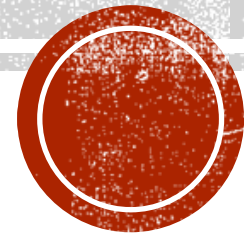


PARLIAMENTARY PROCEDURE: ***ROBERT'S RULES OF ORDER***

North Dakota School Boards Association
Brunch and Learn – January 17, 2024
AnnMarie Campbell, Fargo Public Schools



TODAY WE WILL COVER...



Agenda



Robert's Rules of Order

Why?
Basics
Motions
Amendments
Debate



Minutes



Role of a Board Member & Board Meetings



Resources



SOURCES

- Robert's Rules of Order Newly Revised 12th Edition
- Robert's Rules of Order resources
 - Newly Revised In Brief
 - Jim Slaughter Motions 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



***Robert's Rules of Order –
12th edition***



**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***

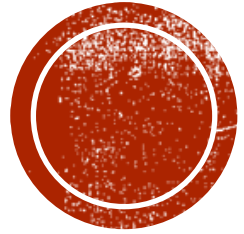


***North Dakota
Century Code***



***Board/School
District Policies***





AGENDA



AGENDA

- 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
- “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 also 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.

AGENDA

Century Code and AG
recommendations

NSBA

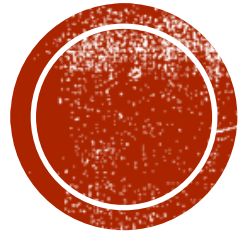


FARGO PUBLIC SCHOOLS BOARD AGENDA EXAMPLE

Per FPS Board Policy GP-2E:
Governing Style

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

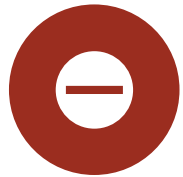




ROBERT'S RULES



BASIC PRINCIPLES



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



Everyone is equal,
including the president



An individual is secondary to the Board as a whole



Silence implies consent



“The purpose of a meeting is to determine the will of the majority while protecting the rights of the minority”



BASIC PRINCIPLES



Board President –
“Chair,” presides
over the meeting



Secretary – records
the minutes of the
meeting

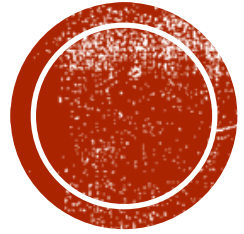


Quorum – must be
present to conduct
business



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 2023-24 school budget.”

Jan: “I second the motion.”

Board President: “We have a motion on the floor, moved by Tim and seconded by Jan, to approve the 2023-24 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 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 is debated/discussed and acted upon

MAIN MOTION



- 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

WITHDRAW

The limited process of the ability to withdraw



DEBATE

- 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 (i.e. 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*





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





What if you need to
change a motion?

AMENDMENT

- 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 2023-24 school budget.”

Jan: “I second the motion.”

Board President: “We have a motion on the floor, moved by Tim and seconded by Jan, to approve the 2023-24 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 2023-24.”



AMENDMENT

- 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



AMENDMENT

- 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*.



EXAMPLE

Tim: "I move that the School Board approves the 2023-24 school budget."

Jan: "I second the motion."

Board President: "We have a motion on the floor, moved by Tim and seconded by Jan, to approve the 2023-24 school budget. Any discussion?" -
DISCUSSION OCCURS -

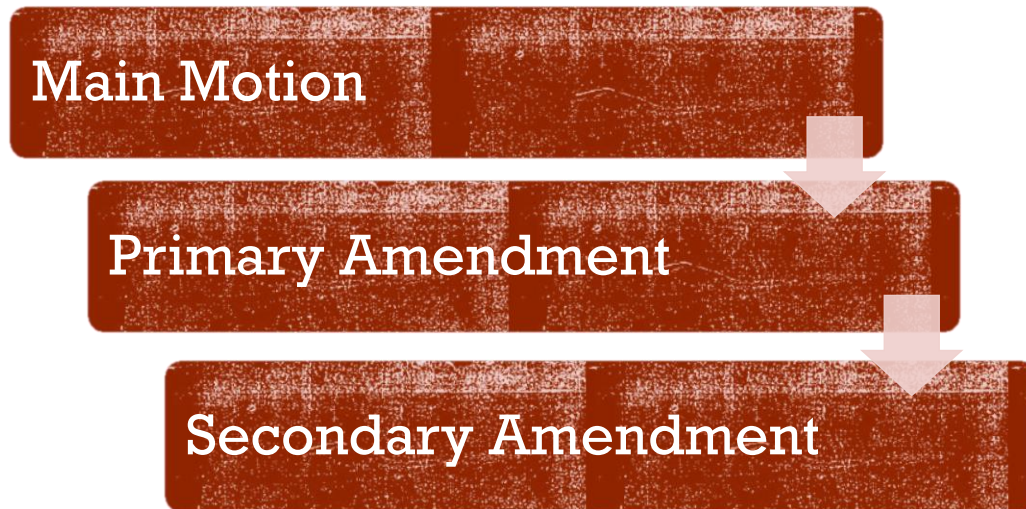
Beth: "I move to amend the motion to strike the words 'school budget' and insert the words 'general fund budget' after 2023-24."

