

BOARD MEETINGS

AND

MINUTES

**Montana Association
of
School Business Officials**



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BOARD MEETINGS AND MINUTES

The goal of this publication is to assist the district clerk in writing clear, concise minutes of each meeting, but is intended only to provide guidance, and is not a complete discussion of the legalities of school board meetings, open meeting laws or the public's right to participate. Open meeting laws and laws regarding public participation require further study by district clerks, trustees, and superintendents. Legal questions should be referred to the district's legal counsel.

PRIOR TO THE MEETING

As items pertinent to the meeting come into the office, the district clerk or superintendent places them in a safe place, such as a three ring binder, a folder, or any other secure place. A packet with information for the trustees should be sent out in time for the trustees to read the information included, in preparation for business at the meeting. Some districts also prepare a packet of information for the public. An agenda of items to be discussed or acted upon should be written, including the time, date, and place of the meeting. A notice of the meeting and the agenda must be posted in ample time to allow the public time to participate.

MEETINGS

Business may not be transacted by the trustees except at a regular meeting or a properly called special meeting. A meeting is defined as the convening of a quorum (a majority of the trustee's membership) whether corporal or by means of electronic equipment, to hear, discuss, or act upon a matter over which the agency has supervision, control, jurisdiction, or advisory power. (2-3-202) Notice of any school board meeting, together with the agenda, must be posted to allow adequate time for public input, as mentioned above. .

All school board meetings, including committee meetings, must be open to the public under the open meeting laws, provided, however, that the presiding officer may close the meeting to protect personal privacy if the individual's right to privacy clearly exceeds the public's right to know. The right of personal privacy may be waived by the individual about whom the discussion pertains, and in that event, the meeting must be open. (2-3-203) Notice must be given to the individual prior to the meeting, together with advise of his opportunity to waive the right of privacy. Decisions made in violation of the right to know law may be declared void by a district court if a lawsuit to void the action is filed within 30 (thirty) days of the decision; plaintiff's costs and attorney fees may be awarded. (See attached sample letter and waiver release) Neither members of the public nor press representatives may be excluded from any open meeting, and may not be prohibited from taking photographs, televising, or recording meetings. The presiding officer may assure, however, that such activities do not interfere with the conduct of the meeting. (2-3-211)

REQUIRED MEETINGS

ORGANIZATIONAL MEETING (20-3-321)

After the regular election day and after the election certificates are issued to the newly elected trustees, but not later than the third Saturday in April, the trustees shall hold an organizational meeting to choose a chairperson, who will serve until the next organizational meeting. They shall also employ and appoint a competent person, not a member of the trustees, as the clerk of the district.

A county high school district chooses a member of the board as secretary. Trustees of the district, except the secretary of trustees of a high school district operating a county high school or the secretary of a joint board of trustees, do not receive compensation for their services. Members who reside over three miles from the meeting place shall, however, be reimbursed for their travel to board meetings at the approved state rate. (20-3-311)

School district trustee positions will become vacant if a trustee dies, resigns, is no longer registered to vote, moves from the district, fails to attend three consecutive meetings without a good excuse, is absent from the district for 60 consecutive days, has been removed from office under the provisions of 20-3-310, ceases to have the capacity to hold the office under any other provision of the law, or when an elected candidate fails to qualify by receiving a certificate of election and completing and filing the oath of office with the county superintendent.(20-3-307) (20-3-308)

FINAL BUDGET MEETING (20-9-115, 131)

A preliminary budget meeting is no longer required. Between July 24 and August 4 of each year, notice must be published in the local or county newspaper stating the time and place that the trustees will meet on the second Monday of August to consider and adopt the final budget, that the meeting may be continued from day to day until the final adoption of the budget, and that any taxpayer in the district may appear at the meeting and be heard for or against any part of the budget. The trustees may continue the meeting from day to day, but will adopt the final budget no later than the fourth Monday in August. (20-9-131)

REGULAR BOARD MEETING (20-3-322)

In first class elementary districts, the trustees shall hold at least one regular meeting per month in addition to the budget and organizational meetings. In other districts, regular meetings must be held during the months of April, July, October, and January.

The trustees shall adopt a policy setting the day and time for the minimum number of regular school board meetings, and any other regular meeting days the trustees wish to establish. Except for a storm, fire, explosion, community disaster, insurrection, act of God, or other unforeseen destruction or impairment of school district property, meetings must be conducted in handicapped accessible school buildings or another handicapped accessible publicly owned building in the district. Adequate notice must be given to allow the public time to participate.

SPECIAL BOARD MEETINGS (20-3-322)

Special meetings of the trustees may be called by the chairman or any two members of the trustees by giving each member a 48-hour written notice of the meeting, except the 48-hour notice may be waived in the case of an unforeseen emergency. Reasonable public notice of an emergency meeting is required. The county superintendent of schools may also hold a meeting of the trustees to discuss matters for the good of the district. (20-3-205)

CONDUCT OF MEETING

Suggestions for conducting meetings that will help a meeting to run smoothly include:

1. Start the meeting on time.
2. Have a prepared agenda, and limit discussion to agenda items. Have extra copies of the agenda for guests. Send informational packets to the trustees in ample time for them to prepare for the meeting.
3. Allow adequate time for discussion, keeping to the subject and the agenda. It is not advisable to add items to the agenda at the meeting, since public input must be encouraged and allowed.
4. Persons wishing to speak should identify themselves, and be recognized by the chair. Explain the guidelines before anyone starts to speak at a meeting to avoid the impression that rules are being created that restrict or favor one side of the issue. This could include requiring speakers to sign a register for speaking order. Each speaker should have a defined time limit and be held to the limit by the chair. When applicable, people speaking for and against an issue should alternate. No one should speak twice before everyone has been allowed to speak the first time. Board members should listen to, not debate with, people wishing to speak about an issue. The trustees' job is to hear the different opinions presented. At a full board meeting, the trustees should make their decision; this is their time to debate the issue among themselves and the time for the audience to listen. The chair could remind the audience that visitors may not interfere with nor interrupt board deliberations. When an issue is disputed, it is wise to take it under advisement, and let things cool down before making a decision. The chair should not take part in a debate. If he/she must speak, the vice-president should take the chair until the chairperson returns after the vote has been taken.
5. When the issue has been thoroughly discussed, the chairperson should summarize arguments, and call for the vote.
6. Once the issue is resolved, discussion ceases.
7. Executive sessions, or closed meetings, are not allowed except when the privacy of an individual clearly exceeds the public's right to know. (2-3-203) The individual's preference may determine whether or not the meeting is closed. However, the court has consistently ruled that personnel issues are appropriate for executive session. The chairperson of the board would close the meeting before he asks if the individual wishes to waive his right of privacy, then if the individual wishes to waive his right to privacy, open it again. The exception is that a meeting may be closed to discuss litigation strategy

when an open meeting would have a detrimental effect on the litigating position of the district. A meeting may not be closed to discuss strategy in litigation in which the only parties are public bodies. . The district clerk, superintendent, and board chair must keep abreast of changing rules regarding privacy, in particular, the Family Education Rights and Privacy Act (FERPA), Individuals with Disabilities Education Act (IDEA) and state law.

