

Mount Shasta Union School District

Governance Handbook

Board of Trustees

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Unity of Purpose, Roles & Responsibilities, Norms & Protocols

This Governance Handbook reflects the governance team's work on creation of a framework for effective governance. This involves ongoing discussions and agreements about unity of purpose, roles, norms and protocols that enable the governance team to continue to perform its responsibilities in a way that best benefits all children.

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Mount Shasta Union School District

Governance Handbook

Table of Contents

Vision/Mission Statement	1
Effective Governance (CSBA)	2
Working as an Effective Team (CSBA)	3
 Our <u>Unity of Purpose</u>:	
<i>Who Are We? / What Is Our Purpose? / To Whom Are We Responsible?</i>	4
<i>What We Want to Accomplish as a Governance Team</i>	5
 Discussion of Roles and Responsibilities:	
<i>A Discussion of Governance</i>	5
<i>To the Mount Shasta Union Governance Team Effective Governance Means</i>	6
<i>What the Board Needs From the superintendent</i>	7
<i>What the superintendent Needs from the Board</i>	7
 Sustaining a <u>Positive Culture</u>:	
<i>The Legacy We Want to Leave</i>	8
<i>Our Meeting Guidelines</i>	9
<i>The Behaviors by Which Our Team is Characterized (norms)</i>	10
 Supportive <u>Structures and Processes</u>:	
<i>Orientation of Prospective Board Members</i>	11
<i>Protocols and Procedures to Facilitate Governance Leadership</i>	12
<i>Board Staff Communication</i>	12
<i>Handling Complaints in the Community</i>	12
<i>Handling Complaints of Staff</i>	12
<i>Board Meeting Management</i>	13
<i>Role in Public</i>	14
<i>Guidelines for Conduct During the Meeting</i>	15
<i>Appendix A: Managing Conflict Worksheets</i>	17
<i>Appendix B: Foundation of Effective Governance</i>	20
<i>Appendix C: Rosenberg's Rules of Order</i>	24

Mount Shasta Union School District



Leading the way to maximize student achievement in a professional learning environment

Vision/Mission Statement

Our Vision

MSUSD strives to be a leader of educational excellence in the state of California.

Our Mission

The mission of the MSUSD is to promote a system of educational excellence providing the opportunity for all students to become productive citizens.

Our Aims

Aim I

Maximize Student Achievement

Aim II

Ensure Safe, Secure and Well Maintained Schools

Aim III

Function with Increasing Efficiency and Effectiveness

The Local Control and Accountability Plan (LCAP) is available in the District Office.

Our Beliefs

We believe:

- *A safe, respectful environment is essential to learning.*
- *All students must be challenged with high expectations and be provided with the opportunity to excel.*
 - *Education is a fundamental right and lifelong process.*
 - *All students can learn and achieve.*
 - *Students can learn life skills of responsibility, teamwork, and problem solving.*
 - *Education enhances the appreciation and understanding of differences.*
- *Supportive relationships and shared responsibility amongst parents, students, educators, and community are essential.*
 - *In kindness, responsibility, and community.*

Effective Governance

California School Boards Association

Governance – A Definition

School district governance is the act of transforming the needs, wishes and desires of the community into policies that direct the community's schools.

As the governance team fulfills responsibilities in the areas of setting direction, human resources, policies, student learning and achievement, finance, judicial appeals, collective bargaining, and community relations and advocacy, the way in which governance team members perform the governance role is critical.

Whether in the boardroom, out in the community or at home, board members are always trustees for the district. The integrity of the school district's educational program is dependent upon the responsible and professional manner in which each board member, and the board collectively, fulfills governance roles and responsibilities with the superintendent. The demeanor of governance team members sends an important message to the public.

Utilizing effective governance techniques, private citizens, once elected to school boards, work with the superintendent to keep all district efforts focused on student learning. Effective governance tenets encompass the basic characteristics and behaviors that enable governance team members to effectively create a climate for excellence in a school district.

The community elects school board members to set and monitor the direction of the school district, but the district superintendent will translate all efforts into action. It is therefore vital that the board and superintendent have a respectful and productive working relationship based on trust and open communications.

Working as a group, board members and the superintendent leverage the efforts of the professional staff by setting a direction for the district reflective of the community's wishes for its children, by creating a supportive framework for action in the district, by holding the system accountable through mutually agreed upon mechanisms, by providing support to students and staff through behaviors and actions, and by demonstrating community leadership on behalf of children, district schools and public education. When this is done effectively, the chances of a climate for excellence being created in which students thrive increases dramatically.

Working As an Effective Team

California School Boards Association

To effectively focus all district efforts on learning and achievement for all students, a governance team needs to have a unity of purpose, a mutual understanding of roles, positive working relationships and supportive structures and processes. One of the chief ways a governance team can strengthen or maintain its effectiveness is to periodically assess its own performance in these areas.

Unity of Purpose

The foundation of effective governance is the common focus governance team members share that helps them transcend their individual differences to fulfill a greater purpose. Unity of Purpose is the super-ordinate goals, the core values and beliefs governance team members share in common about children, the district and public education.

Roles

Effective teams value and respect their essential roles, reach mutual agreement on the roles of the board and superintendent and strive to operate within them.

Culture

Culture is the positive or negative atmosphere created by the way people in an organization treat each other. Teams have unwritten (implicit) or written (explicit) agreements about how they will behave with each other and with those outside the team. These behavioral ground rules, often called norms, enable teams to build and maintain a positive culture or shift a negative one.

