takes precedence over the main motion
- ▶ It is debatable
- ▶ It is amendable
- ▶ It requires a majority vote
- ▶ Can be reconsidered if the committee has not begun to meet

3. Postpone to a Certain Time

“Essentially tables the item but to a specific time”

- ▶ It may not interrupt a speaker
- ▶ It requires a second
- ▶ Takes precedence over the main motion
- ▶ It is debatable
- ▶ It may be amended
- ▶ It requires a majority
- ▶ Can be reconsidered if the postponement passed

4. Move to Limit Debate

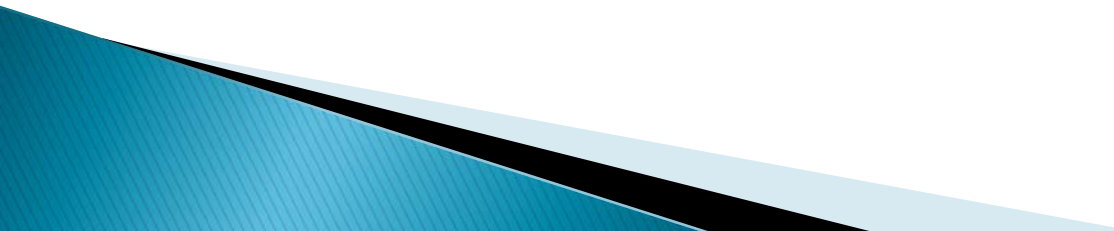
“May reduce the number or length of speeches permitted or may require that at a certain time or after debate for a specified length of time, debate shall be closed”

- ▶ Takes precedence over all debatable motions
- ▶ It may not interrupt
- ▶ It requires a second
- ▶ It is not debatable
- ▶ It is amendable
- ▶ It requires a 2/3's vote
- ▶ Can be reconsidered at any time before the order limiting debate is exhausted

5. Postpone Indefinitely

“Essentially kills the motion”

- ▶ It may not interrupt
- ▶ It requires a second
- ▶ It is debatable
- ▶ It may not be amended
- ▶ It requires a majority
- ▶ An affirmative vote can be reconsidered

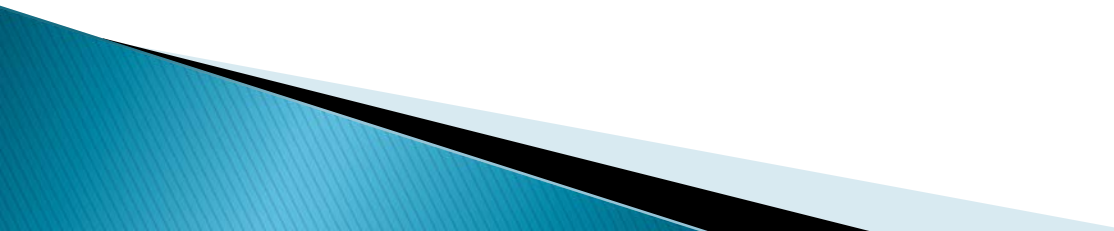
- ▶ How does your committee handle these items?
 - ▶ Which of these do you think is particularly important/useful?
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5. What do we do if we Change Our Mind at a Meeting?

“Move to Reconsider a Motion”

- ▶ May not interrupt a speaker
- ▶ Requires that the maker of the motion voted for the original motion
- ▶ Requires a second
- ▶ Is debatable if the motion to which it applies is debatable
- ▶ Is not amendable & cannot be reconsidered
- ▶ Requires a majority vote

Reconsider Continued

- ▶ Takes precedence over any other motion
 - ▶ Can be applied to any motions except when the vote has caused something to be done that is impossible to redo
- 

What do we do if we Change our Mind at a Future Meeting?

“Move to Rescind”

- Can amend something that was previously adopted
- May not interrupt
- Can repeal an item
- Must be seconded
- No prevailing side requirement
- Debatable
- Is amendable
- 2/3 majority or majority with Brown Act notice
- Invalid if some action/contract already started
- A negative vote can be reconsidered but not an affirmative vote

6. How Do I Close Debate?

“Move the previous question”

- ▶ May not interrupt a speaker
- ▶ Requires a second
- ▶ Is not debatable or amendable
- ▶ Requires a 2/3 vote
- ▶ What is “call for the question?”

