

- Parliamentary Procedure
- Robert's Rules Cheat Sheet
- Special Voting Situations
- Minutes & How to write and
Keep minutes
- Closed Meeting Law Summary

Parliamentary Procedure

Parliamentary Procedure is a set of rules for conduct at meetings that allows everyone to be heard and to make decisions without confusion.

Why is Parliamentary Procedure Important?

Because it's a time-tested method of conducting business at meetings and public gatherings. *It can be adapted to fit the needs of any organization.* Today, ***Robert's Rules of Order Newly Revised*** is the basic handbook of operation for most clubs, organizations and other groups. It is important that everyone know these basic rules.

Organizations using parliamentary procedure usually follow a fixed order of business.

Below is a typical example:

1. Call to Order
2. Adoption of Agenda
3. Public Comment
4. Consent Agenda
5. Informational Items (reports)
6. Action Items
7. Board Member Reports
8. Adjourn

The method used by members to express themselves is in the form of making motions. A motion is a proposal that the board take action or a stand on an issue. Each individual member can:

- Make motions
- Second motions
- Debate motions
- Vote on motions

There are Four Basic Types of Motions:

1. **Main Motions:** The purpose of a main motion is to introduce items to the membership for their consideration. They cannot be made when any other motion is on the floor, and yield to privileged, subsidiary, and incidental motions.
2. **Subsidiary Motions:** Their purpose is to change or affect how a main motion is handled and is voted on before a main motion.
3. **Privileged Motions:** Their purpose is to bring up items that are urgent about special or important matters unrelated to pending business.
4. **Incidental Motions:** Their purpose is to provide a means of questioning procedure concerning other motions and must be considered before the other motion.

There are Three Other Motions that are Commonly Used that Relate to Voting:

1. Motion to Table - This motion is often used in the attempt to "kill" a motion; however, this is inappropriate. This motion is to set aside a motion temporarily at the same meeting. Once the motion is tabled, the option is always present, however, to "take from the table," for reconsideration by the membership at the same meeting
2. Motion to Postpone Indefinitely - This motion is used to kill a motion by postponing it to an indefinite time.
3. Postpone Definitely - This motion is used to put off making a decision until a definite time in the future.

Parliamentary Procedure is the best way to get things done at your meetings. But, it will only work if you use it properly.

- Allow motions that are in order.
- Have members obtain the floor properly.
- Speak clearly and concisely.
- Obey the rules of debate.
- Most importantly, *BE COURTEOUS*.

ROBERTS RULES CHEAT SHEET

To:	You say:	Interrupt Speaker	Second Needed	Debatable	Amendable	Vote Needed
Adjourn	"I move that we adjourn"	No	Yes	No	No	Majority
Recess	"I move that we recess until..."	No	Yes	No	Yes	Majority
Complain about noise, room temp., etc.	"Point of privilege"	Yes	No	No	No	Chair Decides
Suspend further consideration of something	"I move that we table it"	No	Yes	No	No	Majority
End debate	"I move the previous question"	No	Yes	No	No	2/3
Postpone consideration of something	"I move we postpone this matter until..."	No	Yes	Yes	Yes	Majority
Amend a motion	"I move that this motion be amended by..."	No	Yes	Yes	Yes	Majority
Introduce business (a primary motion)	"I move that..."	No	Yes	Yes	Yes	Majority

The above listed motions and points are listed in established order of precedence. When any one of them is pending, you may not introduce another that is listed below, but you may introduce another that is listed above it.

To:	You say:	Interrupt Speaker	Second Needed	Debatable	Amendable	Vote Needed
Object to procedure or personal affront	"Point of order"	Yes	No	No	No	Chair decides
Request information	"Point of information"	Yes	No	No	No	None
Ask for vote by actual count to verify voice vote	"I call for a division of the house"	Must be done before new motion	No	No	No	None unless someone objects
Object to considering some undiplomatic or improper matter	"I object to consideration of this question"	Yes	No	No	No	2/3
Take up matter previously tabled	"I move we take from the table..."	Yes	Yes	No	No	Majority
Reconsider something already disposed of	"I move we now (or later) reconsider our action relative to..."	Yes	Yes	Only if original motion was debatable	No	Majority
Consider something out of its scheduled order	"I move we suspend the rules and consider..."	No	Yes	No	No	2/3
Vote on a ruling by the Chair	"I appeal the Chair's decision"	Yes	Yes	Yes	No	Majority

The motions, points and proposals listed above have no established order of preference; any of them may be introduced at any time except when meeting is considering one of the top three matters listed from the first chart (Motion to Adjourn, Recess or Point of Privilege).