Structure and Process

Effective teams discuss and agree on the formal structures and processes used by the board and superintendent in their functioning as a team (e.g., agenda structure, visiting schools, handling complaints or concerns from the community, bringing up a new idea, handling complex community issues, how boards operate, and how they do business)

Mount Shasta Union Governance Team

Who Are We?

The Mount Shasta Union Governance Team members are leaders who care about our students, the school district and our community. We are people who are committed to public education and understand the role education plays in sustaining our democratic society. We represent the entire community: children, parents, staff, businesses, and all community members. We hold the interest of ALL the children in trust. We have been chosen to provide educational leadership to the district and to see that the mission of the district is achieved. Even though we bring our individual perspectives and experiences to the table, we are committed to developing collective understanding, making informed decisions and operating as a unified team.

What Is Our Purpose?

We are a leadership team, responsible for the realization of the mission of our District while being fiscally responsible with the public monies in our trust. We consider the present and future to maintain our focus on our mission, vision and aims that were developed through inclusive processes. We have the responsibility to do the best job we can for our students within the state and federal requirements, and to see that our students graduate from our schools able to become responsible citizens. We see that the necessary resources are available to our staff to do the work we expect of them. We inspire, engage and inform our staff and community about education issues on behalf of our students, our district, our teachers and public education.

To Whom Are We Responsible?

We are responsible to our children to provide the best possible education in a safe, nurturing, challenging learning environment. We are responsible to district staff to provide necessary resources and a safe, supportive, challenging work environment. We are responsible to parents to provide a free public education for their children in an environment that is physically and emotionally safe for the children and their families, and to provide avenues for their involvement in their children's education. We are responsible to our voters and taxpayers to provide a high quality of education in our schools so the community is perceived as a good place to live, and to use public funds efficiently and effectively. We are responsible to our entire community to keep them informed and help them understand the benefits of our educational system whether or not they have children in our schools. We are responsible to the state and federal government to obey the law, to be informed and to keep other elected officials informed about the effect of legislation on our district, and to advocate on behalf of our children, the teaching profession and our schools. We are responsible to the other members of our team to come to meetings prepared, to be interested and informed, to be committed to our work, and to be respectful and honest in our interactions.

What We Want to Accomplish as a Governance Team

- Improve student achievement.
- Ensure the school is safe, secure, and well maintained.
- Effect long and short term financial stability.

A Discussion of Roles and Responsibilities

California School Boards Association

Effective teams value and respect their essential roles, reach mutual agreement on the roles of the board and superintendent, and strive to operate within them.

There are important distinctions to be made between the board's role and that of the superintendent and staff. Boards and superintendents must team together to ensure a district has effective leadership. Just as board members should govern and not manage a school district, superintendents should not administer a district in isolation from the representatives whom the public has entrusted with the schools. School Board 'trustees' are the representatives of the people, elected to ensure a community's schools educate the community's children in accordance with the wishes of the local community.

Board members have collective, not individual authority. Authority to make decisions is only granted to the board as a whole. The full board gives direction to the superintendent at board meetings. Individual board members do not have the authority to direct the superintendent, unless otherwise agreed to by the board and superintendent.

The role of the school boards is not to run the schools, but to see that the schools are well run. When a board member inadvertently takes over the staff role, he/she is in essence vacating his board seat and effectively undercutting his ability to govern. He/she is forfeiting his ability to hold the superintendent responsible for the way the board's policy direction is translated into action by the professional staff.

To The Mount Shasta Union School District Governance Team, Effective Governance Means...

- the board collectively setting the direction for the district.
- keeping district efforts focused on student learning.
- creating a climate of excellence by:
 - providing the necessary resources so students and staff can be successful,
 - supporting students and staff through our behaviors and actions,
 - holding the system accountable by establishing clear expectations for students and staff, instituting and consistently following fair evaluation processes, and requiring changes as necessary, and
 - providing community leadership on behalf of students, the district and public education.
- being good stewards of district finances and communicating about the budget and budget processes with the community by:
 - leveraging the funds we have to create a climate of excellence
 - spending this year's money effectively, and
 - budgeting wisely for future years
- the board and superintendent have a respectful, productive working relationship based on trust and open communication.
- the superintendent and staff translate the board's direction into action.
- communicating to the entire community about the role of the board and what "governance" is.
- maintaining open, two-way communication with all stakeholders about district programs, activities, challenges and accomplishments.

What the Board Needs from the Superintendent to be Successful

- Transparency and consistent communication with the Board
- Direction from the Superintendent and news from the State
- The ideas, opinions, and recommendations from the Superintendent
- Honesty with all stakeholders
- All the pros and cons for each item
- Financial expertise
- Best and latest ideas on items affecting the district
- Connectivity to other districts
- Know the role of the Superintendent and the board
- Share Knowledge with the Board about workshops she attends
- Stay networked with other Superintendents

What the Superintendent Needs from the Board to be Successful

- Keep me in the loop
- No surprises
- Clear direction through decisions
- Understand that the Superintendent is growing and learning

The Legacy We Want to Leave

We want to leave a district where:

- There is fiscal stability
- Decisions are made for the students of the past, present and future
- There are budget parameters
- There is a collaborative culture where the interest of the students is paramount
- All the decisions of today will stand the scrutiny of the future
- District campus is safe, secure and clean
- MSUSD is a model district for academia
- The most professional staff are hired

Mount Shasta Union Team Norms Meeting Guidelines

We agree:

