

1 **Browning Public Schools**

2
3 Policy # 1402

4 Policy Name: *Voting Method at Board Meetings*

5 Regulation: -----
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7 **Electronic Participation**

8 The Board may allow members to participate in meetings by telephone or other electronic means.
9 Board members may not simply vote electronically but must be connected with the meeting
10 throughout the discussion of business. If a Board member electronically joins the meeting after an
11 item of business has been opened, the remotely located member shall not participate until the next
12 item of business is opened.
13

14 If the Board allows a member to participate electronically, the member will be considered present
15 and will have his or her actual physical presence excused. The member shall be counted present for
16 purposes of convening a quorum. The Clerk/designee will document it in the minutes, when
17 members participate in the meeting electronically.
18

19 Any Board member wishing to participate in a meeting electronically will notify the Chairperson and
20 Superintendent as early as possible. The Superintendent will arrange for the meeting to take place in
21 a location with the appropriate equipment so that Board members participating in the meeting
22 electronically may interact, and the public may observe or hear the comments made. The
23 Superintendent will take measures to verify the identity of any remotely located participants.
24

25 **Meeting Conduct and Order of Business**

- 26 • The rules of parliamentary procedure comprised in Robert's Rules of Order ~~will~~ **may be used as**
27 **a guide to** govern the Board of Education in its deliberations.
28 • The order of business shall be reflected on the agenda.
29 • The use of proxy votes shall not be permitted.
30 • Voting rights are reserved to those trustees in attendance.
31 • Voting shall be by acclamation or show of hands.
32 • A majority of the Board will constitute a quorum.
33 • The agreement of a majority of those members present will be necessary for the transaction of
34 any business.
35 • The Chairperson of the board will vote on motions before the Board and rules governing voting
36 will be applicable to him/her.
37 • A board member who has a personal interest in any proposed or pending matter which presents a
38 conflict of interest in accordance with Board policy #1512 will disclose such interest and will not
39 vote ~~unless the member's participation is necessary to obtain a quorum or otherwise enable the~~
40 ~~Board to act.~~ Under such circumstances, the member will comply with the voluntary disclosure
41 requirements set out in State Law.
42 • When a tie vote exists on a motion, the motion will be declared to have failed.
43 • To pass, any motion must be approved by majority of the members present except as State Law
44 and policies of this Board may require differently.
45 • The individual votes of board members will be recorded in the minutes when the vote is not
46 unanimous.
47 • A roll call vote may be requested by any member of the Board or by the secretary when a vote is
48 not unanimous. If a roll call vote is requested the secretary will call the roll in alphabetical
49 order.

- Public comment will be in accordance with Board Policy #1441, Audience Participation.

The high school representative elected from the East Glacier District is expected to participate in voting issues that apply to the high school and the District in its entirety. The high school representative may not vote on issues which are solely of an elementary nature. The anticipated funding of the decision will serve as a guideline in making this determination.

Rescind a Motion

A motion to rescind (cancel previous action) must have a second, must allow for debate, can be amended, and must have a 2/3 vote of the board or a majority vote of the board if previous notice to rescind a motion has been given.

The motion to rescind can be applied to votes on all main motions, with the following *exceptions*: votes cannot be rescinded after something has been done as a result of that vote that the assembly cannot undo; or where it is in the nature of a contract and the other party is informed of the fact; or, where a resignation has been acted upon, or one has been elected to, or expelled from, membership or office, and was present or has been officially notified.

Cross Reference: #1441 Audience Participation
#1512 Conflict of Interest

Legal References: § 2-3-103, MCA Public participation-governor to ensure guidelines adopted
§ 2-3-202, MCA Meeting defined
§ 2-3-212, MCA Minutes of meetings – public inspection
§ 20-1-212, MCA Destruction of records by school officer
§ 20-3-322, MCA Meetings and quorum
§ 20-3-323, MCA District policy and record of acts
Jones and Nash v. Missoula Co., 2006 MT2, 330 Mont 2005

Policy History:

Adopted on: 9/27/00

Revised on: 8/14/00, 1/25/06, 11/9/10, 3/9/21