RECORDING MINUTES (20-3-323)

The district clerk is required by law to attend all meetings of the board of trustees and to keep accurate and permanent records of each meeting, including a record of all adopted policies and all other action taken by the trustees. If the district clerk must be absent from a meeting, the trustees assign the responsibility of writing the minutes to one of their members or another district employee. (20-3-325) Minutes of a closed session should be sealed and kept in a safe place; the minutes could be subject to a court order, but not necessarily to a subpoena by a lawyer, according to MSBA Executive Director and past Legal Council, Lance Melton. (2-3-212) A subpoena is generally issued without scrutiny; check with your attorney before complying.

Minutes are a permanent record of business transacted in the district. In addition to the date, time, and place of the meeting, the minutes must include the substance of matters discussed, wording of each motion, attendance and voting records of each trustee present, and all other pertinent information, including a detailed statement of expenditures, containing the name of any person or business paid, and showing the service rendered or goods furnished (without infringing on privacy rights). Minutes should reflect the clerk's impression of what happened at the meeting, and should try to convey the reason the trustees took the action. Keep it clean, keep it concise, but not wordy.

Before approval by the board, the minutes are CLERK'S minutes, and are NOT official minutes. However, the public has the right to know what happened at the meeting, and it is not a district's intention to conceal actions taken by the trustees. Therefore, the clerk's minutes, prior to trustee approval, may be available for public inspection as soon as feasible after the meeting, with the notation that the minutes are UNOFFICIAL MINUTES AND SUBJECT TO CHANGE. (2-6-102, 104) The clerk's minutes or the official board minutes must not be removed from the office in which they are kept, except upon the order of a court or judge. (2-6-105).

A written copy of the minutes shall be available within five working days after approval by the board of trustees at a cost of no more than 15 cents per page, with one free copy provided to the local press. The board must approve the minutes no later than one month following the meeting if it meets on a regular monthly basis. If a board does not meet on a monthly basis, it shall approve the minutes at the next regular or special meeting, but not more than 40 days after the meeting, except that the board is not required to meet to approve the minutes of a meeting at which no substantive business was conducted.

If the district clerk tapes the minutes, and the trustees choose to destroy the tapes after the minutes are approved, the district should have a policy for disposition of the tapes, and abide by the retention schedules. (20-6-403) If the trustees approve, and they have obtained the written approval of the local government records destruction subcommittee, a school officer may destroy records that have met the retention period. (20-1-212) The local government records committee is a good source for advise for setting policy for destruction of the tapes. Be aware that regardless of your intentions, a party will likely claim intentional destruction of evidence in such cases. Minutes have a presumption of accuracy and admissibility under Rule 902, Montana Rules of Evidence.

The district clerk is the custodian of all documents, records, and reports of the trustees, and is entitled to the possession of all books and papers pertaining to the office, but only until he/she vacates the office. The documents stay with the office.(2-6-107, 108) The original records pertaining to the office may not be removed from the office, except by an order from the court. However, a certified copy of minutes with the school seal is sufficient for a court hearing, and is admissible as evidence in a court of law. (2-6-105, 106)

In forming K-12 districts, minutes and records are entrusted to the high school district. (20-6-703(1b). Minutes, records, and documents of abandoned districts are transferred to the receiving district.

Sample letter from Lance Melton, MSBA Executive Director and past Legal Council

March 17, 2001

[Insert name and address of party with a privacy interest upon which the Board plans to close the meeting]

Subject:

Dear **[party with privacy interest, as applicable]**

The Board of Trustees **of [insert applicable name]** will be considering matters related to the above referenced matter at its **meeting of [insert date of applicable meeting]**.

Unless you express an objection, the Board is likely to discuss the above-referenced matter in executive (closed) session to protect your privacy.

As one of the parties about whom the discussion will pertain, you have the right to waive your right of individual privacy. If you do so, the portion of the discussion pertaining to you will be held in open (public) session. If you wish to waive your right of privacy and have the portion of the discussion pertaining to you held in open (public) session, please contact this office no later than [insert date]. If this office does not hear from you by the date indicated, we will assume that you have no objection to the board considering the above-referenced matter in executive (closed) session. You are invited to attend the portion of the meeting during which discussion will pertain to the above-referenced issue.

Thank you in advance for your cooperation **and** assistance.

Sincerely,

Clerk,
School District

Sample waiver release form from Lance Melton, MSBA Executive Director and past Legal Council

NAME:

ADDRESS:

SSN.

DOB:

Date:

Subject of Privacy Interest:

Any and all right of privacy that I may have or may have in information to be discussed by the Trustees of the _____ School District at its meeting of **(insert applicable date)**

I, _____, understand that I have a right of privacy in the matter identified under the heading "Subject of Privacy Interest" above. I understand that the presiding officer of the Board is likely to determine that such discussion take place in executive (closed) session due to my privacy interests.

I hereby voluntarily waive any and all right of privacy that I have or may have in the above-referenced information. I hereby authorize and demand that the Trustees of _____ School District hold the portion of the meeting on the above-referenced information that pertains to me in open (public) session.

I understand that I may revoke this waiver of privacy at any time by giving written notice to the Board of **(insert applicable board)**. However, I also understand that any discussion held prior to the Board's receipt of my written notice revoking this waiver of privacy shall not be a breach of my right of privacy.

SIGNATURE

DATE

ADDENDUM

PARLIAMENTARY PROCEDURE

General Information

Reference: Roberts Rules of Order, 1990 edition

American parliamentary law ensures that rights of the majority, of the minority, of individuals or absentees are respected and recognizes that an assembly is sometimes necessarily protected from itself. Not all of Robert's Rules apply to a small group such as a board of trustees.