- To base decisions on how all children benefit
- To take responsibility for the work of the team.
- To be responsible for the success our meetings, participate equally and address concerns.
- To listen actively to all ideas. To listen openly without preparing responses.
- To wait to speak until a team member has finished talking and to keep our remarks brief and to the point so that all opinions can be expressed.
- To communicate openly and honestly with each other.
- To be supportive rather than judgmental.
- To give helpful feedback directly and openly.
- To offer our ideas and resources.
- To build upon the ideas of others and look for common ground and to paraphrase for understanding.
- To respect team meeting times: start on time, return from breaks promptly and avoid unnecessary interruptions.
- To stay focused on our goals and avoid getting sidetracked.
- To work to ensure that there are no hidden agendas and that all issues and concerns can be dealt with openly by all members.
- To respect ourselves and others
- To be open to ideas of others
- To agree to disagree – not to be disagreeable
- To come to meetings prepared to deliberate, vote and ask clarifying questions, when necessary
- To no surprises between the Board and Superintendent or from the Board to the staff
- To maintain confidentiality
- To address the issues, not personalities
- To collectively support final decisions
- That board meetings are meetings held in public - not a public meeting
- To work toward the future – learning from the past.

The Behaviors by Which Our Team Is Characterized

We agree:

- to work together as Governance Team members to be supportive of the roles each carries out.
- to demonstrate civility in all our interactions with others.
- to demonstrate competence in the jobs we are assigned.
- to have an open-mind – not come to the table with a particular agenda.
- to speak with a common voice, and communicate the same things about our agreed upon strategic goals and other important district issues.
- to provide opportunities so that all voices are heard.
- to frame topics for the community members so they might understand the task before us.
- to provide accurate information to the public prior to our meetings.
- to encourage school leaders to voice opinions in a positive manner.
- to always model open, positive communication and listen without being defensive.
- to remind each other, the staff and community that we should all follow the conflict mediation protocols listed in Appendix A.
- to take the time to celebrate together.

Orientation of Prospective Board Members

It was agreed that there would be no formal orientation for prospective board members but that veteran board members would be prepared to answer questions and share information with school board candidates when approached individually.

Key Points to Discuss with Prospective Board Members:

- Board members don't run the district but see that the district is well run.
- The board operates as a "body" when making decisions and then stands behind those decisions as staff carries out the work.
- The board serves **all** students at **all** school sites.
- Be prepared to answer questions about:
 - Time commitment
 - Culture of the board as a collaborative, consensus building unit
 - Governance Team Core Values and Beliefs
 - Culture of the district
 - District Mission and Aims
 - Where to get district specific information
- Encourage prospective board members to attend board meetings.
- Inform prospective board members about:
 - the Governance Team Handbook
 - the District Policy Book
 - the District Budget
 - the Brown Act
 - New Board Member Orientation at CSBA Annual Conference
 - Board Bylaws
- FYI: Board members rarely receive kudos.

Protocols and Procedures to Facilitate Governance Leadership

ISSUE	PROTOCOL
Board/Staff Communication	<ul style="list-style-type: none"> • Trustees will call the Superintendent with questions or requests for information. The Superintendent will direct a Trustee to the appropriate staff member for answers. • The exception to this process is when there are questions about warrants. The Business Manager will be contacted directly with warrant questions. • The Superintendent will contact trustees prior to board meetings to review items on the agenda and solicit questions.

ISSUE	PROTOCOL
Handling Complaints in the Community	<ul style="list-style-type: none"> • When approached by a community member with an issue or concern, board members will listen openly and repeat back, question, or paraphrase to ensure understanding of the issue or concern. • The trustee will explain that the district has complaint policies in place and if appropriate, will let the community member know what the complaint policy is and how they may access the process or procedure. • The trustee will direct the person back into the system at the appropriate place. • Trustees will strive to ensure a community member feels heard and inform them of the next steps. Board members will use judgment in responding, being mindful of their role in judicial review. • The trustee will notify the Superintendent of the conversation so that the Superintendent has the full picture and can follow through as appropriate and/or necessary.

ISSUE	PROTOCOL
Handling Complaints of Staff	<ul style="list-style-type: none"> • When approached by a staff member with an issue or concern, board members will listen openly or paraphrase to ensure understanding of the issue or concern. • Trustees will remind staff of the complaint process and the role of the individual board members. • The school board is likely to become the “court of last resort” in personnel issues, so board members agree to be extremely careful not to become involved in personnel issues. In order to be able to give these situations an impartial hearing, board members must not have been engaged in the situation at an early stage. • The trustee will notify the Superintendent of the conversation so that the Superintendent has the full picture and can follow through as appropriate and/or necessary.

ISSUE	PROTOCOL
Board Meeting Management – Effective Deliberation and Public Comment	<p><u>Rationale:</u></p> <ul style="list-style-type: none"> • The purpose of our Board Meetings is to conduct district business in public. • We want to hear the views of our constituents, but we recognize that an appropriate process must be in place in order to have orderly, effective meetings. <p><u>Therefore:</u></p> <ul style="list-style-type: none"> • The Board President will facilitate Board discussions and manage public input. • Each item will have a 20-minute time limit for public comment. Three minutes are allotted per person. The board president may ask that the public limit their comments to new information. Board Members will direct their questions/comments to the Board President and not communicate directly with members of the public. • The Board President has discretion to add time to the discussion, if the majority of the board agrees to the additional time. • In the interest of time and efficiency and at the discretion of the Board President, public comment may also be addressed (bundled) under each broad topic, such as Discussion or Action Agenda, instead of each item within a topic. <p><u>The Board will use the following protocol for each item within a topic:</u></p> <ol style="list-style-type: none"> 1. The Board President will introduce the item. 2. The Superintendent or other staff may provide a presentation of background information and a recommendation, if necessary. 3. Board Members may ask questions for clarification. 4. The Board President will open the issue for public comment. 5. After public comment is completed, the Board President will close public comment. 6. The Board will discuss the item. <p><u>If the Item Is an Action Item</u></p> <ol style="list-style-type: none"> 7. The President concludes deliberation by calling for a motion. 8. If a motion is made and seconded, the Board votes on the motion.