PROCEDURE FOR HANDLING A MAIN MOTION

NOTE: Nothing goes to discussion without a motion being on the floor.

Obtaining and assigning the floor

A member raises hand when no one else has the floor

- The chair recognizes the member by name

How the Motion is Brought Before the Assembly

- The member makes the motion: *I move that (or "to") ...* and resumes his seat.
- Another member seconds the motion: *I second the motion* or *I second it* or *second*.
- The chair states the motion: *It is moved and seconded that ... Are you ready for the question?*

Consideration of the Motion

1. Members can debate the motion.
2. Before speaking in debate, members obtain the floor.
3. The maker of the motion has first right to the floor if he claims it properly
4. Debate must be confined to the merits of the motion.
5. Debate can be closed only by order of the assembly (2/3 vote) or by the chair if no one seeks the floor for further debate.

The chair puts the motion to a vote

1. The chair asks: *Are you ready for the question?* If no one rises to claim the floor, the chair proceeds to take the vote.
2. The chair says: *The question is on the adoption of the motion that ... As many as are in favor, say 'Aye'. (Pause for response.) Those opposed, say 'Nay'. (Pause for response.) Those abstained please say 'Aye'.*

The chair announces the result of the vote.

1. *The ayes have it, the motion carries, and ...* (indicating the effect of the vote) or
2. *The nays have it and the motion fails*

WHEN DEBATING YOUR MOTIONS

1. Listen to the other side
2. Focus on issues, not personalities
3. Avoid questioning motives
4. Be polite

HOW TO ACCOMPLISH WHAT YOU WANT TO DO IN MEETINGS

MAIN MOTION

You want to propose a new idea or action for the group.

- After recognition, make a main motion.
- Member: "Madame Chairman, I move that _____."

AMENDING A MOTION

You want to change some of the wording that is being discussed.

- After recognition, "Madame Chairman, I move that the motion be amended by adding the following words _____."
- After recognition, "Madame Chairman, I move that the motion be amended by striking out the following words _____."
- After recognition, "Madame Chairman, I move that the motion be amended by striking out the following words, _____, and adding in their place the following words _____."

REFER TO A COMMITTEE

You feel that an idea or proposal being discussed needs more study and investigation.

- After recognition, "Madame Chairman, I move that the question be referred to a committee made up of members Smith, Jones and Brown."

POSTPONE DEFINITELY

You want the membership to have more time to consider the question under discussion and you want to postpone it to a definite time or day, and have it come up for further consideration.

- After recognition, "Madame Chairman, I move to postpone the question until _____."

PREVIOUS QUESTION

You think discussion has gone on for too long and you want to stop discussion and vote.

- After recognition, "Madam President, I move the previous question."

LIMIT DEBATE

You think discussion is getting long, but you want to give a reasonable length of time for consideration of the question.

- After recognition, "Madam President, I move to limit discussion to two minutes per speaker."

POSTPONE INDEFINITELY

You want to kill a motion that is being discussed.

- After recognition, "Madam Moderator, I move to postpone the question indefinitely."

POSTPONE INDEFINITELY

You are against a motion just proposed and want to learn who is for and who is against the motion.

- After recognition, "Madame President, I move to postpone the motion indefinitely."

RECESS

You want to take a break for a while.

- After recognition, "Madame Moderator, I move to recess for ten minutes."

ADJOURNMENT

You want the meeting to end.

- After recognition, "Madame Chairman, I move to adjourn."

PERMISSION TO WITHDRAW A MOTION

You have made a motion and after discussion, are sorry you made it.

- After recognition, "Madam President, I ask permission to withdraw my motion."

CALL FOR ORDERS OF THE DAY

At the beginning of the meeting, the agenda was adopted. The chairman is not following the order of the approved agenda.

- Without recognition, "Call for orders of the day."

SUSPENDING THE RULES

The agenda has been approved and as the meeting progressed, it became obvious that an item you are interested in will not come up before adjournment.

- After recognition, "Madam Chairman, I move to suspend the rules and move item 5 to position 2."

POINT OF PERSONAL PRIVILEGE

The noise outside the meeting has become so great that you are having trouble hearing.

- Without recognition, "Point of personal privilege."
- Chairman: "State your point."
- Member: "There is too much noise, I can't hear."