A "consent agenda" can include items that are general routine business, for example, approval of minutes, etc. A trustee would make a motion to approve the consent agenda items. In general, the business of a board of trustees should follow the order of: motion, second, discussion and vote on an issue. Many boards allow discussion before a motion, although this is not according to proper procedure. Boards that do not ordinarily follow parliamentary procedure must be careful to follow proper procedure when controversial or legally technical matters arise.

One matter is considered at a time. A main motion includes any action the board wishes that does not conflict with national, state, or local law. The motion must be placed on the floor before discussion. Any motion adopted by a board of trustees that conflicts with law, even if by a unanimous vote, is invalid. The language to place an action on the floor should be "I move," rather than "I make a motion." A main motion cannot present substantially the same question as a motion previously rejected during the same session.

A main motion may be amended. An amendment may be a substitution or modification of or an addition to the original intent of the motion. It must be relevant and appropriate and cannot have the effect of changing the result of a previous action taken by the board.

A motion to "reconsider" enables a majority of the trustees, within a limited time, without notice, to bring back for further consideration a motion that has already been considered. The purpose of such a motion is to allow correction of hasty, ill-advised, or erroneous actions or to allow for added information or changes that have developed since the taking of the vote. A member who voted on the prevailing side makes the motion. If the motion to reconsider is adopted by unanimous consent, all the members present are in the same position as if they had voted on the prevailing side and qualify to move to reconsider. (Roberts Rules of Order # 36)

The "Previous Question" is the motion used to immediately close debate and the making of subsidiary motions except the motion to "lay on the table." (Roberts Rules of Order # 16) A second is necessary and the motion is not debatable nor amendable. It requires a two-thirds majority vote; if it does not receive the necessary two-thirds vote, debate continues as if this motion had not been made. The motion to "Lay on the Table" allows the trustees to lay the pending question aside temporarily when something else of immediate urgency has arisen.

There is no set time for taking the matter up again, but it can be reconsidered whenever the majority wishes. (Roberts Rules of Order # 17) Ordinarily, the motion is out of order if the evident intent is to kill or avoid dealing with a matter.

The adoption of the motion to adjourn immediately closes the meeting. Unlike the adjournment, a recess means the board plans to return and continue where they left off. The only time a meeting is recessed until the next day would be for the budget meeting.

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Special thank you for their support and technical advice to Lance Melton, MSBA Executive Director and past Legal Council and Rand B. Bradley, Superintendent, Twin Bridges School.

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NOTE: THE FOLLOWING AGENDAS AND BOARD MINUTES ARE INTENDED AS SAMPLES ONLY.

HAPPY VALLEY SCHOOLS
Consolidated School District No. 13, Sunshine County
Anyplace you catch us
Lalaland, USA

REGULAR MEETING, BOARD OF TRUSTEES
Tuesday, July 6, 2002 8:00 P.M.

AGENDA

- I. Call to order
- II. Approval of previous meeting minutes
- III. Recognition of visitors, public input
- IV. Student Representative's report

BUSINESS

- A. Management
 - 1. Summer projects
 - 2. Attendance agreements
 - 3. Transportation agreements
- B. Personnel
 - 1. Extracurricular positions
 - 2. Teacher contracts
 - 3. Non-renewal of bus driver position
- C. Finance
 - 1. Approve claims, sign warrants
 - 2. Clerk's report
- D. Communications
 - 1. Planning celebration party for last day of school (staff)
- E. Students - School Program
- F.
 - 1. Principal's report
 - Elementary - Groucho Marx
 - High school - Atilla the Hun

Next regular meeting: Tuesday, August 2, 2002 8:00 P.M.

BOARD OF TRUSTEES MEETING
Happy Valley Schools
Tuesday, July 6, 2002 8:00 PM
MEDIA CENTER

AGENDA

1. Call to Order - Chairperson
2. Recognition of visitors, public input
3. Minutes of last meetings - June 5, 2002
4. Business Manager's report
 - a. Warrants
 - b. Warrants to void
 - c. Extra-curricular report
5. Additional Items
6. Administrative reports
 - a. Principal
 - b. Superintendent
7. Delegation/staff reports
8. Old Business
 - a. Attendance agreements
 - b. Transportation agreements
 - c. Summer projects
9. New Business
 - a. Extracurricular positions
 - b. Teacher contracts
 - c. Non-renewal of bus driver position
 - d. Celebration party for last day of school (staff)
10. Next meeting - Tuesday, August 2, 2002 8:00 PM
11. Adjournment - Chairperson

HAPPY VALLEY SCHOOLS
Consolidated School District No. 13, Sunshine County
Anyplace you catch us
Lalaland, USA

REGULAR BOARD MEETING - July 6, 2002

The trustees of Happy Valley Schools met for their regular board meeting on Tuesday, July 6, 2002 in Superintendent Smiling Sam's office. **Trustees present** included Chairman Sam Brown, Vice-chairman Sue Smith, Jane Blow, Bob Blue, and Ken Vain. **Also present** were Superintendent Sam, District Clerk Clever Fingers, High School Principal Attila the Hun, Elementary Principal Groucho Marx, and bus driver Carl Crankshaft. The meeting was **called to order** at 8:00 P.M. by Chairman Brown, who asked Clerk Fingers to read the minutes of the last regular meeting. Motion by Smith, seconded by Vain, **to approve the minutes of the meeting of June 9 as read.** Passed 5-0. There were no visitors, and no public input.

Superintendent Sam reported there is no Student Representative's report. He discussed summer projects, including repair of the fallen chimneys and all broken windows, plus a report that the school maintenance personnel have repaired the roof since the old one blew away in the last trustee's meeting.

An elementary attendance agreement was presented from the Sam Smith family. This is a mandatory agreement. Motion by Blue, seconded by Blow, **to approve the Sam Smith elementary agreement.** Passed 5-0.

An elementary transportation agreement was presented from the Sam Smith family. Motion by Blow, seconded by Blue, **to approve the Sam Smith elementary transportation agreement.** Passed 5-0.

Extracurricular positions were discussed. No one wishes to coach or sponsor this year, so the trustees will assign positions at the next board meeting. **No action was taken.**

Superintendent Sam informed the trustees that he and the principals have interviewed ten candidates for the first grade teaching position; Silly Sue had a good interview, and all her qualifications are excellent. He recommended the hiring of Silly Sue for the position. Motion by Smith, seconded by Vain, **to hire Silly Sue as first grade teacher per the salary schedule.** Passed 3-2. Blue, Blow opposed.

