PARLIAMENTARY PROCEDURE:
ROBERT'S RULES OF ORDER

North Dakota School Boards Association
Annual Conference 2019

TODAY WE WILL COVER...

Agenda

Robert's Rules of Order
Why?
Basics
Motions
Amendments
Debate

Minutes

SOURCES

- Robert's Rules of Order resources
  - Newly Revised in Brief
  - Jim Slaughter Motion Guide
  - Quick Reference Guide
- North Dakota Century Code
- Attorney General’s Open Meetings & Open Records Laws Summary
- Attorney General’s “A Public Official’s Guide to North Dakota’s Open Meetings & Open Records Laws”
- NSBA Boot Camp Presentation
ABOUT ROBERT'S RULES

First edition published in February 1876 by General Henry M. Robert
Provides for the rules of order for boards or collective bodies

WHY USE PARLIAMENTARY PROCEDURE?

• Provides for common body of rules for a group of people meeting to decide on actions to be taken
• Allows for large or small organizations to work out satisfactory solutions to the greatest number of questions in the least amount of time
• Makes meetings go smoothly when everyone is in agreement and allows the group to come to decisions fairly when issues are bitterly contested

PROCESSES, LAWS, POLICY

Robert's Rules of Order Newly Revised
North Dakota Century Code
Board/School District Policies
Covers the order of business

Sample version in RRONR

1. Reading and Approval of Minutes
2. Reports of Officers, Board, and Standing Committees
3. Reports of Special Committees
4. Special Orders
5. Unfinished Business and General Orders
6. New Business

Does your board have an adopted order of business?

"After an agenda has been adopted by the assembly, no change can be made in it except by a two-thirds vote, a vote of a majority of the entire membership, or unanimous consent." - RRONR

From The Open Meetings & Open Records Laws Summary from the ND AG

Prior written notice is required for all meetings, including committee and sub-committee meetings.

The notice must include, at a minimum, the date, time and location of the meeting and the agenda topics the governing body expects to address during the meeting.

Regular meeting agendas may be altered or added to at the time of the meeting. For special or emergency meetings, only the specific topics included in the notice may be discussed.

If an executive session is anticipated, the meeting notice must include the executive session as an agenda item, along with the subject matter and the legal authority for the executive session.

From NSBA

Adding items to the agenda the night of the meeting may be allowed in your state, but still a very bad idea.
FARGO PUBLIC SCHOOLS BOARD
AGENDA
EXAMPLE

Call to Order
Approval of Agenda
Recognition of Audience
Recognition Activities
Guest Reports
Staff Reports
Approval of Consent Agenda (minutes, monthly financial reports, personnel items and other routine business)
Business
Board Reports
Confirm Date of Next Meeting
Adjournment

Per FPS Board Policy GP-2E:
Governing Style

One item at a time. Discussions must be germane to a pending motion.

Everyone is equal, including the president.

Silence implies consent.

"The purpose of a meeting is to unite the wills of the majority while protecting the rights of the minority."

ROBERT’S RULES

BASIC PRINCIPLES
BASIC PRINCIPLES

- Board President – “Chair” presides over the meeting
- Secretary – records the minutes of the meeting
- Quorum – must be present to conduct business
- Simple majority rules, usually

MOTIONS

MAIN MOTION

- A motion is a formal proposal by a member, in a meeting, that the group take certain action.
- Main motion – brings business before an assembly
- Only one main motion may be before the assembly for action at a time.
ADOPTING A MOTION

Six steps for adopting a motion

1. A member makes a motion
2. A member seconds a motion (motion fails if there is a lack of a second)
3. The chair states the question
4. The members debate
5. The members vote (roll call vote required by NDCC 44-04-21 on all non-procedural votes)
6. The chair announces the vote

MAIN MOTION

• To make a motion, after obtaining the floor, simply say:
  • “I move that...” and clearly describe the proposal
  • The motion must be seconded for the group to consider the proposal
  • Does not mean the seconder agrees with the motion

EXAMPLE

Tim: “I move that the School Board approves the 2019-2020 school budget.”
Jan: “I second the motion.”
Board President: “We have a motion on the floor to approve the 2019-20 school budget. Any discussion?”
The chair or secretary can require that the main motion be submitted in writing.