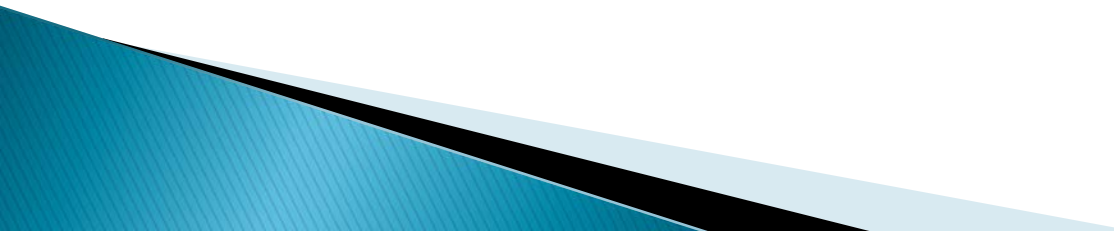
It technically requires the same action as “moving the previous question”

IV. Ensuring that Parliamentary Procedures are Followed

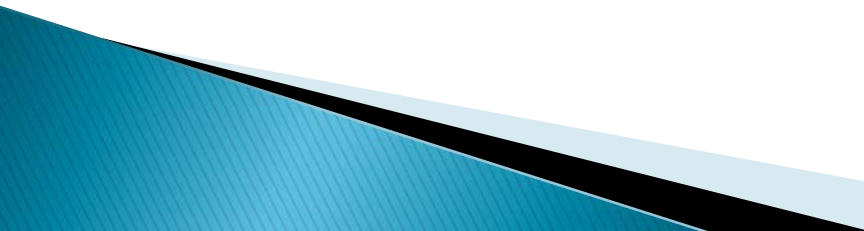
“Raise a Point of Order”

- ▶ May interrupt a speaker
- ▶ The reason for the POI should be stated.
- ▶ Does not require a second
- ▶ Is not debatable
- ▶ Does not require a vote unless the ruling by the Chair is appealed
- ▶ Cannot be reconsidered

Point of Order cont.

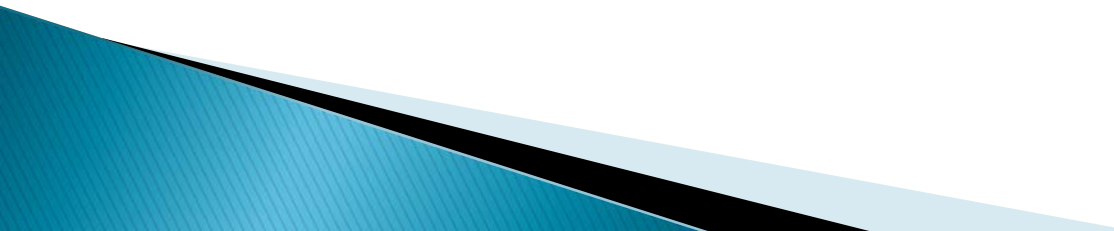
- ▶ Should be raised at the time the breach occurs
 - ▶ If a member is uncertain if a breach has occurred, may make a parliamentary inquiry of the Chair.
 - ▶ It is undesirable to raise points of order on minor irregularities and no real harm is done
- 

Appeal the Decision of the Chair

- ▶ May interrupt
 - ▶ Requires a second
 - ▶ Is not amendable
 - ▶ Is debatable unless it relates to indecorum or a transgression of the rules of speaking, or is made while the immediately pending question is undebatable
 - ▶ When an appeal is debatable, no member is allowed to speak more than once except the presiding officer
 - ▶ A majority or tie vote sustains the ruling
 - ▶ It can be reconsidered
- 