ISSUE	PROTOCOL
<p>Board Meeting Management—Guidelines for Conduct During the Meeting</p>	<p><u>Rationale:</u></p> <ul style="list-style-type: none"> • The purpose of our Board Meetings is to conduct district business in public. • Meetings will be conducted in an orderly, efficient manner without willful disruption by any person(s) in attendance. • To prevent disruption, the Board has the right to request that any person, a member of the public or Board Trustee, to immediately stop the following conduct: <ol style="list-style-type: none"> 1) Willfully disrupting a meeting, such as yelling or other intimidating behavior 2) Interrupting a person who is addressing the Board <p><u>The Board will use the following protocol for disruptions whether at In-Person or Online Meetings:</u></p> <ol style="list-style-type: none"> 1) Initial Disruption: The Board President should immediately address the person, stating the following (or similar admonition): <i>“Excuse me, your actions are having the effect of disrupting this meeting. I am asking you to immediately stop (specify objectionable behavior, such as shouting, or interrupting, etc.) so that we can continue with the business of the meeting.”</i> 2) Second Warning: If a person refuses to stop the objectionable behavior, the Board President should repeat the request to stop, and emphasize that the person will be asked to leave if the behavior continues. It should also be stated that the meeting will continue in the person’s absence after he/she leaves. The following is appropriate: <i>“I must repeat that your actions are disruptive and remind you of the request for you to stop your behavior. If you do not immediately cease, you will be asked to leave this meeting. The meeting will continue only after you have left the room.”</i> 3) Order the Person to Leave: If the person refuses to stop after second warning, he/she should be asked to leave, by stating the following: <i>“You have been warned twice that you are disrupting this meeting and have been told to immediately stop your disruptive actions. Since you have chosen to disregard this request and continue being disruptive, I am ordering you to leave this meeting immediately.”</i>

ISSUE	PROTOCOL
	<p>4) If the Person Refuses to Leave: If the person refuses to leave, he/she can be escorted from the ‘room,’ either in person or online meeting room. Escorted out in person assumes this can be accomplished without resulting in physical injury to the Board Members or others in the room. If this cannot be accomplished by those already present, the police can be summoned. Escorted from an online meeting room can be accomplished by blocking the attendee by the School District, which is the online meeting host.</p> <p>5) Emptying the Room, either in person or online meeting room: The Board also has the right, in cases of extreme disruption involving one or more persons, to order the room cleared of all members of the public (except for members of the press who have not caused the disruption, if any are present). In such cases, the Board can continue with the meeting on matters appearing on the agenda. The Board President should state: <i>“All members of the public must immediately leave the room. The Board will proceed with its meeting on items on the agenda.”</i></p>
ISSUE	PROTOCOL
Role in Public	<ul style="list-style-type: none"> • Trustees represent the board in what they say and do and will set an example of professionalism. • Trustees will strive to educate the public about their role as public servants, entrusted with the education of all the children of the community. • Trustees will make visible their dedication and commitment and clarify their authority as one of five in all decisions and actions. • Confidentiality will be maintained at all times. • Trustees will speak with one voice and support Board decisions.
Hiring Process (non-administrative)	<ul style="list-style-type: none"> • Follow Collective Bargaining Agreements, Board Policies, Administrative Regulations, and Education Code (Education Code supersedes CBA’s, BP’s, AR’s). • Superintendent forms interview panels that are diverse and representative. • Superintendent reviews possible outcomes and the role of the interview panel prior to the interview. • Only when there are no in-house candidates will the superintendent make phone calls to the primary or secondary candidates regarding their status pending board approval.

APPENDIX A

Managing conflict worksheet⁴

Use this worksheet to check behaviors demonstrated during the meeting. Add a mark to the box every time you recognize a particular behavior being displayed.

Behaviors that help:

	Green box
1. Leaning forward – listening actively	
2. Paraphrasing – “Is this what you were saying?”	
3. Questioning to clarify – “Let me understand this better”	
4. Showing respect to the other’s opinion – valuing input	
5. Calmness – voice tone low, relaxed body posture	
6. Open and vulnerable – showing flexibility	
7. Clearly stating an individual perception or understanding	
8. Checking for agreement on what is to be resolved	
9. Laying out ground rules – “What will help us work through this situation?”	
10. Showing empathy – checking perceptions	
11. “I” statements – disclosing feelings	
12. Using the other person’s name	
13. Body contact – if appropriate	
14. Problem solving – looking at alternatives	
15. Win/win attitude – concern for other person	
16. Congruence between verbal and non-verbal behavior	
17. Concern for other person’s goal	
18. Feedback – giving specific descriptive details	



Managing conflict worksheet⁵

Use this worksheet to check behaviors demonstrated during the meeting. Add a mark to the box every time you recognize a particular behavior being displayed.