If the motion is unclear, the chair should help the mover reword it.

The chair "states the question" on the motion:

- After the motion is stated by the chair, the motion becomes the property of the assembly and thus its maker can not modify his/her motion or withdraw it entirely. While the motion is pending, the assembly can change the wording of the motion through the process of an amendment.

The motion is debated/discussed and acted upon:

- Maker of the motion has the right to speak first
- Those desiring to speak must obtain the floor
- Debate must be confined to the merits of the pending question
- Remarks must be germane to the pending motion
- Debate should never attack other members or make allusions to the motives of other members
- Secondary motions may be made (e.g. amend, recess)
- The chair "puts" the question
- The assembly votes (roll call vote required by NDCC 44-04-21 on all non-procedural votes)
- The chair announces the results of the vote

Note: some motions are not debatable --- see chart

Parliamentary Motion Guide

The sections below are listed in order of precedence. Any motion must be adopted if it is higher on the chart than the pending motion.

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WHAT IF?

What if you’ve discussed long enough?

LIMIT DEBATE

• Two ways to limit debate on a motion:
  • Limit or Extend Debate – motion that sets a limit for time of debate/discussion
  • Previous Question – motion to close debate
**LIMIT DEBATE**

- Previous Question
  - “I move the previous question”
  - Ends debate on pending motion immediately
  - Requires a second
  - Motion is undebatable
  - Motion is not amendable
  - Requires a 2/3 vote to pass
  - If passed, motion goes immediately to a vote
  - If failed, debate continues

- Until the chair states the question, the maker of a motion may withdraw the motion.
- After the chair states the question, it is not in order to have the motion withdrawn.
- After the motion is stated by the chair, the motion becomes the property of the assembly and then its maker can not modify his/her motion or withdraw it entirely. While the motion is pending, the assembly can change the wording of the motion through the process of an amendment.
- The motion then needs to be amended or voted upon.

**WHAT IF?**

What if you need to change a motion?
• Amendments modify the wording and at times the meaning of a motion
• Any amendment proposed must in some way involve the same question raised by the motion it amends. An amendment must be germane.
• No new subject can be introduced under the pretext of being an amendment.
• Amendments are to make word changes:
  - Insert or add words, or
  - Strike out words, or
  - Strike out and add words
• Members are to specifically say what words are being added or stricken and where.

Note: a “friendly amendment” does not exist in Robert’s Rules. Amendments must be opened to debate and voted on formally.

Example:
Tim: “I move that the School Board approves the 2019-2020 school budget.”
Jan: “I second the motion.”
Board President: “We have a motion on the floor to approve the 2019-20 school budget. Any discussion?” – DISCUSSION OCCURS –
Beth: “I move to amend the motion to strike the words ‘school budget’ and insert the words “general fund budget” after 2019-20.”

• Must be seconded
• Amendments take precedence over the main motion
• Is debatable whenever the motion to which it is applied is debatable
• Debate must be confined to the desirability of the amendment and must not extend to the merits of the motion to the amended, except as may be necessary to determine whether the amendment is advisable.
• Motions to limit or extend limits of debate and for the previous question can be applied to a pending amendment. These motions affect only the immediately pending amendment.
• Requires a majority vote
• Can be reconsidered
Adoption of an amendment does not adopt the motion thereby amended, that motion remains pending in its modified form.

Rejection of a motion to amend leaves the pending motion worded as it was before the amendment was voted on.

A member's vote on an amendment does not obligate him/her to vote in a particular way on the motion to which the amendment applies, he/she is free to vote as he/she pleases on the main motion, whether it is amended or not.

After the amendment is adopted, the main motion as amended may be further debated and further amended. In the end, a vote is taken on the main motion as amended.

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**EXAMPLE**

Tim: “I move that the School Board approves the 2019-2020 school budget.”

Jan: “I second the motion.”