Superintendent Sam said that he did not recommend the renewal of a bus driver's employment. Chairman Brown called for an executive session at 9:25 to discuss the personnel matter. Carl Crankshaft waived his right to privacy, and the meeting was opened. Chairman Brown asked Mr. Crankshaft if he wished to comment. Mr. Crankshaft said he felt that four careless driving tickets and the fact that he accidentally ran over three students with the bus on three different

occasions was not reason enough to non-renew his employment, but the trustees disagreed. Motion by Vain, seconded by Blue, **to not renew Carl Crankshaft's employment as bus driver for the 02/03 school year, due to a poor driving record.** Passed 5-0.

District Clerk Clever Fingers presented the warrants for payment. Motion by Blue, seconded by Blow, **to approve payment for elementary claim warrant #'s 2213-2275, high school claim warrant #'s 2517-2869, and payroll warrant #'s 10,117-10,289.** Passed 5-0. Mr. Fingers also reported that investment of the district's money has brought in \$9,781.27 in interest this month. He reported that he will attend the MASBO summer session in late June, and get help with this year's trustee's reports and budgets.

Superintendent Sam reported that **planning** is continuing for a last day of school party for the staff on May 25, 2002. Staff members are eagerly anticipating the day.

Elementary Principal Groucho Marx reported that he called the dog catcher to pick up six dogs this past month, because they were running across the lawn. **High School Principal Attila the Hun reported** that he tried to catch six students who were running across the lawn with the dogs, but they evaded him when he fell in the fish pond in the park.

The meeting was **adjourned** at 12:25 A.M.

SIGNED:

ATTEST:

SAM BROWN, Chairman Date

CLEVER FINGERS, District Clerk Date

HAPPY VALLEY SCHOOLS
Consolidated School District No. 13, Sunshine County
Anyplace you catch us
Lalaland, USA

REGULAR BOARD MEETING - July 6, 1997 - MEDIA CENTER

Present - Trustees

Chairman Sam Brown
Vice-chairman Sue Smith
Jane Blow
Bob Blue
Ken Vain

Present - Others

Superintendent Smiling Sam
District Clerk Clever Fingers
High School Principal Attila the Hun
Elementary Principal Groucho Marx
Carl Crankshaft

Meeting called to order at 8:00 P.M. by Chairman Sam Brown. No visitors were present.

Minutes approved Chairman Brown asked District Clerk Clever Fingers to read the minutes of the last regular meeting. Motion by Smith, seconded by Vain, to approve the minutes of the meeting of June 9 as read. Passed 5-0.

Business Manager Report District Clerk Clever Fingers presented the warrants for payment.

Warrants paid Motion by Blue, seconded by Blow, to approve payment of elementary claim warrant #'s 2213-2275, high school claim warrant #'s 2517-2869, and payroll warrant #'s 10,117-10,289. Passed 5-0. Mr. Fingers reported that investment of the district's money has brought in \$9,781.27 in interest this month. He reported that he will attend the MASBO summer session in late June, and get help with this year's trustee reports and budgets.

Administrative
Reports

Elementary Principal Groucho Marx reported that he called the dog catcher to pick up six dogs this past month, because they were running across the lawn. High School Principal Attila the Hun reported that he tried to catch six students who were running across the lawn with the dogs, but they evaded him when he fell in the fish pond in the park. Superintendent Sam reported there is no student representative's report due to the summer vacation.

Old Business

Attendance
Agreements

An elementary attendance agreement was presented from the Sam Smith family . This is a mandatory agreement. Motion by Blow, seconded by Blue, to approve the Sam Smith elementary transportation agreement. Passed 5-0

Transportation
Agreements

An elementary transportation agreement was presented from the Sam Smith family. Motion by Blow, seconded by Blue, to approve the Sam Smith elementary transportation agreement. Passed 5-0.

Summer projects

Superintendent Sam discussed summer projects, including repair of the fallen chimneys and all broken windows. School maintenance personnel have repaired the roof since the old one blew away in the last trustees' meeting.

New Business

Extra-curricular
Positions

Extra-curricular positions were discussed. No one signed the extra-curricular list as coach or sponsor this year, so the trustees will assign positions at the next board meeting. No action was taken.

Teacher contracts
First Grade

Superintendent Sam informed the trustees that he and the have interviewed ten candidates for the first grade teaching position. Silly Sue had a good interview, and all her qualifications are excellent; he recommended that the trustees hire her. Motion by Smith, seconded by Vain, to hire Silly Sue as first grade teacher per the salary schedule. Passed 3-2. Blue, Blow opposed.

Bus Driver
non-renewal

Superintendent Sam said that he did not recommend the renewal of a bus driver's employment. Chairman Brown called for an executive session at 9:25 to discuss the personnel matter. Carl Crankshaft waived his right to privacy, and the meeting was re-opened. Chairman Brown asked Mr. Crankshaft if he wished to comment; Carl said he felt that four careless driving tickets and the fact that he accidentally ran over three students with the bus on three different occasions was not reason enough to not renew his employment, but the trustees disagreed. Motion by Vain, seconded by Blue, to not renew Carl Crankshaft's employment as bus driver for the 2002/03 school year, due to a poor driving record. Passed 5-0.

Planning
Staff party

Superintendent Sam reported that planning is continuing for a last day of school celebration party for the staff on May 25, 2003. Staff members are eagerly anticipating the day.

The next board meeting is Tuesday, August 22, 2002 at 8:00 P.M.
The meeting was adjourned at 12:25 A.M.

SIGNED:

ATTEST:

Signed:

Attest:

SAM BROWN, Chairman / Date

CLEVER FINGERS, District Clerk/ Date

PARLIAMENTARY PROCEDURE: ROBERT'S RULES OF ORDER

ROLE OF THE BOARD CHAIR

Lance L. Melton
Executive Director
Montana School Boards Association

Based on Robert's Rules of Order, Tenth Edition

I. Important Revisions in the Tenth Edition of Robert's Rules of Order

From the Preface to the new Tenth Edition:

“The coming of the Internet and the widespread use of e-mail and the FAX machine have stirred interest in the concept of an "electronic meeting." This edition notes that the opportunity for simultaneous aural communication among all participants is central to the deliberative character of a meeting. It recognizes, therefore, that meetings may be conducted by videoconference or teleconference, when authorized by the bylaws and regulated by appropriate special rules of order and standing rules specifying such things as how recognition is to be sought and the floor obtained. On the other hand, *it warns that while e-mail or FAX may provide a suitable substitute for postal mail in the issuance of calls for meetings or the conduct of mail voting, they are not suited for the conduct of the deliberative process under the precedents and procedures common to parliamentary law.*”