Behaviors that hinder:

Behavior	Check box
1. Interrupting	
2. Showing disrespect	
3. Entrapment questions	
4. Talking too much	
5. Pushing for a particular solution	
6. Arguing about personal perception	
7. Aggressive manner	
8. Accusing, laying blame	
9. Smirking, getting personal	
10. "You made me" statements	
11. Non-receptive to suggestions	
12. Not identifying real feelings	
13. Ending before finishing	
14. Incongruity of words and actions	
15. Defensiveness	
16. Denying, not owning problems	
17. Blocking—talking off topic—changing the subject	
18. Not giving specific feedback	

APPENDIX B

WORKING STYLES QUESTIONNAIRE

This is not really a quiz; there are no right or wrong answers. The purpose of this diagnostic is to get an idea of your dominant working style. In answering these questions you should place yourself into a governance team situation. Don't over think your responses, answer according to what most seems like you. "1", "2", "3", and "4". Please rate each statement and order your responses. The number "1" should be the response that best describes you, and the number "4" should be the response that least describes you. To some degree, you may find that you like all of the answers; you must rank each of the questions.

1. When performing a job, it's most important to me to:

- A. _____ Do it correctly regardless of time involved
- B. _____ Set deadlines and get it done
- C. _____ Work in a team, cooperatively with others
- D. _____ Demonstrate my talents and enthusiasm

2. The most enjoyable part of working on a job is:

- A. _____ The information you need to get it done
- B. _____ The results you achieve when it's done
- C. _____ The people you meet or work with
- D. _____ Seeing how the job contributes to future progress

3. When I have several ways to get a job done, I usually:

- A. _____ Review the pros and cons of each way and choose
- B. _____ Choose a way that I can begin to work on immediately
- C. _____ Discuss ways with others and choose the one most favored
- D. _____ Review the ways and follow my "gut" sense about what works best

4. In working on a long term job, it's important to me to:

- A. _____ Understand and complete each step before going on to the next step
- B. _____ Seek a fast, efficient way of completing it
- C. _____ Work with others in a team on it
- D. _____ Keep the job stimulating and exciting

5. I am willing to take a risky action if

- A. _____ There are facts to support my action
- B. _____ It gets the job done
- C. _____ It will not hurt other's feelings
- D. _____ It feels right for the situation

WORKING STYLES SCORING GRID

Transfer the answers from the working styles questionnaire on to the scoring grid by entering the numbers for each letter going across the page. Next add up columns and record the answer in the space provided.

The lowest score is your dominant style. In the case of a tied score you will pick the working style that is more like you.

1. A _____ B _____ C _____ D _____

2. A _____ B _____ C _____ D _____

3. A _____ B _____ C _____ D _____

4. A _____ B _____ C _____ D _____

5. A _____ B _____ C _____ D _____

Totals: A _____ B _____ C _____ D _____

Analytical

Driver

Amiable

Expressive

What We Each Bring to the Team:

Individual members of the Mount Shasta Union Governance Team bring strengths that enhance the team's ability to govern effectively and make decisions in the best interest of the students and the school district.

Our Working Styles:

FOUNDATIONS OF EFFECTIVE GOVERNANCE	
WORKING STYLES	
<u>High Responsiveness</u>	
<u>AMIABLE STYLE</u>	<u>EXPRESSIVE STYLE</u>
Slow at taking action and making decisions	Spontaneous actions and decisions
Likes close personal relationships	Likes involvement
Dislikes interpersonal conflict	Dislikes being alone
Supports and "actively listens to others	Exaggerates and generalizes
Weak at goal setting and self-direction	Tends to dream -gets others caught up in the dream
Has excellent ability to gain support from others	Jumps from one activity to another
Works slowly and cohesively with others	Works quickly and excitingly with others
Seeks security and belongingness	Seeks esteem and belongingness
Good counseling skills	Good persuasive skills
<u>LOW ASSERTIVENESS</u>	<u>HIGH ASSERTIVENESS</u>
<u>ANALYTICAL STYLE</u>	<u>DRIVER STYLE</u>
Cautious actions and decisions	Firm actions and decisions
Likes organization and structure	Likes control
Dislikes involvement with others	Dislikes inaction
Asks many questions about specific details	Prefers maximum freedom to manage self & others
Prefers objective, tasks-oriented work environment	Cool independent, competitive with others
Wants to be right and therefore relies too much on data collection	Low tolerance for feelings, attitudes, and advice of others
Works slowly and precisely, alone	Works quickly and impressively by self
Seeks security and self-actualization	Seeks self-esteem and self-actualization
Good problem solving skills	Good administrative skills
<u>Low Responsiveness</u>	
csba	
49 Page	

APPENDIX C

Rosenberg's Rules of Order

REVISED 2011

Simple Rules of Parliamentary Procedure for the 21st Century

By Judge Dave Rosenberg

MISSION and CORE BELIEFS

To expand and protect local control for cities through education and advocacy to enhance the quality of life for all Californians.

VISION

To be recognized and respected as the leading advocate for the common interests of California's cities.

About the League of California Cities

Established in 1898, the League of California Cities is a member organization that represents California's incorporated cities. The League strives to protect the local authority and autonomy of city government and help California's cities effectively serve their residents. In addition to advocating on cities' behalf at the state capitol, the League provides its members with professional development programs and information resources, conducts education conferences and research, and publishes Western City magazine.