Board President: “We have a motion on the floor to approve the 2019-20 school budget. Any discussion?” - DISCUSSION OCCURS –

Beth: “I move to amend the motion to strike the words ‘school budget’ and insert the words “general fund budget” after 2019-20.”

Jan: “I second the motion”

Board President: “We have an amendment on the floor to strike the words ‘school budget’ and insert the words “general fund budget” after 2019-20. Any discussion on the amendment?”

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**Amending an amendment**

- The first amendment is the **primary amendment**
- The second amendment (amendment to the amendment) is the **secondary amendment**
- There cannot be a third amendment (amendment to an amendment to an amendment). If another amendment is desired, a member can indicate that if the secondary amendment is voted down, they will offer another secondary amendment in its place.
• No more than one primary amendment and one secondary amendment are permitted to be pending at a time, but any number of each can be considered in succession so long as they do not again raise questions already decided.

• The “Settled” Rule
  • Once a group has voted on an amendment, that specific matter is considered settled.

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Tim: "I move that the School Board approves the 2019-2020 school budget."
Jan: "I second the motion."

Board President: "We have a motion on the floor to approve the 2019-20 school budget. Any discussion? - DISCUSSION OCCURS -

Beth: "I move to amend the motion to strike the words ‘school budget’ and insert the words ‘general fund budget’ after 2019-20."
Jan: "I second the motion."

Board President: "We have an amendment on the floor to strike the words ‘school budget’ and insert the words ‘general fund budget’ after 2019-20. Any discussion on the amendment? - DISCUSSION OCCURS -

Jan: "I move to amend the amendment to insert the words ‘and special assessment budget’ after ‘general fund budget’."

---

Example:

Tim: "I move that the School Board approves the 2019-2020 school budget."
Jan: "I second the motion."

Board President: "We have a motion on the floor to approve the 2019-20 school budget. Any discussion? - DISCUSSION OCCURS -

Beth: "I move to amend the motion to strike the words ‘school budget’ and insert the words ‘general fund budget’ after 2019-20."
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Jan: "I move to amend the amendment to insert the words ‘and special assessment budget’ after ‘general fund budget’."
Tim: “I move that the School Board approves the 2019-2020 school budget.”
Jan: “I second the motion.”
Board President: “We have a motion on the floor to approve the 2019-20 school budget. Any discussion?” – DISCUSSION OCCURS –
Beth: “I move to amend the motion to strike the words ‘school budget’ and insert the words ‘general fund budget’ after 2019-20.”
Jan: “I second the motion.”
Board President: “We have an amendment on the floor to strike the words ‘school budget’ and insert the words ‘general fund budget’ after 2019-20. Any discussion on the amendment?” – DISCUSSION OCCURS –
Jan: “I move to amend the amendment to insert the words ‘and special assessment budget’ after ‘general fund budget’.”
Beth: “I second the motion.”

• Not germane to the question to the amended
• Makes the adoption of the amended question equivalent to a rejection of the original motion
• Cause the question as amended to be out of order
• Proposes to change one of the forms of amendment into another form
• Have the effect of converting one parliamentary motion into another
• Strikes out the word “resolved” of other enacting words

WHAT IF?

What if you need to decide something else first?

What if you want to wait to decide?
OPTIONS

“Lay on the table”

“Postpone to a certain time”

• Lay aside temporarily/“Lay on the Table”
  • The purpose of the motion to Lay on the Table is to enable an assembly to lay a pending question aside temporarily when something else of immediate urgency has arisen or when something else needs to be addressed before consideration of the pending question is resumed
  • Must be seconded
  • Is not debatable; however the reason can be stated first
  • Is not amendable
  • Requires a majority vote to pass

“TABLE” A MOTION

“Lay on the Table” vs “Postpone to a Certain Time”