COMMITTEE OF THE WHOLE

You are going to propose a question that is likely to be controversial and you feel that some of the members will try to kill it by various maneuvers. Also you want to keep out visitors and the press.

- After recognition, "Madame Chairman, I move that we go into a committee of the whole."

POINT OF ORDER

It is obvious that the meeting is not following proper rules.

- Without recognition, "I rise to a point of order," or "Point of order."

POINT OF INFORMATION

You are wondering about some of the facts under discussion, such as the balance in the treasury when expenditures are being discussed.

- Without recognition, "Point of information."

POINT OF PARLIAMENTARY INQUIRY

You are confused about some of the parliamentary rules.

- Without recognition, "Point of parliamentary inquiry."

APPEAL FROM THE DECISION OF THE CHAIR

Without recognition, "I appeal from the decision of the chair."

Rule Classification and Requirements

Class of Rule	Requirements to Adopt	Requirements to Suspend
Charter	Adopted by majority vote or as proved by law or governing authority	Cannot be suspended
Bylaws	Adopted by membership	Cannot be suspended
Special Rules of Order	Previous notice & 2/3 vote, or a majority of entire membership	2/3 Vote
Standing Rules	Majority vote	Can be suspended for session by majority vote during a meeting
Modified Roberts Rules of Order	Adopted in bylaws	2/3 vote



Special Voting Situations

Subject	Vote	Minnesota Statutes
Initial hire of a teacher related to a board member	Unanimous vote of the full board	122A.40, Subd. 3
Termination of continuing contract teacher	Majority roll call vote of the full board	122A.40, Subd. 7
Placement of teacher on unrequested leave of absence	Majority roll call vote	122A.40, Subd. 11
District may reimburse employee for legal expenses	Majority vote	123B.02, Subd. 20
School board member's right to employment	Board member who is witness or alleged victim may not vote on reimbursement	
School district general obligation bonds not exceeding 5-1/10 percent of the net tax capacity	Majority approval at a meeting at which all board members are present	123B.195
Removal of board member for cause and fill vacancy	2/3 majority vote of all the members of the board	128D.11, Subd. 3
Designation of voting hours	Concurrent vote of at least four board members	123B.09, Subd. 9
Designation of newspaper <u>other than</u> a 'qualified newspaper'	Majority vote	205A.09
Donation or gift to the school district	Unanimous vote	331A.04, Subd. 6(a)(4)
Contract with employee class and a board member's spouse is in the class (spouse cannot receive a special benefit)	2/3 majority vote	465.03
	Majority of disinterested board members vote to approve the contract	471.88, Subd. 21
	School board member-spouse must be directed to abstain from voting; essential facts of contract must be set forth at the meeting	

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Special Voting Situations

Subject	Vote	Minnesota Statutes
<p>Designation of district bank/savings association</p> <p>School board member who is 'interested' shall disclose that the member is a director or employee; disclosure is entered in minutes; disclosure shall be made when bank or savings association is first designated as depository or source of borrowing or when member is elected (whichever is later)</p>	Unanimous vote	471.88, Subd. 2
<p>Official newspaper with an interested board member and the paper is the only newspaper complying with legal requirements on designation or publication</p>	Unanimous vote	471.88, Subd. 3
<p>District contract with a cooperative association that has an interested board member as shareholder or stockholder</p>	Unanimous vote	471.88, Subd. 4
<p>A contract that does not require bids and the contract involves an interested board member</p>	Unanimous vote	471.88, Subd. 5
<p>Contract to provide construction materials/services contract with interested board member when the school district population is equal to or less than 1,000</p>	Unanimous vote	471.88, Subd. 12
<p>Application for federal or state grant for housing, community, or economic development and a board member may benefit</p>	Interested board member may not vote on the contract	471.88, Subd. 17
	Unanimous vote	
	Interested board member must abstain on voting on measures related to the grant	

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Minutes

Minutes of school board meetings are usually taken and prepared by the board clerk. The school board clerk is responsible for a well-kept, legal record of all official actions by the school board.

Here are some suggested procedures and guidelines for preparing and preserving school board minutes.

- Minutes taken at a meeting are not the “official” minutes until approved in a subsequent meeting.
- The minutes of the meeting—regular or special—must be preserved and safeguarded as the district’s official record of business transacted.
- The following format could be used in writing the official board meeting record: The school board of (your) school divisions met in regular session on (day), (month), (date), (year) at (time) p.m. in the boardroom located in (building), as advertised on (date) in (newspaper).
- Absence of members should be recorded. Arrivals after roll call have been taken and early departures should be recorded in the minutes by time notation.