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About the Author

Dave Rosenberg is a Superior Court Judge in Yolo County. He has served as presiding judge of his court, and as presiding judge of the Superior Court Appellate Division. He also has served as chair of the Trial Court Presiding Judges Advisory Committee (the committee composed of all 58 California presiding judges) and as an advisory member of the California Judicial Council. Prior to his appointment to the bench, Rosenberg was member of the Yolo County Board of Supervisors, where he served two terms as chair. Rosenberg also served on the Davis City Council, including two terms as mayor. He has served on the senior staff of two governors, and worked for 19 years in private law practice. Rosenberg has served as a member and chair of numerous state, regional and local boards. Rosenberg chaired the California State Lottery Commission, the California Victim Compensation and Government Claims Board, the Yolo-Solano Air Quality Management District, the Yolo County Economic Development Commission, and the Yolo County Criminal Justice Cabinet. For many years, he has taught classes on parliamentary procedure and has served as parliamentarian for large and small bodies.

Table of Contents

*Mount Shasta Union School District
Governance Handbook*

About the Author.....	23
Introduction.....	25
Establishing a Quorum.....	25
The Role of the Chair.....	25
The Basic Format for an Agenda Item Discussion.....	26
Motions in General.....	27
The Three Basic Motions.....	27
Multiple Motions before the Body.....	28
To Debate or Not to Debate.....	28
Majority and Super-Majority Votes.....	29
Counting Votes.....	30
The Motion to Reconsider.....	31
Courtesy and Decorum.....	31
Special Notes about Public Input.....	32

Introduction

The rules of procedure at meetings should be simple enough for most people to understand. Unfortunately, that has not always been the case. Virtually all clubs, associations, boards, councils and bodies follow a set of rules — *Robert's Rules of Order* — which are embodied in a small, but complex, book. Virtually no one I know has actually read this book cover to cover. Worse yet, the book was written for another time and for another purpose. If one is

chairing or running a parliament, then *Robert's Rules of Order* is a dandy and quite useful handbook for procedure in that complex setting. On the other hand, if one is running a meeting of say, a five-member body with a few members of the public in attendance, a simplified version of the rules of parliamentary procedure is in order.

Hence, the birth of *Rosenberg's Rules of Order*.

What follows is my version of the rules of parliamentary procedure, based on my decades of experience chairing meetings in state and local government. These rules have been simplified for the smaller bodies we chair or in which we participate, slimmed down for the 21st Century, yet retaining the basic tenets of order to which we have grown accustomed. Interestingly enough, *Rosenberg's Rules* has found a welcoming audience. Hundreds of cities, counties, special districts, committees, boards, commissions, neighborhood associations and private corporations and companies have adopted *Rosenberg's Rules* in lieu of *Robert's Rules* because they have found them practical, logical, simple, easy to learn and user friendly.

This treatise on modern parliamentary procedure is built on a foundation supported by the following four pillars:

- 1. Rules should establish order.** The first purpose of rules of parliamentary procedure is to establish a framework for the orderly conduct of meetings.
- 2. Rules should be clear.** Simple rules lead to wider understanding and participation. Complex rules create two classes: those who understand and participate; and those who do not fully understand and do not fully participate.
- 3. Rules should be user friendly.** That is, the rules must be simple enough that the public is invited into the body and feels that it has participated in the process.
- 4. Rules should enforce the will of the majority while protecting the rights of the minority.** The ultimate purpose of rules of procedure is to encourage discussion and to facilitate decision making by the body. In a democracy, majority rules. The rules must enable the majority to express itself and fashion a result, while permitting the minority to also express itself, but not dominate, while fully participating in the process.

Establishing a Quorum

The starting point for a meeting is the establishment of a quorum. A quorum is defined as the minimum number of members of the body who must be present at a meeting for business to be legally transacted. The default rule is that a quorum is one more than half the body. For example, in a five-member body a quorum is three. When the body has three members present, it can legally transact business. If the body has less than a quorum of members present, it cannot legally transact business. And even if the body has a quorum to begin the meeting, the body can lose the quorum during the meeting when a member departs (or even when a member leaves the dais). When that occurs the body loses its ability to transact business until and unless a quorum is reestablished.

The default rule, identified above, however, gives way to a specific rule of the body that establishes a quorum. For example, the rules of a particular five-member body may indicate that a quorum is four members for that particular body. The body must follow the rules it has established for its quorum. In the absence of such a specific rule, the quorum is one more than half the members of the body.

The Role of the Chair

While all members of the body should know and understand the rules of parliamentary procedure, it is the chair of the body who is charged with applying the rules of conduct of the meeting. The chair should be well versed in those rules. For all intents and purposes, the chair makes the final ruling on the rules every time the chair states an action. In fact, all decisions by the chair are final unless overruled by the body itself.

Since the chair runs the conduct of the meeting, it is usual courtesy for the chair to play a less active role in the debate and discussion than other members of the body. This does not mean that the chair should not participate in the debate or discussion. To the contrary, as a member of the body, the chair has the full right to participate in the debate, discussion and decision-making of the body. What the chair should do, however, is strive to be the last to speak at the discussion and debate stage. The chair should not make or second a motion unless the chair is convinced that no other member of the body will do so at that point in time.

The Basic Format for an Agenda Item Discussion

Formal meetings normally have a written, often published agenda. Informal meetings may have only an oral or understood agenda. In either case, the meeting is governed by the agenda and the agenda constitutes the body's agreed-upon roadmap for the meeting. Each agenda item can be handled by the chair in the following basic format:

First, the chair should clearly announce the agenda item number and should clearly state what the agenda item subject is. The chair should then announce the format (which follows) that will be followed in considering the agenda item.