• Lay aside temporarily/“Lay on the Table”
  • This sets the motion aside without setting a time for resuming its consideration
  • Allows the motion to be taken up again whenever the majority so decides
  • Motion then has to be “Taken from the Table”
  • Is not meant to kill or avoid dealing with a measure
  • If a time for resuming consideration is specified in making the motion, it can be admitted only as a motion to Postpone
  • Motion has to be on the floor, cannot lay a unit of items on the table
• “Take from the Table”
  • Resumes consideration of a main motion which lies on the table
  • Must be seconded
  • Is not debatable
  • Is not amendable
  • Requires a majority vote to pass
  • Any member can move to take a question from the table

• Postpone to a Certain Time
  • Puts off further consideration of the main motion to a later time or meeting named in the motion.
  • Must be seconded
  • Is debatable (must be limited to motion to postpone, not the main motion)
  • Is amendable as to the time to which the main question is to be postponed
  • Requires a majority vote to pass

WHAT IF?

What if you want to undo what you did?
"Reconsider"

- Enables a majority in an assembly within a limited time and without notice, to bring back for further consideration a motion which has already been voted on.
- Purpose is to permit correction of hasty, ill-advised or erroneous action, or to take into account added information or a changed situation that has developed since taking of the vote.
- Motion can be made only by a member who voted with the prevailing side.
- Must be seconded.
- Can be seconded by any member, no matter how he/she voted.
- Is not amendable.
- Is debatable in all cases in which the motion proposed to be reconsidered is debatable.
- Requires a majority vote to pass.
- If passed, the prior motion will be back again before the assembly as if it was before the original vote on it was taken.
- Limited period time within which it can be made. Can only be made on the same day on which the vote sought to be reconsidered was taken.

"Rescind/amend something previously adopted"

- Can be applied to the vote on any motion EXCEPT:
  - A motion which can be renewed.
  - A negated vote on a motion which, at the time the motion to reconsider is made, would be out of order because:
    - It conflicts with a motion previously adopted and still in force.
    - It conflicts with a motion which has been temporarily disposed of and which remains within the control of the assembly.
    - It would conflict with a pending motion if that motion were adopted.
  - An affirmative vote whose provisions have been partly carried out.
  - An affirmative vote in the nature of a contract when the party to the contract has been notified of the outcome.
  - Any vote which has caused something to be done that it is impossible to undo.
  - A vote on a motion to reconsider.
  - When practicably the same result as desired can be obtained by some other parliamentary motion.
• Rescind/Amend Something Previously Adopted
  - Rescind and to Amend Something Previously Adopted allow a change to an action previously taken.
  - Rescind is the “motion by which a previous action or order can be canceled or countermanded.”
  - The effect of Rescind is to strike out an entire main motion, resolution, order or rule that has been adopted at some previous time.
  - Amend Something Previously Adopted is the motion that can be used if it is desired to change only a part of the text, or to substitute a different version.

• Rescind/Amend Something Previously Adopted
  - Requires a second
  - Is debatable
  - Is amendable
  - Requires a 2/3 vote without prior notice to pass, Requires a majority vote with prior notice to pass
  - A negative vote on these motions can be reconsidered, but not an affirmative vote
  - No time limit on making the motions
  - Can be moved by any member regardless of how he/she voted on the original question

• Rescind/Amend Something Previously Adopted
  - Actions that cannot be Rescinded or Amended
    - When it has previously been moved to reconsider the vote on the main motion, and the question can be reached by calling up the motion to Reconsider
    - When something has been done, as a result of the vote on the main motion, that is impossible to undo
    - When a resignation has been acted upon, or a person has been elected to or expelled from membership or office, and the person was present or has been officially notified of the action.
The motion to Rescind differs from the motion to Reconsider in that:

- A motion to rescind does not need to be made by a member who voted with the prevailing side.
- A motion to rescind is not subject to the time limit of the meeting in which it was made.

- Date, time and place of meeting
- Board members present
- List of topics discussed regarding public business
- All motions made, if it was seconded, and the result of all votes (roll call votes are needed on all non-procedural items)
- Record of what was done, not what was said

Minutes are forwarded to the next Board meeting for approval.
Approved minutes are printed in the District's official newspaper in the legal section.
QUESTIONS?

CONTACT INFORMATION

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campbea@fargo.k12.nd.us