How to Write and Keep Meeting Minutes

DEFINED

Minutes are the official record of an organization. The accuracy of minutes is crucial since they are the legal record of the proceedings and actions of the organization.

CONTENT

First paragraph: Kind of meeting (regular, special, etc.); the name of the school district; the date, time and place of the meeting; the names of the board members present (establishing a quorum); and names of board members absent.

The body should include:

- The exact wording of motions, whether passed or failed, and the way they were disposed of, along with the name of the maker
- The vote count must be recorded. In all votes, the record of each person's vote must be included (Vote: 5-1-1 with Klanderud voting no and Gundlach abstaining)
- Notices of motions – previous notice is sometimes required (e.g. amendments of the bylaws)
- Points of order and appeals

Last paragraph: time of adjournment

NOT INCLUDED

- The opinion or interpretation of the secretary/clerk
- Judgmental phrases (e.g. "heated debate," "valuable comment")
- Discussion: Minutes are a record of what was **done** at the meeting, not what was **said** at the meeting
- Motions that were withdrawn

ATTACHMENTS

The official copy of the minutes should have attached to it the original signed copy of:

- Committee Reports
- Officers Reports
- Written Motions
- Correspondence

APPROVAL

If the minutes have been distributed to the members before the next meeting, then the approval process can be very short. The presiding officer simply states "Are there any corrections to the minutes as printed?" If there are none, or after all corrections have been made, the chair may say, "If there is no objection, the minutes will be approved as printed (or as corrected)." Or "Is there a motion to approve the minutes as printed (or as corrected)?"

SIGNATURE

After the minutes have been corrected and approved by the board, they should be signed by the clerk and can be signed by the chair. The word “approved” and the date of the approval should also be included.

MINUTES BOOK

The official copy of the minutes should be entered in the Minutes Book and kept by the clerk. These are the property of the school district, not the clerk. The official copy of the minutes should be kept in the school district office.

COPIES

If the board members receive a copy of the minutes, the attachments do not need to be included. When members do not receive the attachments, the minutes should include a brief summary of the attachments. This would be a local board decision as to how these are distributed.

PUBLISHING

Minutes should be published in the official newspaper of the district within 30 days of the meeting at which they occurred. If a board has regular meetings, not more often than once every 30 days, the board has 10 days after the minutes are approved to publish the minutes (M.S. 331A.08 Subd. 3). The school board may determine that publishing a summary of the minutes would adequately inform the public.

M.S. 123B.09 BOARDS OF INDEPENDENT SCHOOL DISTRICTS.

Subd. 10. Publishing proceedings. The board must cause its official proceedings to be published once in the official newspaper of the district. Such publication shall be made within 30 days of the meeting at which such proceedings occurred. If the board determines that publication of a summary of the proceedings would adequately inform the public of the substance of the proceedings, the board may direct that only a summary be published, conforming to the requirements of section 331A.01, subdivision 10.

CLOSED MEETING LAW SUMMARY

Minnesota's Open Meeting Law (M.S. Ch. 13D) requires all school board meetings to be open to the public with few exceptions. Before closing a meeting, a public body must begin in an open meeting and state on the record the specific grounds permitting the meeting to be closed and describe the subject to be discussed. A majority vote is needed to close the meeting, with the time and place announced at the public meeting before going into closed session. Please review the specific statute before proceeding to close a meeting. For specific questions, consult with legal counsel.