Some of the other more important points of revision are the following:

- C A new subsection on the conduct of "public sessions" in appropriate bodies has been added. This section recognizes the application of sunshine laws to school boards, and to the right of attendance by the public. The section recognizes the right of nonmembers to express their views, and acknowledges that time limits may be imposed, and relevance to the issue at hand may be monitored.
- C The rule prohibiting rescission of a motion which is in the nature of a contract has been eliminated.
- C The correction of minutes. The actual correction is made in the text of the minutes being approved, and the minutes of the meeting making the correction merely state that a correction was made to the minutes of the prior meeting, without specifying what the correction was." *RONR (10th ed.)* § 41, p. 343.
- C More comprehensive rules have been provided explaining when Suspend the Rules may not be used because doing so would violate a fundamental principle of parliamentary law or a basic right of an individual member. Rules that cannot be suspended, unless the rule itself specifically provides that it can be suspended, include:

- C Rules contained in the bylaws (or school board policy, which is the equivalent document for a board);
- C Procedural rules established by law;
- C Rules that “embody fundamental principles of parliamentary law”, such as:
 - C the rule that allows only one question to be considered at a time;
 - C the rule limiting the right to vote to members;
 - C the rule prohibiting absentee voting (e.g. proxies)

- C Rules protecting absentees, or a basic right of the individual member (e.g. quorum requirements)
- C The rule establishing the time limits for a motion to Reconsider in a session of more than one day has been modified so as more accurately to reflect the purpose of the rule. Under the revisions, separate school board meetings are not treated as meetings of more than one day. As such, the motion to reconsider in a school board meeting is subject to the following:
 - C The motion to reconsider must be made on the same day as the vote to which it pertains (no longer allowed at the next meeting)
 - C The motion to reconsider must be made by a person who voted on the prevailing side on the original motion, but a person who is not qualified to make the motion can still obtain the floor while no business is pending and briefly state his reasons for hoping that a reconsideration will be moved, provided that the statement does not rise to the level of debate. Robert’s Rules of Order, 10th edition, section 37, page 305).

- C It is also important to note that the limits on motions to reconsider do not apply to standing committees. A motion to reconsider in a standing committee:
 - C can be taken up and made regardless of the time that has passed since the original vote was taken;
 - C can be renewed without limitation;
 - C can be made by any member of the committee who did not vote with the losing side, including one who voted with the prevailing side or one who did not vote at all, or even one who was absent;
 - C is subject to a 2/3 vote to adopt unless all members of the committee who voted with the prevailing side are present or have been notified that the reconsideration will be moved.
- C The Tenth Edition adds clarification of the role of established custom, which it says is "treated practically as if it were prescribed by a rule of order." Robert’s Rules of Order (10th ed.), p. 17, l. 6-7. The key word here is "practically." If the custom is shown to be in conflict with the parliamentary authority or any written rule of the organization (such as a special rule of order or standing rule), it "falls to the ground," Robert’s Rules of Order (10th ed.), p. 17, l. 10-11, and the written provision prevails. "If there is no contrary provision in the parliamentary

authority or written rules, the established custom should be adhered to unless the assembly, by a majority vote, agrees to do otherwise." Robert's Rules of Order (10th ed.), p. 17, l. 15-18.

In addition, the Tenth Edition clarifies:

- C That the chair's wording of a motion when it is put to a vote is the definitive version to be included in the minutes.
- C The custom of "standing at ease," which has been distinguished from a recess. A meeting is said to "stand and ease" if the chair, without objection, simply permits a brief pause, without a declaration of recess. In such a case there is technically no interruption of the meeting and members remain in their places. Quiet conversation among neighboring members may take place, but must cease when the chair declares the meeting again in order or any member objects to continuing to stand at ease.
- C The difference in effect between recessing and adjourning.
- C What may be considered at a special meeting.
- C The rules respecting amendment of motions for which previous notice has been given.
- C The vote needed to change an agenda or program previously adopted.
- C The rules concerning preference in recognition to take account of the right to give previous notice of a motion.
- C That members cannot be compelled to abstain from voting on the grounds of personal interest, even though they should do so.
- C That a motion to take an informal straw poll is improper.
- C The right of a member to appeal the action of the chair in ordering the removal of a nonmember. "The chair has the power to require nonmembers to leave the hall, or to order their removal, at any time during the meeting; and the nonmembers have no right of appeal from such an order of the presiding officer. However, such an order may be appealed by a member." Robert's Rules of Order (10th ed.) § 61, p. 628.

II. Introduction:

The rules of parliamentary procedure are meant to simplify, not complicate a meeting. The purpose of parliamentary procedure is to make it easier for people to work together effectively and to help groups accomplish fulfill their purposes as efficiently as possible. This is also one of the primary roles of the Board Chair.

Fundamental Principles of Parliamentary Law

- C All members have equal rights, privileges, and obligations.
- C The majority vote decides.
- C The rights of the minority must be protected.
- C Full and free discussion of every proposition presented for decision is an established right of members.
- C Every member has the right to know the meaning of the question before the assembly and what its effect will be.
- C All meetings must be characterized by fairness and by good faith.

Armed with a basic knowledge of Robert's Rules of Order, and the understanding of how to apply such rules, a Board Chair can establish and maintain credibility, and justify the respect of fellow board members that have elected the Chair to a leadership position.

III. Informalities Allowed on Boards with a Dozen or less Members - What is Left?:

Although it is not commonly known, Robert's Rules of Order are substantially relaxed for virtually all of Montana's school boards. Section 49 of newly-revised Robert's Rules of Order, page 470, provides the following with respect to procedure on "small" boards:

Procedure in Small Boards. In a board meeting where there are not more than about a dozen members present, some of the formality that is necessary in a large assembly would hinder business. The rules governing such meetings are different from the rules that hold in other assemblies, in the following respects:

- C Members are not required to obtain the floor before making motions or speaking, which they can do while seated;
- C Motions need not be seconded;
- C There is no limit to the number of times a member can speak to a question, and motions to close or limit debate generally should not be entertained;
- C Informal discussion of a subject is permitted while no motion is pending;
- C Sometimes, when a proposal is perfectly clear to all present, a vote can be taken without a motion's having been introduced. Unless agreed to by unanimous consent, however, all proposed actions of a board must be approved by vote under the same rules as in other assemblies, except that a vote can be taken initially by a show of hands, which is often the better method in such meetings.
- C The chairman need not rise while putting questions to vote;
- C The chairman can speak in discussion without rising or leaving the chair, and, subject to rule or custom within the particular board, which should be

uniformly followed regardless of how many members are present, he usually can make motions and usually votes on all questions.

