

# Boardsmanship Review

## Governing State Board Operations Through Parliamentary Procedures

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*It is very material that order, decency, and regularity be preserved in a dignified public body.*

—Thomas Jefferson, *A Manual of Parliamentary Practice*

Parliamentary procedures are the rules and precedents that regulate how a governing body conducts its business. As state boards have grown more diverse in their views and compositions, the significance of parliamentary procedures has taken on new meaning.

Proper parliamentary procedure can expedite the board's business and makes the most of the limited time boards have together. All members of state boards of education should be familiar with their board's parliamentary rules and how to appropriately use either these rules, or special rules the board has approved, or the parliamentary authority the board has adopted.

Effective boards and their members use parliamentary procedures to ensure that the rights of all participants are protected, that debate is balanced, and that the business of the board is conducted in a fair and orderly manner.

All board members need a basic understanding of parliamentary procedure. The rules are based on a regard for the rights and responsibilities of all members of the governing body. Put simply, these rules should ensure that the minority has the right to be heard and the majority has the right to decide. A member who is familiar with parliamentary procedure knows how to do the following:

- phrase and offer a motion;

- protect his or her right to be heard on an issue;
- rise to a point of order;
- evaluate the relevance of amendments;
- conduct an effective meeting; and
- differentiate the nature and use of committees.

Most state boards use *Robert's Rules of Order, newly revised, 11th edition* as the basis for determining their procedures of operation. Boards that use *Robert's Rules* as their guiding document should spell out in their bylaws or operating procedures the edition on which they will rely. A new board member's orientation materials should include a guideline to parliamentary procedures. Topics that are most common and useful to state boards include the role of the chair, the importance of a quorum, the use of motions in board deliberations, and the use of the committee structure.

### THE ROLE OF THE CHAIR

The chair is the presiding officer of the board. He or she must facilitate the work of the board and build consensus among the membership to achieve common goals. As *Robert's Rules* notes, the chair should be familiar with parliamentary procedure but should also "bear in mind that no rules can take the place of tact and common sense on the part of the chairman" (§47). The chair maintains oversight over the meeting agenda, ensures that meetings start and end on time, and keeps the board moving toward established goals. On some boards, the chair has a vote on any motion. On other boards, the chair votes only in case of a tie. This should be spelled out in the

bylaws of the board. Any ruling of the chair can be challenged, but appeals must be made immediately after the chair's ruling.

### THE IMPORTANCE OF A QUORUM

A board cannot conduct its business unless a minimum number of voting members are present. The board's bylaws should define a quorum, which may also be specified in state law or in state regulation. If they do not, a board quorum is typically a majority of all members.

The only official business a board can conduct without a quorum is to set the time to adjourn, recess, or take measures to obtain a quorum. If a meeting has a quorum at the beginning but members leave during the meeting, the continued presence of a quorum is presumed unless the chair or a member notices that a quorum is no longer present. If the chair notices the absence of a quorum, it is his or her duty to at least declare the fact before taking any vote or stating the question on any new motion. Any member noticing the apparent absence of a quorum can raise a point of order to that effect at any time as long as he or she does not interrupt a person who is speaking. A member must question the presence of a quorum at the time a vote on a motion is to be taken. A member may not at some later time question the validity of an action on the grounds that a quorum was not present when the vote was taken.

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Hearings, programs, and presentations can proceed without the presence of a quorum. However, the absence of a sufficient number of members to constitute a quorum may be interpreted by the watching public as a lack of board interest and support for the specific program or presentation being made.

### THE USE OF MOTIONS IN BOARD DELIBERATIONS

*Robert's Rules of Order* lists at least 87 kinds of motions, but many may never be used in a state board of education meeting. To promote democratic and effective meetings, members should familiarize themselves with the rules of the most common motions used:

- making a motion
- amending a motion
- referring to committee
- limiting or closing debate
- rising to a point of order
- appealing the ruling of the chair
- questions of privilege
- motion to reconsider
- point of inquiry
- recess and adjournment

In addition, members should know if a motion is amendable, debatable, or when a vote is required to pass the motion. A point of order, a point of information, and a point of personal privilege are always in order (table 1).

### AMENDING A MOTION

On some boards (and in *Jefferson's Manual*), it is assumed that a member who presents an amendment to a motion that is accepted by the body will then vote for the main motion. This is frequently not covered in formal bylaws, but board members should inquire about the custom and practice of their board.

Table 1 Rules Used with Motions

Motion	May Interrupt Speaker	Second Required	Debatable	Privileged Motion	Subsidiary Motions
Fix time to adjourn		✓		✓	
Adjourn		✓		✓	
Recess		✓		✓	
Question of privilege	✓	✓	✓	✓	
Order of the day	✓			✓	
Table		✓			✓
Previous question		✓			✓
Limit/extend debate		✓			✓
Postpone		✓	✓		✓
Refer		✓	✓		✓
Amend		✓	✓		✓
Postpone indefinitely		✓	✓		✓
Main		✓	✓		✓

### THE USE OF THE COMMITTEE STRUCTURE

When a board does not have sufficient information to make a judicious decision, when greater detail is necessary, or when it appears that the board could accomplish more through the work of a committee, a motion can be made to refer the issue to committee. The rules for committees are different from the rules that apply to the entire board:

- Members are not required to obtain the floor before making motions or speaking.
- Motions need not be seconded.
- There is no limit to the number of times a

member can speak to a question, and motions to close or limit debate generally are not allowed.

- Informal discussion of a subject is permitted while no motion is pending.
- The chair can speak in discussion, make motions, and usually votes on all questions.

A motion to refer should not be a tool to avoid or bury an issue but rather a mechanism to support the board's work. Committees work best when the policy questions are identified early in the committee's study and deliberations, and they can be effectively used to inform the full board of the committee's work.