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 2023-24. Any discussion on the amendment?"



- 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.



AMENDMENT

Degrees of amendment



AMENDMENT

- 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.



EXAMPLE

Tim: "I move that the School Board approves the 2023-24 school budget."

Jan: "I second the motion."

Board President: "We have a motion on the floor, moved by Tim and seconded by Jan, to approve the 2023-24 school budget. Any discussion?" - DISCUSSION OCCURS -

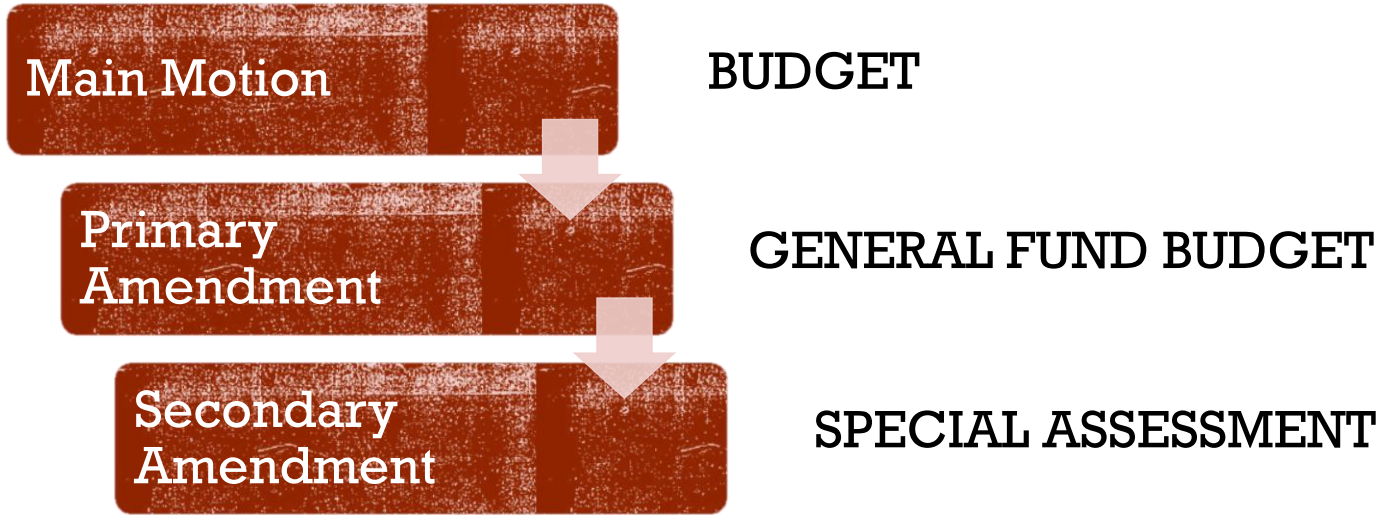
Beth: "I move to amend the motion to strike the words 'school budget' and insert the words 'general fund budget' after 2023-24."

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 2023-24. 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'"





AMENDMENT

Degrees of amendment



EXAMPLE: *VOTING*

3 → Tim: “I move that the School Board approves the 2023-24 school budget.”

Jan: “I second the motion.”

Board President: “We have a motion on the floor to approve, moved by Tim and seconded by Jan, the 2023-24 school budget. Any discussion?” - DISCUSSION OCCURS –

2 → Beth: “I move to amend the motion to strike the words ‘school budget’ and insert the words ‘general fund budget’ after 2023-24.”

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 2023-24. Any discussion on the amendment?” - DISCUSSION OCCURS –

1 → Jan: “I move to amend the amendment to insert the words ‘and special assessment budget’ after ‘general fund budget’”

Beth: “I second the motion”



IMPROPER AMENDMENTS

- 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 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

“TABLE” A MOTION

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



- *“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

“TABLE” A MOTION

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



- *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

“TABLE” A MOTION

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





What if you want to
undo what you did?