With the informalities above, virtually any board could comply with Robert's Rules of Order, whether trained or not. Although these informalities are allowed, many are ill-advised for any board to follow if it wishes to empower its chair with the authority to keep things moving. While smaller boards can operate more informally, there are times that more formal procedure may be warranted. If a particular issue is hotly contested or likely to subject the board to publicity or a lawsuit, more formal procedure can ensure that procedural safeguards have been observed.

Recommendation: If your board does not wish to allow any or all of the informalities above, be sure that your policy providing for use of Robert's Rules of Order addresses which, if any, of the informalities above will be allowed.

IV. Tips on Running an Efficient Meeting:

The most effective meetings are those conducted by a presiding officer who knows "Robert's Rules of Order," who has sent the agenda, has provided any pertinent information to the members before the meeting, and has provided paper and pencil for the members to write down motions. The following tips should assist the Board Chair in efficient progress through an agenda.

1. A Board Chair should know that no one can discuss an issue unless a motion is first made and then seconded. This saves time! If a motion isn't seconded, there is nothing to discuss.
2. Providing members with paper and pencil to write a clearly thought out motion can save time, and reduce confusion regarding the intent of such motion. A well-thought-out motion includes direction regarding what the group is to do, how and when it is to be done, and how much time and money is to be spent.
3. Another way to save time is to provide members the information they need sufficiently in advance of the meeting to allow adequate preparation and research of the issues that will be discussed.
4. The Board Chair needs to know when to call for the vote to keep things moving. Let's say someone has made a motion, and the chair has repeated it. "It is moved and seconded to Is there any discussion?" If the chair determines no one is standing to discuss the motion, the chair can say, "All those in favor, say 'Aye' (wait for the response from the group). Those opposed say, 'No' (wait for response)." Announce the vote. "The 'Ayes' have it and the motion is carried." or, alternatively, the chair will say, "The 'Noes' have it; and the motion fails." Then go on to the next agenda item.

5. Another thing many people don't know is that a member can speak twice to a motion, but only after everyone who wants to speak for the first time has done so. This certainly keeps debate going, and helps prevent monopolization of the debate by a single member or faction.
6. A Board Chair who is an effective leader should provide his membership with information to enable them to become active participants in effective meetings.

V. General Pointers for the Chair:

Robert's Rules of Order are extremely complex and technical if followed literally in every instance. For the purposes of effectively running a school board meeting, strict compliance is not necessary, and can actually lead to inefficient progress through an agenda. The best way to apply Robert's Rules of Order are with a strong dose of common sense.

Montana law does not specifically require strict compliance with Robert's Rules of Order. The operative section of law specifies as follows:

20_3_321. Organization and officers.

The Board Chair of the trustees of any district shall preside at all the meetings of the trustees in accordance with the *customary rules of order*. He shall perform the duties prescribed by this title and any other duties that normally pertain to such officer.

"In the absence of the adoption of rules of procedure and in the absence of statutory regulation, the generally accepted rules of parliamentary procedure control" 59 Am. Jur. 2d Parliamentary Law § 3 (1987)(citations omitted). "If there is no specific, unambiguous statute or charter provision, resort may be had to Robert's Rules of Order [Newly Revised] for light on relevant parliamentary usages of deliberative assemblies." 59 Am. Jur. 2d Parliamentary Law § 3 (1987)(citations omitted).

The proper oversight of a school board meeting can be accomplished without following Robert's Rules of Order in all instances, however. School Boards should review their policies, and ensure that strict compliance is not required under such policies. If the district's policy does require strict compliance, minor infractions of the numerous rules could serve as the basis for a legal challenge of board action.

Recommendation: Adopt a policy that provides for use of Robert's Rules of Order as a guide, and identify enumerated, key rules that will be strictly enforced at all times.

The key rules should involve principles of fairness that will fulfill the will of the majority while protecting the rights of the minority. By adopting key rules of order, you will both prevent formalities

and informalities that prevent you from getting your job done efficiently.

VI. Basic Principles by Which to Effectively Run a School Board Meeting:

1. The Board should stay focused on one issue at a time.
2. Use work sessions or committee meetings to discuss the differences between Board members and the Superintendent/staff on controversial issues.
3. Only one trustee “has the floor” at any given time. (i.e. only one person may speak at a time.), and only after recognition by the chair. Do not let over-talkers dominate the meeting.;
4. Only one question may be discussed at a time. All comments made by the speaker should pertain only to the issue at hand. If the Board is going in circles, however, **CALL THE QUESTION.**;
5. All trustees have equal rights, privileges and obligations. The chair must assure that each trustee has an opportunity to express his or her point of view, including those trustees holding the minority position on a given issue. Be firm in dealing with personal attacks and abusive conduct.;
6. Any question which limits board members' rights of discussion or changes the agreed order of business requires a 2/3 vote of the members present;
7. Any matter once decided cannot be brought up again at the same meeting, except by a motion to reconsider;
8. The majority decides (in most cases, more than 1/2, in some cases 2/3 or 3/4); and
9. The simplest, clearest and most expeditious way is considered proper, as long as it does not violate the rights of board members.

VII. Specific Responsibilities of The Chair

The Board Chair has a special role in presiding over meetings under Robert’s Rules of Order. It is a position of leadership, involving conflict management, requiring tact, common sense, and a dedication to fairness. The Board Chair’s role is pervasive, covering everything from the call to order to the declaration of adjournment. Specific responsibilities include the following:

1. Call to order. It is the responsibility of the Board Chair to call the meeting to order and determine whether a quorum is present. A quorum for any meeting is a majority of the trustees' membership. § 20-3-322, MCA.
2. Announce in proper sequence the business that comes before the assembly in

- accordance with the order on the agenda.
3. Recognize board members entitled to speak or propose motions. Note: some motions may be made while another member has the floor. The speaker must state the purpose of the interruption so the chair can rule on its validity.
 4. Restate motions after they have been seconded, then open discussion.
 5. Close discussion and put motions to vote. Votes on undebatable motions should be called immediately. If any member objects to closing discussion on a debatable motion, a 2/3 vote is required to order to close a debate. Restate the motion exactly as it was made or amended before calling for a vote.
 6. Announce the result of a vote immediately. A tie vote defeats a motion requiring a majority of those voting.
 7. Avoid entering the center of any controversy unless you first step down. This does not mean, however, that you cannot participate in debate.
 8. Maintain order and proper procedure, making necessary rulings promptly and clearly.
 9. Expedite board business in every way compatible with the rights of board members. you can allow brief remarks on undebatable motions, advise board members how to take action (proper motion or form of motion), or order proposed routine action without a formal vote ("If there is no objection, the minutes will stand approved as read. Hearing no objection so ordered").
 10. Protect the board from frivolous motions whose purpose is to obstruct the board's business. You can refuse to entertain such motions. Never adopt such a course, however, merely to expedite business.
 11. Guard the board's time by having them vote to adopt an agenda at the beginning of the meeting. Follow the agenda faithfully. Do not permit unauthorized interruptions by spectators.