The School Board **MUST** Close a Meeting in the Following Situations

<p>Discussion of Not Public Data</p> <p>Minn. Stat. 13D.05, Subd. 2(a)</p>	<p>The school board must close a meeting to discuss certain data that is not public. Any portion of a meeting must be closed if the following types of data are discussed: (a) data that would identify alleged victims or reporters of criminal sexual conduct, domestic abuse, or maltreatment of minors or vulnerable adults; (b) active criminal investigation data; (c) educational data (personally identifiable and not directory information), (d) health data, medical data, welfare data, or mental health data that are not public data; (e) an individual's medical records. Please see specific definitions of data types under Chapter 13. These closed meetings must be electronically recorded at school district expense. The recording must be preserved for at least three years after the meeting date. The recording is not available to the public.</p>
<p>Preliminary Consideration of Allegations or Charges</p> <p>Minn. Stat. 13D.05, Subd. 2(b)</p>	<p>The school board must close one or more meetings for preliminary consideration of allegations or charges against a school district employee. The employee can request* the meeting be open. If the meeting is closed, it must be electronically recorded at school district expense. The recording must be preserved for at least three years after the meeting date. The recording is not available to the public.</p> <p>If the board determines that discipline of any nature may be warranted as a result of the specific charges or allegations, further meetings or hearings after that conclusion is reached must be open.</p>
<p>Dismissal of a Licensed Teacher</p> <p>Minn. Stat. 122A.40, Subd. 14</p>	<p>A hearing on the dismissal of a licensed teacher must be closed unless the teacher requests* it to be open. If this hearing is closed, it must be electronically recorded at school district expense. The recording must be preserved for at least three years after the date of the meeting. The recording is not available to the public. Please review the statute for specific hearing requirements.</p>
<p>Student Exclusion or Expulsion</p> <p>Minn. Stat. 121A.47, Subd. 5</p>	<p>A hearing on dismissal of a student pursuant to the Pupil Fair Dismissal Act must be closed unless the pupil, parent, or guardian requests* an open hearing. If a student dismissal hearing is held before the school board and is closed, this closed meeting must be electronically recorded at school district expense. The recording must be preserved for at least three years after the date of the meeting. The recording is not available to the public. Please review the statute for specific hearing requirements.</p>

*MSBA recommends requiring that the request be in writing.

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The School Board MAY Close the Meeting in the Following Situations

<p>Labor Negotiation Strategy</p> <p>Minn. Stat. 13D.03</p>	<p>A school board may, by majority vote in a public meeting, decide to close a meeting to consider strategy for labor negotiations. The time and place of the closed meeting shall be announced at the public meeting. A written roll call of members and other persons at the closed meeting must be made available after the meeting. This meeting must be electronically recorded and the recording kept for two years after the contract discussed at the meeting is signed. Recordings will be public after the board signs all collective bargaining agreements for the budget period.</p>
<p>Closed by the Bureau of Mediation Services</p> <p>Minn. Stat. 179A.14, Subd. 3</p>	<p>All negotiations, mediation sessions, and hearings between the school board and its employees or their respective representatives are public meetings except when otherwise provided by the Commissioner of the Bureau of Mediation Services (BMS) or when another exception applies. If BMS closes the meeting, no recording is allowed. Minn. Rules 5510.2810, Subp. 5.</p>
<p>Employee Evaluations</p> <p>Minn. Stat. 13D.05, Subd. 3(a)</p>	<p>A school board may close a meeting to evaluate the performance of an individual who is subject to its authority. The school board must identify (and notify) the individual to be evaluated before closing the meeting. A meeting must be open at the individual's request.* If the evaluation is closed, at the next open meeting, the school board must give a detailed summary of its conclusions regarding the evaluation. This closed meeting must be electronically recorded at school district expense. The recording must be preserved for at least three years after the meeting date. The recording is not available to the public.</p>
<p>Attorney-Client Privilege</p> <p>Minn. Stat. 13D.05, Subd. 3(b)</p>	<p>The school board may close a meeting to consult with the school board's attorney on pending litigation or litigation that appears imminent (not just threatened). If the attorney is not present, the meeting cannot be closed. The school board must describe the subject to be discussed before closing a meeting. A closed meeting under this statute is not required to be recorded.</p>
<p>Property Sale or Purchase</p> <p>Minn. Stat. 13D.05, Subd. 3(c)</p>	<p>The school board may close a meeting to determine the asking price, to review confidential or protected nonpublic appraisal data, or to develop or consider offers to buy or sell real or personal property. The specific property must be identified before closing and on the recording. A list of persons at the meeting must be made publicly available after the meeting. The closed meeting must be electronically recorded and the recording made available after the property is purchased or sold. The recording must be preserved for 8 years after the meeting date.</p>
<p>Security Issues</p> <p>Minn. Stat. 13D.05, Subd. 3(d)</p>	<p>A school board may close a meeting to receive security briefings and reports or to discuss issues related to security systems, emergency response procedures, or security deficiencies in or recommendations regarding public services, infrastructure, and facilities, if disclosure of the information discussed would pose a danger to public safety or compromise security procedures or responses. Financial issues related to security matters must be discussed and all related financial decisions must be made at an open meeting. Before closing the meeting, the school board must describe the subject to be discussed by referring to the facilities, systems, procedures, services, or infrastructures to be considered during the closed meeting. This closed meeting must be electronically recorded at the school district's expense. The recording must be preserved for at least 4 years after the meeting date.</p>