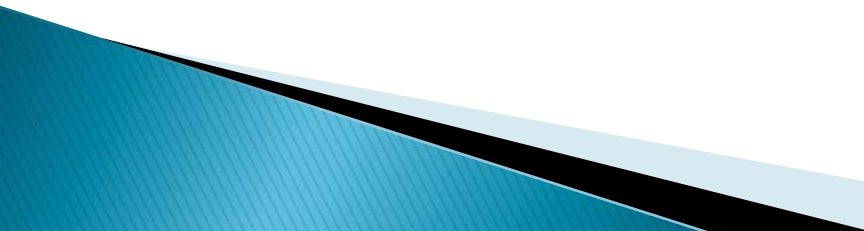
Object to Consideration

- It may interrupt
- Should only be made when it is “strongly undesirable” for the motion to be considered
- Must be made before discussion
- Does not require a second
- Is not debatable or amendable
- Requires a 2/3 vote


- ▶ How does your committee handle these items?
 - ▶ Which of these do you think is particularly important/useful?
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V. GUIDELINES / AUTHORITY OF THE BOARD CHAIR

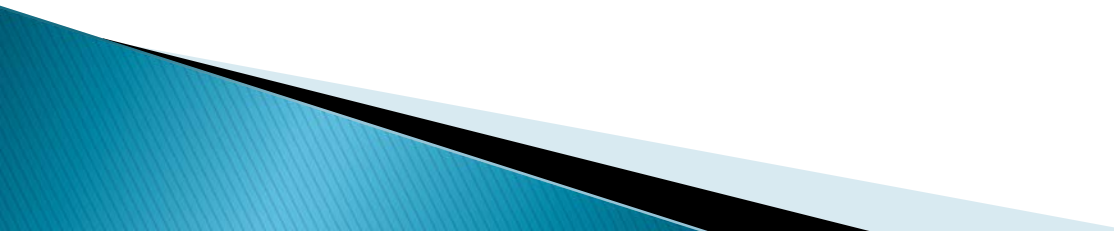
- Begin meetings on time
- Require that a motion be made before discussion begins
- Become familiar with and enforce (as appropriate) parliamentary procedure rules
- Recognize people equally
- Be as neutral as possible—Let others speak before you speak on an item
- Comments should be directed to the Chair

- If necessary, remind people to keep their comments to the agenda item
 - Be impartial & unbiased in the conduct of the meeting
 - Support the rights and privileges of all members
 - Recognize that the leader has near absolute authority & should assure efficient meetings and effective decision making
 - Suggest and enforce established limitations on procedures such as the number of speeches & the amount of time spent on a subject
 - Is responsible for maintaining order using appropriate parliamentary procedures
- 

Decorum in Debate

- ▶ Confine remarks to the merits of the pending question
 - ▶ Refrain from attacking a member's motives
 - ▶ Address all remarks through the Chair
 - ▶ Avoid the use of members' names
 - ▶ If any member objects, a member has no right to read from any paper or book as a part of his speech without permission of the assembly.
 - ▶ This rule is a protection against the use of reading as a means of prolonging debate and delaying business. It is customary to permit members to read short, pertinent, printed extracts in debate so long as they do not abuse the privilege.
- 

AUTHORITY OF THE BOARD CHAIR

- ▶ “All persons present at a meeting have an obligation to obey the legitimate orders of the Chair”
 - ▶ “In dealing with any case of disorder, the Chair should maintain a calm, deliberate tone-although the Chair may become increasingly firm if the situation demands it.”
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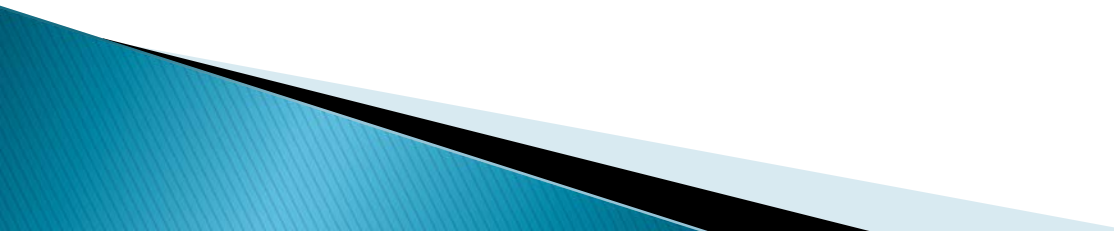
AUTHORITY OF THE BOARD CHAIR (continued)

