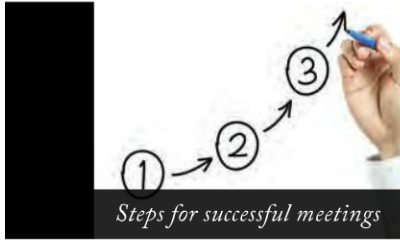


Parliamentary procedure for board members

Sara C. Clark, director of legal services



Have you ever attended a board meeting that ran on and on without accomplishing anything? Does your board jump from one topic to the next without reaching a decision? Are your meetings interrupted by personal agendas and contentious arguments? Then a little parliamentary procedure may be just the thing to turn your unproductive, frustrating meetings into ones that are more enjoyable and effective.

What is parliamentary procedure?

Parliamentary procedure is a set of rules designed to move business along while maintaining order. Many compare knowing the rules of parliamentary procedure to knowing the rules of the road. Because you've learned the rules of driving, you know which side of the road to drive on, who has the right of way at street corners and who goes first at a four-way stop.

Obedying the rules of the road keeps traffic flowing smoothly and prevents accidents. Similarly, when everyone at a meeting knows the rules of

parliamentary procedure, meetings run smoothly and are productive. The head-on collisions or roadblocks that can occur during the discussion of controversial motions are mitigated.

The rules of parliamentary procedure are guidelines, not hard and fast laws. Neither the Ohio Revised Code nor Ohio Administrative Code require Ohio boards of education to follow a system of parliamentary procedure. However, many boards have adopted board policy language identifying which system the board will use to conduct its meetings. "Robert's Rules of Order" is the most commonly used system of parliamentary procedure in Ohio schools.

With that said, "Robert's Rules of Order" was not written with school boards and other governmental entities in mind. There may be times when matters of procedure are specifically governed by Ohio law or the board's policies. For example, in certain instances, Ohio law requires a board of education to conduct a roll call vote or mandates a specific voting majority

before the board may act. See OSBA's Voting Makes a Difference fact sheet at <http://links.ohioschoolboards.org/29428> for a summary of these statutes. These specific requirements have nothing to do with whether a motion carries according to the rules of parliamentary procedures and must be followed even if "Robert's Rules of Order" authorizes a simpler procedure.

Using parliamentary procedure

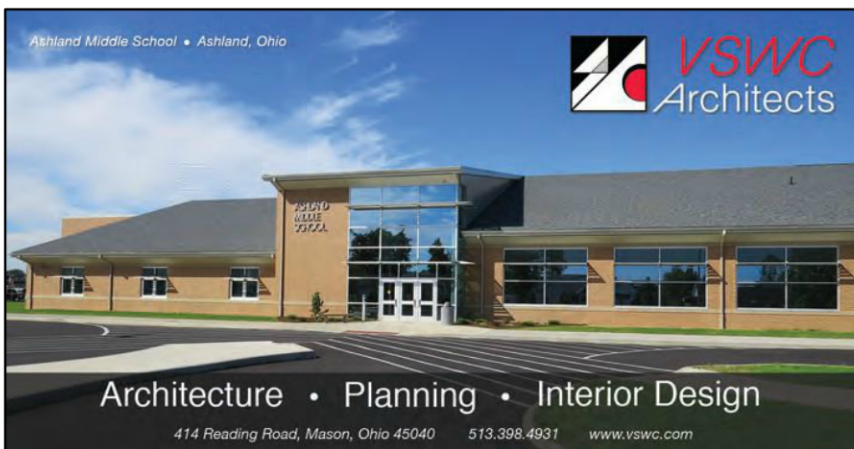
There are more than 700 pages in the latest revision of "Robert's Rules of Order Newly Revised." Sound daunting? You bet. However, there are many aspects of parliamentary procedure that you will never use as a school board member. Remember that the purpose behind the rules is to help your board accomplish its tasks through an orderly, democratic process.

The three basic principles of parliamentary procedure are:

- to take up business one item at a time;
- to promote courtesy, justice, impartiality and equality;
- the majority rules, but the rights of the individual, minority and absent members are protected.

Your job as a board member is not to memorize or even read all 700-plus pages of rules, but I would recommend that you try to remember and use these three principles as a way to realign your board meetings if you find that they're beginning to stray off course.

Although there are aspects of parliamentary procedure that you will never use as a school board member, there are several that you'll find yourself



using constantly. It's worth discussing a few that we frequently receive questions on in OSBA's Division of Legal Services.

First, let's talk about agendas. A well-planned agenda helps board members prepare for effective discussions and decisions and helps make it possible to conduct the meeting in an orderly, efficient and fair manner. There is no legal requirement to use an agenda, nor is there any language in the Ohio Revised Code that discusses how they're prepared or amended.

With that said, I'm not aware of a single school district in Ohio that doesn't use an agenda, and most districts heavily regulate the topic in board policy. Typically, the board's policy mandates that the board president prepare an agenda, with input from the superintendent and the other members of the board.