OPTIONS

“Reconsider”

“Rescind/amend something
previously adopted”



- *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 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.

RECONSIDER



RECONSIDER

- *Reconsider*
 - Can be applied to the vote on any motion EXCEPT:
 - A motion which can be renewed
 - A negative 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 but not finally 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 practically the same result as desired can be obtained by some other parliamentary motion



RESCIND OR AMEND SOMETHING PREVIOUSLY ADOPTED

- *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 OR AMEND SOMETHING PREVIOUSLY ADOPTED

- *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 OR AMEND SOMETHING PREVIOUSLY ADOPTED

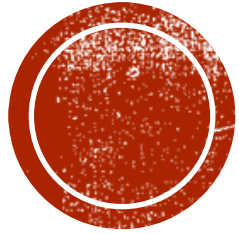
- *Rescind/Amend Something Previously Adopted*
 - *Actions that cannot be Rescinded or Amended*
 - When it has previously been moved to reconsider the vote on the main motion, and the question can be reached by calling up the motion to *Reconsider*
 - When something has been done, as a result of the 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.

RECONSIDER VS. RESCIND





MINUTES

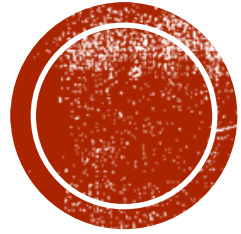


MEETING MINUTES

Robert's Rules of Order, plus NDCC
40-04 requirements

- 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





ROLE OF A BOARD MEMBER & BOARD MEETINGS

ROLE OF A BOARD MEMBER & BOARD MEETINGS

Powers per NDCC 15.1-09

- Hire superintendent
- Set budget
- Set Policy

Meet publicly per NDCC 44-04

- Business meeting in the public
- Public comment can be allowed

Governance versus Operational Items



PUBLIC COMMENT – “YIELDING TIME”

- **Open Meetings Law** – The meetings of the School Board, both regular and committee meetings, are business meetings that must be held in the public, per state law. That means the public is allowed to attend and observe the meetings. A time of public comment is not required by law, but a board can allow for it to occur and can establish parameters for public comment.
- It is important to note that individuals providing public comment are not “members” of the meeting. They are only allowed the rights the Board gives to them.



PUBLIC COMMENT — “YIELDING TIME”

- **Robert’s Results of Order**

RRO pertains to the members of the meeting, not public commentators. Per Robert’s Rules of Order, 12th Edition, page 88:

“Public Session

A deliberative assembly or committee is normally entitled to determine whether nonmembers may attend or be excluded from its meetings (even when not in executive session). Many public and semipublic bodies, however, are governed by sunshine laws – that is, their meetings must be open to the public. Normally, such laws have no application to private, nongovernmental bodies.

In meetings of many public bodies, such as school boards, the public may attend. Similarly, in some private organizations such as church councils, parishioners may be permitted to attend. These attendees are not members of the meeting body and ordinarily have no right to participate. Some bodies, specially public ones, may invite nonmembers to express their views, but this is done under the control of the presiding officer subject to any relevant rules adopted by the body and subject to appeal by a member. Often, by rule or practice, time limits are placed on speakers and relevance is closely monitored.”



PUBLIC COMMENT — “YIELDING TIME”

- **Robert’s Results of Order**

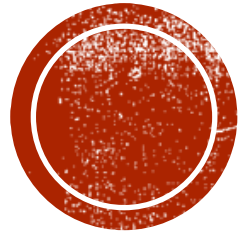
But, more importantly, yielding time is not allowed in Robert’s Rules of Order. Members of a meeting yield the floor, which is not the same as yielding time.

Per RRO, when there is a motion on the floor, each member has the ability to speak twice on matter, for 10 minutes per time. To be able speak, the member “obtains the floor” and can speak up until the time limit. When the member is done, they “yield the floor.” If the member does not use all ten minutes, they still “yield the floor” and in essence gives up their remaining time. They are not allowed to give that time to another member or save the time for themselves for a later time.

Per Robert’s Rules of Order, 12th Edition, page 368:

“Rights in regard to debate are not transferable. Unless the organization has a special rule on the subject, a member cannot yield any unexpired portion of his time to another member, or reserve any portion of his time for a later time – that is, if a member yields the floor before speaking his full ten minutes, his is presumed to have waived his right to the remaining time. If a speaker yields to another member for a question (Request for Information, 33:6-10), the time consumed by the question is charged to the speaker.”