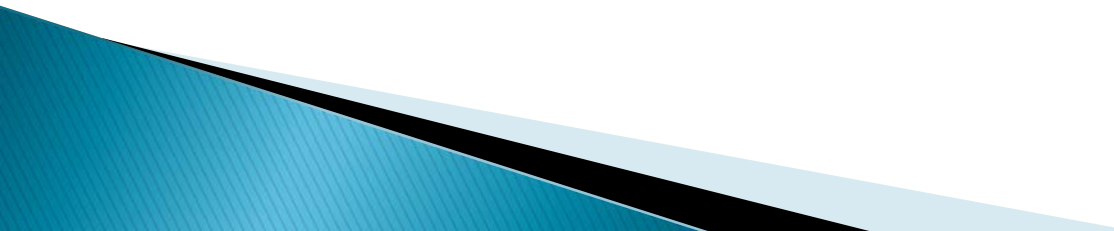
- ▶ “If an offense is serious, such as when a member repeatedly questions the motives of other members by name or persists in speaking on completely irrelevant matters, the Chair should warn the member and then has the authority to declare the member out of order and direct them to discontinue speaking” (RR of O, 2000)

SANCTIONS & DISCIPLINE

- In extreme cases, the body can vote to sanction or penalize a violating member
- If a person is declared out of order by the Chair, the person can appeal the decision of the Chair
- *This takes precedence over any other question*
 - ✓ *Must be seconded*
 - ✓ *Is not debatable if it relates to indecorum or transgression of the rules of speaking*
 - ✓ *Is not amendable*
 - ✓ *A majority or tie vote sustains the decision of the Chair*
 - ✓ *It can be reconsidered*

COMMUNICATION TIPS FOR CHAIRING MEETINGS

- ▶ Expedite: “Are we ready to move on/decide?”
 - ▶ Paraphrase: “What I understand you to mean is.....”
 - ▶ Be a gatekeeper: Make sure everyone has the opportunity to speak
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- ▶ How does your committee handle these items?
 - ▶ Which of these do you think is particularly important/useful?
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VI. Developing Effective/Efficient Agendas

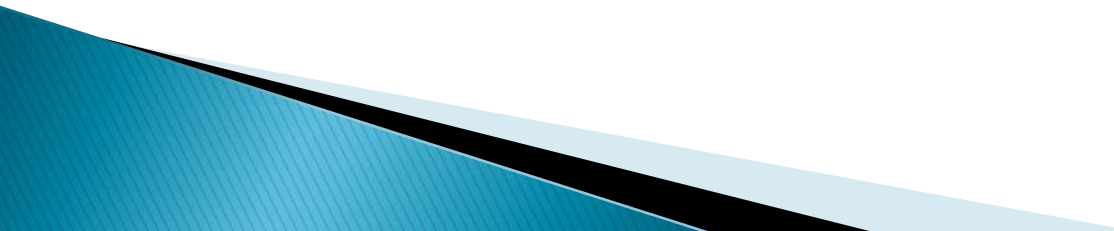
- Who creates the agenda?
- Reduce the type of items that must come to the board/committee

AGENDAS CAN CAUSE OR SOLVE PROBLEMS

- ▶ Busy agendas allow for the mundane to drive out the important, the focus is lost.
- ▶ Minor issues gain as much importance as important issues.

Meeting Guidelines

- ▶ Do the meetings have a timeframe? Can there be a goal for an end time for the meeting?
- ▶ Can agenda questions be asked in advance?
- ▶ Do Members re-ask questions only in exceptional circumstances?
- ▶ Are comments relevant agenda items?