VIII. Conflicts Between Robert's Rules of Order and Montana Law

Another reason to apply Robert's Rules of Order as a guideline as opposed to a strict set of rules in all cases is the potential for conflict between Robert's Rules of Order and Montana Law. Robert's Rules of Law are written to address maintenance of order in a meeting, and are not specifically designed to comply with laws that are applicable to specific types of meetings. Although there may be other circumstances where Robert's Rules of Order could conflict with Montana law, the following are specific examples of such conflict:

1. Board Chair's Restricted Role in Making Motions, Voting, etc.

"If the presiding officer is a member of the assembly or voting body, he has the same voting right as any other member. Except in a small board or committee, however, unless the vote is secret (that is, unless it is by ballot), the chair protects his impartial position by voting only when his vote would affect the outcome, in which case he can either vote and thereby change the result or he can abstain." Robert's Rules of Order, 10th edition, p. 50-51.

As stated above, Robert's Rules of Order provide that a Chairperson should vote only to break a tie when possible, while section 20-3-323(2) requires the recording of the vote of each trustee present, including the Board Chair, regardless of how it affects the outcome. A Board Chair following Robert's Rules of Order in refusing to vote unless to break a tie will violate Montana law requiring such vote.

Although Robert's Rules of Order allows the board chair to make motions, a board chair should attempt to refrain from doing so when possible, as it is not practical for the Board Chair to both make motions and determine whether the making of such motion is proper.

With respect to seconding motions, Robert's Rules of Order are silent, but probably do not contemplate the Chair performing such a role. However, in light of the fact that Robert's Rules of Order specify that seconding a motion merely indicates willingness to have the matter debated, there is little harm in allowing a Chair to second motions.

2. Changing the Order of Business from the Order Specified on the Noticed Agenda

Robert's Rules of Order provide for a fairly simple means of adding items on the agenda, by passing a motion to suspend the rules by a 2/3 vote. Under Montana law, however, boards are subject to public notice requirements for meetings.

Meeting Open Only in Theory When No Public Notice Given: The open meeting law requires public notice of a meeting subject to that law. Without public notice, a meeting is open to the public in theory only, not in practice. Common Cause of Mont. v. Statutory Comm. to Nominate Candidates for Comm'r of Political Practices, 263 Mont. 324 (1994).

Under the holding above, adding items on the agenda could lead to a legal action for violation of the open meeting laws by virtue of inadequate notice, and could result in the district being liable for attorney fees of a party challenging the meeting on these grounds, even though Robert's Rules of Order authorizes the practice.

3. Public's Right of Input on Matters

Under Robert's Rules of Order, participation is limited to voting members of the deliberative society. Under Montana Law, however, the public has a right of participation in decisions.

Article II, Section 8: Right of participation. The public has the right to expect governmental agencies to afford such reasonable opportunity for citizen participation in the operation of the agencies prior to the final decision as may be provided by law.

Under this constitutional provision, the public has a right to have input into final decisions of significant interest. A district strictly following Robert's Rules of Order would not allow such input, and would violate Montana law by prohibiting such input.

4. Secret Ballots

Under Robert's Rules of Order, voting by ballot is specifically allowed so as to protect the secrecy of the members' votes (Robert's Rules of Order, 10th edition, page 398). Under Montana law, however, an elected official has no right of privacy in his actions as an elected official. See, *Citizens to Recall Mayor James Whitlock v. Whitlock*, 255 Mont. 517, 844 P.2d 74, 49 St. Rep. 1113 (1992). As such, a secret ballot in a school board meeting would violate the public's constitutional right to know.

IX. Proposing and Disposing of a Motion

STEPS IN HANDLING A MOTION — 6 STEPS

1. A Member Makes the Motion:

- A. A long motion should be written out and passed to the Board Chair. It is best to have motions properly worded by the Superintendent/staff, although the substance of such motions should not be affected by the wording.
- B. A few brief words of introduction or explanation may precede the making of the motion; but the debate should not begin at this point.
- C. The mover of the motion may request the assistance of the Board Chair in getting a precise wording of the motion. This should be done before the motion is formally placed before the Board by the Board Chair.

2. Seconding a Motion:

- A. If no member seconds the motion, the motion fails. The Board Chair must ensure that all Board members have heard the motion before proceeding to other business.
- B. A second merely implies that the motion should come before the board and not necessarily that the motion is favored. You are not required or obligated to vote for a motion just because you make or second the

motion. As a result, the act of seconding is something that a Board Chair should be able to complete as any other member.

- C. Some things that do not require a second include:
 - (i) nominations;
 - (ii) calls for division of the assembly;
 - (iii) parliamentary inquiries;
 - (iv) points of information; and
 - (v) points of order.

3. The Stating of the Question by the Board Chair:

- A. When a motion that is in order has been made and seconded, the Board Chair formally places it before the assembly by stating the question.
- B. The Board Chair must state the question unless:
 - (i) it is out of order;
 - (ii) the wording is not clear. If the wording is not clear, the Board Chair must see that it is put in order before it is stated;
 - (iii) until the Board Chair states the question, the maker may revise it.
- C. Modifying or Withdrawing a Motion:
 - (i) Until the Board Chair states the question, the maker has the right to modify the motion or to withdraw it entirely;
 - (ii) After the question has been stated by the Board Chair, the motion becomes the property of the assembly, and the maker cannot modify or withdraw the motion without the assembly's consent

4. Debate on the Question:

- A. Turn first to the maker of the motion to see if he/she wishes to speak.
- B. Debate must be confined to the merits of the pending question.
- C. The Board Chair has the same rights as all other members, unless your bylaws or rules specify otherwise. If the Board Chair, however, engages as one of the primary proponents or opponents, he or she should temporarily step down to avoid appearance of improper advantage.
- D. The speaker should not be interrupted as long as he/she does not violate the rules of the assembly.