RESOURCES



The ONLY CURRENT AUTHORIZED EDITION of the
CLASSIC WORK on PARLIAMENTARY PROCEDURE

ROBERT'S RULES OF ORDER

NEWLY REVISED



12TH EDITION

Henry M. Robert III,
Daniel H. Honemann, Thomas J. Balch,
Daniel E. Seabold, and Shmuel Gerber



THE RULES YOU NEED IN A MEETING
MADE SIMPLE AND EASY

ROBERT'S RULES OF ORDER

— NEWLY REVISED —

IN BRIEF



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FULLY UPDATED 3RD EDITION



Parliamentary Motions Guide

Based on *Robert's Rules of Order Newly Revised (12th Edition)*

The motions below are listed in order of precedence. Any motion can be introduced if it is higher on the chart than the pending motion.

YOU WANT TO:	YOU SAY:	INTERRUPT?	2 ND ? ¹	DEBATE?	AMEND?	VOTE?
§21 Close meeting	I move to adjourn	No	Yes	No	No	Majority
§20 Take break	I move to recess for	No	Yes	No	Yes	Majority
§19 Register complaint	I rise to a question of privilege	Yes	No	No	No	None
§18 Make follow agenda	I call for the orders of the day	Yes	No	No	No	None
§17 Lay aside temporarily	I move to lay the question on the table	No	Yes	No	No	Majority
§16 Close debate	I move the previous question	No	Yes	No	No	2/3
§15 Limit or extend debate	I move that debate be limited to ...	No	Yes	No	Yes	2/3
§14 Postpone to a certain time	I move to postpone the motion to ...	No	Yes	Yes	Yes	Majority
§13 Refer to committee	I move to refer the motion to ...	No	Yes	Yes	Yes	Majority
§12 Modify wording of motion	I move to amend the motion by ...	No	Yes	Yes	Yes	Majority
§11 Kill main motion	I move that the motion be postponed indefinitely	No	Yes	Yes	No	Majority
§10 Bring business before assembly (a main motion)	I move that [or "to"] ...	No	Yes	Yes	Yes	Majority

¹ Some more formal requirements, like seconds to motions, may not apply in smaller boards or any size committee.



Parliamentary Motions Guide

Based on *Robert's Rules of Order Newly Revised (12th Edition)*

Incidental Motions - No order of precedence. Arise incidentally and decided immediately.

YOU WANT TO:	YOU SAY:	INTERRUPT?	2ND?	DEBATE?	AMEND?	VOTE?
§23 Enforce rules	Point of order	Yes	No	No	No	None
§24 Submit matter to assembly	I appeal from the decision of the chair	Yes	Yes	Varies	No	Majority or tie sustains
§25 Suspend rules	I move to suspend the rules which ...	No	Yes	No	No	2/3
§26 Avoid main motion altogether	I object to the consideration of the question	Yes	No	No	No	2/3 against consideration
§27 Divide motion	I move to divide the question	No	Yes	No	Yes	Majority
§29 Demand rising vote	I call for a division	Yes	No	No	No	None
§33 Parliamentary law question	Parliamentary inquiry	Yes (if urgent)	No	No	No	None
§33 Request information	Request for information	Yes (if urgent)	No	No	No	None

Motions That Bring a Question Again Before the Assembly - no order of precedence. Introduce only when nothing else pending.

§34 Take matter from table	I move to take from the table ...	No	Yes	No	No	Majority
§35 Cancel or change previous action	I move to rescind/ amend something previously adopted...	No	Yes	Yes	Yes	Varies
§37 Reconsider motion	I move to reconsider the vote ...	No	Yes	Varies	No	Majority



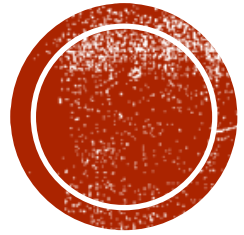
RESOURCES

- Robert's Rules of Order Newly Revised 12th Edition
https://www.amazon.com/Roberts-Rules-Order-Newly-Revised/dp/1541736699/ref=sr_1_1?crid=1XVUCT7U6BUV3&keywords=robert%27s+rules+of+order&qid=1705081181&prefix=robert%27s+rules+of+order%2Caps%2C114&sr=8-1

Spiral bound version: <https://nap.users.membersuite.com/shop/store/3206a755-00ce-cb07-d848-8b045aef12b7/detail>

- Jim Slaughter Motions Guide:
<https://www.jimslaughter.com/uploads/robertsrulesorder12theditionquickguidehart2022.pdf>
- Robert's Rules of Order Newly Revised In Brief
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QUESTIONS?



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