- ▶ How does your board/committee handle these items?
 - ▶ Which of these do you think is particularly important/useful?
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Final Tips

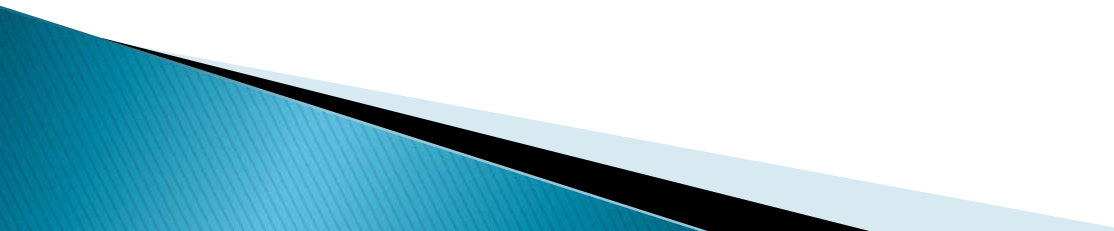
- ▶ The *rules* of parliamentary procedure are meant to help, not to hinder.
- ▶ *Make* a motion before discussion begins.
- ▶ *Retain* control of the meeting at all times.
- ▶ *Keep* things as simple as possible.
- ▶ *Respect* the wishes of the majority and protect the rights of the minority.

VII. Guidelines for Public Access to the Board

- ▶ **KNOW WHAT IS REQUIRED AND HOW BEST TO ALLOW COMMUNITY INPUT**
- ▶ **THE CALIFORNIA EDUCATION CODE – Meeting Procedures**
 - Education Code section 72121.5 allows public comment on matters not on the agenda at a regular board meeting as long as no action is taken.
 - Matter may be placed on the agenda of a later meeting.

What public comment and/or conduct is permissible?

- ▶ The public may address the Board regarding items on the agenda at the time each item is considered or do all public comments at the same time
- ▶ Recommended that public comments are not part of the Board discussion
- ▶ May limit time of comments (For example, 3 minutes per comment and a total of 20 minutes)

- ▶ Trustees may briefly respond to public comments or questions (typically for information; not to express a trustee's views)
 - ▶ Public comments should be concluded prior to Board discussion and should not continue in the meeting process
- 

RIGHTS OF THE PUBLIC

- ▶ **What public conduct is not permissible in open session?**
- ▶ **What is not protected Free Speech?**

The board may limit speech by time, place and manner, but not by content (unless outside the purview of the Board)

Public Rights

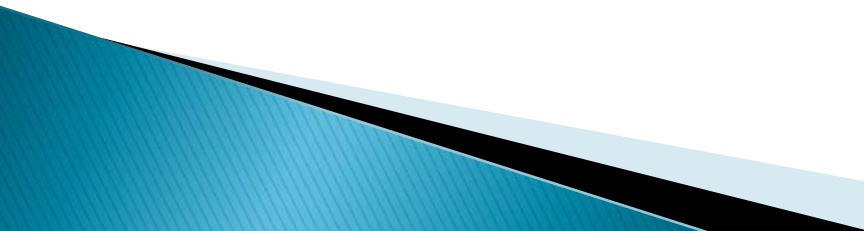
- ▶ The board may not prohibit an individual from criticizing the policies, procedures, programs or services of the district
- ▶ The public may also criticize board members or district employees-such conduct is generally within a citizen's constitutional rights

Public Rights

Comments or conduct by the public that disrupts the meeting can be restrained

- ▶ Penal Code section 403 prohibits acts that disturb or break up a lawful assembly or meeting
- ▶ *McMahon v. Albany S.D.* (2002) 104 Cal.App.4th 1275:
“His conduct of dumping gallons of garbage on the floor of a schoolroom during a school board meeting was sufficient to support an arrest for disturbing a public meeting and was not speech protected by the First Amendment.”

Qualities of a Successful Committee

- ▶ Base decisions on what is best for the District, not special or personal interests
 - ▶ Protect the mission of student learning
 - ▶ Ensure the committee is not responding to individual member agendas
 - ▶ Operate on the principle of “no surprises”
 - ▶ Model civility and professionalism
 - ▶ Help, mentor, coach, and regulate members as necessary
- 

Questions???