- E. The presiding officer cannot close debate as long as any member who has not exhausted his right to debate desires the floor, except by a **CALL FOR THE PREVIOUS QUESTION**, which requires a two-thirds vote. If someone “calls the question,” the Board Chair may ask, “Is there any objection to calling the question?” If there is unanimous consent, you may close debate. If there is not unanimous consent, you must vote on the **CALL FOR THE QUESTION (2/3 vote)**.

5. Putting the Question:

- A. Before calling for the vote, the Board Chair must repeat the motion pending, so that everyone knows what the vote will entail.
- B. The normal method of voting is by voice vote unless the Board has agreed to a different type of voting, such as a show of hands, or a rising vote. **DO NOT** vary the way you vote according to your opinion of the importance of the motion.
- C. The Board Chair must always call for the negative vote, no matter how near unanimous the vote may appear.
- D. If the voice vote or a rising vote appears to be inconclusive, any member of the assembly may call for a “division of the house,” so that an accurate count can be taken.

6. Announce the Voting Result.

Congratulations! Now return to number 1 and repeat.

INFORMAL DISPOSITION THROUGH UNANIMOUS CONSENT

In cases where there seems to be no opposition in routine business, or on questions of less importance, time can often be saved by the procedure of **UNANIMOUS CONSENT**. The concept behind parliamentary procedure, in part, is that the rules are designed for protection of the minority, and need not be strictly enforced when there is no minority to protect.

1. The Chair can state, “If there is no objection,” the action which the Chair mentions will be taken.
2. If any member objects, the Board would need to handle the issue as a regular motion.
3. The correction and approval of minutes is an example of business that is normally handled by unanimous consent.

X. Common Motions

1. MOTION TO TAKE FROM TABLE

Requires second	Majority vote	not debatable
not amendable		

Purpose: To bring up for consideration an issue that has been laid on the table.

Effect of adoption: Puts motion before board again in exactly the same condition as when laid on table.

2. MOTION TO RECONSIDER

Requires second	Majority vote	debatable
not amendable		

Purpose: To set aside a previous vote and reconsider the question for adoption or rejection.

Restrictions: Used only if vote cannot be reversed with more simple procedures. Motion must be made by member who voted on the prevailing side (except for standing committees - see 10th edition changes at beginning of outline)
May not be made later than the same meeting when the vote to which it applies was taken (except standing committees, see beginning of outline), unless the meeting is multiple day (budget meeting, for example) in which case the motion can be made the day after the day upon which the original vote was taken).
If action has already been taken pursuant to original vote, motion to reconsider cannot reverse the action taken.
Motion may be made when another member has the floor, but its consideration is the same for a main motion.

Effect of motion: Stops any action authorized by the original vote.

Effect of adoption: Sets aside original vote, puts matter back to where it was just before that vote was taken.

3. MOTION TO RESCIND

Requires second	Majority vote 2/3 w/o notice	debatable
amendable		

Purpose: To change an action taken at a previous meeting.

Restrictions: Motion can be made by any member. If action has already been taken, vote cannot be reversed. Motion is subject to a 2/3 vote or majority vote when notice of the motion has been provided in the call of the meeting.

Effect of motion: Stops any action authorized by the original vote.

Effect of adoption: Sets aside original vote, puts matter back to where it was just before that vote was taken.

4. MAIN MOTION

MAIN MOTIONS NOT IN ORDER

1. No main motion is in order that conflicts with national, state, or local law.
2. No main motion is in order that presents substantially the same question as a motion previously rejected during the same session.
3. A main motion that proposes action outside the scope of the organization's objectives, as defined by the policies.

5. MOTION TO POSTPONE INDEFINITELY

Requires second	Majority vote	debatable
Amendable		

Purpose: To kill main motion without a formal vote; trial vote to test strength.

6. MOTION TO AMEND A MOTION

Requires second	Majority vote	debatable*
amendable		

Purpose: To put motion in most acceptable form before voting on it, by striking out or inserting words or substituting one paragraph or motion for another.

Restrictions: An amendment to a pending amendment may be proposed, but not an amendment to the third degree. No idea already inserted by an amendment may be changed by a later amendment. Any germane amendment is in order as long as it is not identical in effect to a no vote on the main motion.

*Not debatable if motion to which it applies is not debatable.

Effect of adoption: Changes the working of the pending motion.

7. MOTION ON PREVIOUS QUESTION

Requires second	2/3 vote	not debatable
not amendable		

Purpose: To have discussion ended immediately and a vote taken.

Form: May specify only the immediately pending question, of all pending questions.

Effect of adoption: Chair must immediately put question to a vote and allow no further discussion.

NOTE: This motion should not be confused with the call for the "question" which is only a suggestion that the board members are ready to vote, and may not be used to deprive any board member of the right to continue the discussion if desired.

8. MOTION TO LAY ON THE TABLE

Requires second	Majority vote	not debatable
not amendable		

Purpose: To set a matter aside temporarily. May be moved even after the previous question has been ordered.

Effect of adoption: Matter on table may be brought up again, but not later than the next meeting, by adoption of a main motion to take it off the table.

9. QUESTION OF ORDER

No second	Decision of Chair	not debatable
not amendable		

Purpose: To ask that a rule that is being violated be observed.

Form: Floor is gained, even while another is talking, by stating, "Chairperson, I rise to a point of order". Chair asks member to state point, then rules whether point is well taken.

10. APPEAL CHAIR'S DECISION

Requires second	majority vote	not debatable
not amendable		

Purpose: To question an action by the Chair.
Form: "Chairperson, I appeal from the decision of the chair."

Restrictions: Must be made as soon as the decision is announced. Debatable if pending question is debatable. Can be laid on the table, which takes the pending question with it.

Effect of adoption: If less than majority sustain chair, decision is reversed.

11. MOTION TO RECESS

Requires second	Majority vote	not debatable
not amendable*		

Purpose: To provide a short interruption of the meeting.

Amendable: As to length of recess.

Restrictions: Treated as a main motion if no other matter pending or if proposed recess is not to be taken immediately.

RECESS vs. ADJOURNMENT

A **RECESS** is a short intermission within a meeting that does not end the meeting, or destroy its continuity. An **ADJOURNMENT** terminates the meeting.

12. MOTION TO ADJOURN

Requires second	Majority	not debatable
not amendable		

Purpose: To end the meeting immediately.

Restrictions: Treated as a main motion if qualified in any way.

Effect of adoption: Chair must adjourn meeting immediately, although necessary announcements may be made and a motion to fix a time for the next meeting may be entertained.