Second, following that agenda format, the chair should invite the appropriate person or persons to report on the item, including any recommendation that they might have. The appropriate person or persons may be the chair, a member of the body, a staff person, or a committee chair charged with providing input on the agenda item.

Third, the chair should ask members of the body if they have any technical questions of clarification. At this point, members of the body may ask clarifying questions to the person or persons who reported on the item, and that person or persons should be given time to respond.

Fourth, the chair should invite public comments, or if appropriate at a formal meeting, should open the public meeting for public input. If numerous members of the public indicate a desire to speak to the subject, the chair may limit the time of public speakers. At the conclusion of the public comments, the chair should announce that public input has concluded (or the public hearing, as the case may be, is closed).

Fifth, the chair should invite a motion. The chair should announce the name of the member of the body who makes the motion.

Sixth, the chair should determine if any member of the body wishes to second the motion. The chair should announce the name of the member of the body who seconds the motion. It is normally good practice for a motion to require a second before proceeding to ensure that it is not just one member of the body who is interested in a particular approach. However, a second is not an absolute requirement, and the chair can proceed with consideration and vote on a motion even when there is no second. This is a matter left to the discretion of the chair.

Seventh, if the motion is made and seconded, the chair should make sure everyone understands the motion.

This is done in one of three ways:

1. The chair can ask the maker of the motion to repeat it;
2. The chair can repeat the motion; or
3. The chair can ask the secretary or the clerk of the body to repeat the motion.

Eighth, the chair should now invite discussion of the motion by the body. If there is no desired discussion, or after the discussion has ended, the chair should announce that the body will vote on the motion. If there has been no discussion or very brief discussion, then the vote on the motion should proceed immediately and there is no need to repeat the motion. If there has been substantial discussion, then it is normally best to make sure everyone understands the motion by repeating it.

Ninth, the chair takes a vote. Simply asking for the "ayes" and then asking for the "nays" normally does this. If members of the body do not vote, then they "abstain." Unless the rules of the body provide otherwise (or unless a super majority is required as delineated later in these rules), then a simple majority (as defined in law or the rules of the body as delineated later in these rules) determines whether the motion passes or is defeated.

Tenth, the chair should announce the result of the vote and what action (if any) the body has taken. In announcing the result, the chair should indicate the names of the members of the body, if any, who voted in the minority on the motion. This announcement might take the following form: "The motion passes by a vote of 3-2, with Smith and Jones dissenting. We have passed the motion requiring a 10-day notice for all future meetings of this body."

Motions in General

Motions are the vehicles for decision making by a body. It is usually best to have a motion before the body prior to commencing discussion of an agenda item. This helps the body focus.

Motions are made in a simple two-step process. First, the chair should recognize the member of the body. Second, the member of the body makes a motion by preceding the member's desired approach with the words "I move ... " A typical motion might be: "I move that we give a 10-day notice in the future for all our meetings." The chair usually initiates the motion in one of three ways:

1. Inviting the members of the body to make a motion, for example, "A motion at this time would be in order."

2. Suggesting a motion to the members of the body, "A motion would be in order that we give a 10-day notice in the future for all our meetings."

3. Making the motion. As noted, the chair has every right as a member of the body to make a motion, but should normally do so only if the chair wishes to make a motion on an item but is convinced that no other member of the body is willing to step forward to do so at a particular time.

The Three Basic Motions

There are three motions that are the most common and recur often at meetings:

The basic motion. The basic motion is the one that puts forward a decision for the body's consideration. A basic motion might be: "I move that we create a five-member committee to plan and put on our annual fundraiser."

The motion to amend. If a member wants to change a basic motion that is before the body, they would move to amend it. A motion to amend might be: "I move that we amend the motion to have a 10-member committee." A motion to amend takes the basic motion that is before the body and seeks to change it in some way.

The substitute motion. If a member wants to completely do away with the basic motion that is before the body, and put a new motion before the body, they would move a substitute motion. A substitute motion might be: "I move a substitute motion that we cancel the annual fundraiser this year."

"Motions to amend" and "substitute motions" are often confused, but they are quite different, and their effect (if passed) is quite different. A motion to amend seeks to retain the basic motion on the floor, but modify it in some way. A substitute motion seeks to throw out the basic motion on the floor, and substitute a new and different motion for it. The decision as to whether a motion is really a "motion to amend" or a "substitute motion" is left to the chair. So if a member makes what that member calls a "motion to amend," but the chair determines that it is really a "substitute motion," then the chair's designation governs.

A "friendly amendment" is a practical parliamentary tool that is simple, informal, saves time and avoids bogging a meeting down with numerous formal motions. It works in the following way: In the discussion on a pending motion, it may appear that a change to the motion is desirable or may win support for the motion from some members. When that happens, a member who has the floor may simply say, "I want to suggest a friendly amendment to the motion." The member suggests the friendly amendment, and if the maker and the person who seconded the motion pending on the floor accepts the friendly amendment, that now becomes the pending motion on the floor. If either the maker or the person who seconded rejects the proposed friendly amendment, then the proposer can formally move to amend.

Multiple Motions before the Body

There can be up to three motions on the floor at the same time. The chair can reject a fourth motion until the chair has dealt with the three that are on the floor and has resolved them. This rule has practical value. More than three motions on the floor at any given time is confusing and unwieldy for almost everyone, including the chair.