Under "Robert's Rules of Order," if

the board does not adopt the agenda at the beginning of the meeting, only a majority vote is required to amend it. If the board adopts the agenda at the beginning of a meeting, a two-thirds vote is required to change the agenda after its approval. Agendas may be revised after they have been released to the public, but boards should be cautious with modifying special meeting agendas to ensure that any modifications continue to fall under the purpose(s) included in the special meeting notice.

Second, if you only have time to study one aspect of parliamentary procedure, make sure that you understand the motion to amend. This motion allows a board member to perfect the wording of the main motion and is regularly used in Ohio school board meetings. When an amendment is offered, the board first must vote on the amendment before voting on the main motion. Making a motion and amending it once before

voting on the amended motion can usually be handled with no problem.

However, multiple amendments, retractions and attempts to amend an amendment can leave everyone clueless about what the board is actually voting on. For this reason, it's crucial that the board president clearly state the amendment and its impact before the board takes its vote.

For example: "The motion before the board is to approve contracting for board member training. It has been moved and seconded to amend the motion by adding the words: 'at a cost not to exceed \$1,000.' If the amendment passes, the motion will read: 'Motion to approve contracting for board member training at a cost not to exceed \$1,000.' Discussion is now only on adding the words 'at a cost not exceeding \$1,000.'"

By voting on an amendment, members are only deciding whether to change the

Proud Sponsor of the NACTC
GRADYBENEFITS

DOMESTIC AND INTERNATIONAL STUDENT INSURANCE PROGRAMS
❖ WAIVER VERIFICATION
❖ ATHLETIC COVERAGE
❖ CERTIFICATE AND ELIGIBILITY REPORTS

SECTION 125 ADMINISTRATION
❖ COMPLIANCE/HR SUPPORT
❖ FSA/HSA/403B—INSURED FLEX PLAN
❖ DEPENDENT VERIFICATION

PROUD PARTNER OF THE AMERICAN ASSOCIATION OF COMMUNITY COLLEGES
INTERNATIONAL STUDENT INSURANCE: WWW.COMMUNITYCOLLEGEPLAN.COM

GET BETTER @ 888.81GRADY

GRADYBENEFITS
INSURANCE || CONSULTING || BROKERAGE || RISK MANAGEMENT

main motion. Once all amendments are considered, the group still has to take a final vote on the main motion itself.

Finally, there are two motions that allow a board to reconsider, rescind or amend something it previously adopted. The motion to reconsider allows the board to correct a hasty, ill-advised, erroneous action or amend something in light of new or additional information. The motion only can be made at the same meeting in which the original vote was taken and must be moved by a voter on the prevailing side.

The motion to rescind, on the other hand, permits the board to change an action adopted at a previous meeting. Although any member may make the motion to rescind, it requires a two-thirds vote of the members present or a majority of full membership if notice wasn't given to members in advance of the meeting. Neither the motion to reconsider nor the motion to rescind

may be used if the matter has been completed or individuals' rights under the motion as passed have vested.

When is parliamentary procedure necessary?

Formal rules of procedure usually become more important as boards of education become more diverse in thought, issues become more controversial or complex or the stakes involved become more significant. If there is an issue with your board meetings you would like to try to resolve or you would like to improve your parliamentary procedure skills, there are many resources to help you.

OSBA offers a handy "Parliamentary Procedure at a Glance" guide (<http://links.ohioschoolboards.org/72618>) that is a clear and quick reference on the different types of motions, when it is proper to use them, whether they are debatable and amendable and how many votes are required. OSBA also

sells "Robert's Rules of Order," which in spite of its length, is easier to understand than you may think.

OSBA's Division of Legal Services also offers training on parliamentary procedure and walks participants through how to correctly use more than 20 frequently used motions. If you think your board would benefit from customized training, please contact us at (614) 540-4000 or (800) 589-OSBA.

Alternatively, I encourage anyone who is interested to attend the division's learning session on parliamentary procedure at the Capital Conference and Trade Show. This session is Sunday, Nov. 12, at 4 p.m. ■

"According to Law" is designed to provide authoritative general information, sometimes with commentary. It should not be relied upon as legal advice. If legal advice is required, the services of an attorney should be obtained.

The
**Artistry
OF BRICK**

Innovative products
Creative solutions
Endless possibilities

BELDEN
THE BELDEN BRICK COMPANY
The Standard of Comparison since 1885
Canton, Ohio
Phone: 330-456-0031

Stivers School for the Arts. *Absolutely Beautiful.* Beacon Gray and Canyon Full Range Velour

beldenbrick.com

AN ISO 9001 COMPLIANT QUALITY MANAGEMENT SYSTEM :: AN ISO 14001 COMPLIANT ENVIRONMENTAL MANAGEMENT SYSTEM