When there are two or three motions on the floor (after motions and seconds) at the same time, the vote should proceed *first* on the *last* motion that is made. For example, assume the first motion is a basic "motion to have a five-

member committee to plan and put on our annual fundraiser.” During the discussion of this motion, a member might make a second motion to “amend the main motion to have a 10-member committee, not a five-member committee to plan and put on our annual fundraiser.” And perhaps, during that discussion, a member makes yet a third motion as a “substitute motion that we not have an annual fundraiser this year.” The proper procedure would be as follows:

First, the chair would deal with the *third* (the last) motion on the floor, the substitute motion. After discussion and debate, a vote would be taken first on the third motion. If the substitute motion *passed*, it would be a substitute for the basic motion and would eliminate it. The first motion would be moot, as would the second motion (which sought to amend the first motion), and the action on the agenda item would be completed on the passage by the body of the third motion (the substitute motion). No vote would be taken on the first or second motions.

Second, if the substitute motion *failed*, the chair would then deal with the second (now the last) motion on the floor, the motion to amend. The discussion and debate would focus strictly on the amendment (should the committee be five or 10 members). If the motion to amend *passed*, the chair would then move to consider the main motion (the first motion) as *amended*. If the motion to amend *failed*, the chair would then move to consider the main motion (the first motion) in its original format, not amended.

Third, the chair would now deal with the first motion that was placed on the floor. The original motion would either be in its original format (five-member committee), or if *amended*, would be in its amended format (10-member committee). The question on the floor for discussion and decision would be whether a committee should plan and put on the annual fundraiser.

To Debate or Not to Debate

The basic rule of motions is that they are subject to discussion and debate. Accordingly, basic motions, motions to amend, and substitute motions are all eligible, each in their turn, for full discussion before and by the body. The debate can continue as long as members of the body wish to discuss an item, subject to the decision of the chair that it is time to move on and take action.

There are exceptions to the general rule of free and open debate on motions. The exceptions all apply when there is a desire of the body to move on. The following motions are not debatable (that is, when the following motions are made and seconded, the chair must immediately call for a vote of the body without debate on the motion):

Motion to adjourn. This motion, if passed, requires the body to immediately adjourn to its next regularly scheduled meeting. It requires a simple majority vote.

Motion to recess. This motion, if passed, requires the body to immediately take a recess. Normally, the chair determines the length of the recess which may be a few minutes or an hour. It requires a simple majority vote.

Motion to fix the time to adjourn. This motion, if passed, requires the body to adjourn the meeting at the specific time set in the motion. For example, the motion might be: “I move we adjourn this meeting at midnight.” It requires a simple majority vote.

Motion to table. This motion, if passed, requires discussion of the agenda item to be halted and the agenda item to be placed on “hold.” The motion can contain a specific time in which the item can come back to the body. “I move we table this item until our regular meeting in October.” Or the motion can contain no specific time for the return of the item, in which case a motion to take the item off the table and bring it back to the body will have to be taken at a future meeting. A motion to table an item (or to bring it back to the body) requires a simple majority vote.

Motion to limit debate. The most common form of this motion is to say, “I move the previous question” or “I move the question” or “I call the question” or sometimes someone simply shouts out “question.” As a practical matter, when a member calls out one of these phrases, the chair can expedite matters by treating it as a “request” rather than as a formal motion. The chair can simply inquire of the body, “any further discussion?” If no one wishes to have further discussion, then the chair can go right to the pending motion that is on the floor. However, if even one person wishes to discuss the pending motion further, then at that point, the chair should treat the call for the “question” as a formal motion, and proceed to it.

When a member of the body makes such a motion (“I move the previous question”), the member is really saying: “I’ve had enough debate. Let’s get on with the vote.” When such a motion is made, the chair should ask for a second, stop debate, and vote on the motion to limit debate. The motion to limit debate requires a two-thirds vote of the body.

Note: A motion to limit debate could include a time limit. For example: “I move we limit debate on this agenda item to 15 minutes.” Even in this format, the motion to limit debate requires a two thirds vote of the body. A similar motion is a *motion to object to consideration of an item*. This motion is not debatable, and if passed, precludes the body from even considering an item on the agenda. It also requires a two-thirds vote.

Majority and Super Majority Votes

In a democracy, a simple majority vote determines a question. A tie vote means the motion fails. So in a seven-member body, a vote of 4-3 passes the motion. A vote of 3-3 with one abstention means the motion fails. If one member is absent and the vote is 3-3, the motion still fails.

All motions require a simple majority, but there are a few exceptions. The exceptions come up when the body is taking an action which effectively cuts off the ability of a minority of the body to take an action or discuss an item. These extraordinary motions require a two-thirds majority (a super majority) to pass:

Motion to limit debate. Whether a member says, “I move the previous question,” or “I move the question,” or “I call the question,” or “I move to limit debate,” it all amounts to an attempt to cut off the ability of the minority to discuss an item, and it requires a two-thirds vote to pass.

Motion to close nominations. When choosing officers of the body (such as the chair), nominations are in order either from a nominating committee or from the floor of the body. A motion to close nominations effectively cuts off the right of the minority to nominate officers and it requires a two-thirds vote to pass.

Motion to object to the consideration of a question. Normally, such a motion is unnecessary since the objectionable item can be tabled or defeated straight up. However, when members of a body do not even want an item on the agenda to be considered, then such a motion is in order. It is not debatable, and it requires a two-thirds vote to pass.

Motion to suspend the rules. This motion is debatable, but requires a two-thirds vote to pass. If the body has its own rules of order, conduct or procedure, this motion allows the body to suspend the rules for a particular purpose. For example, the body (a private club) might have a rule prohibiting the attendance at meetings by non-club members. A motion to suspend the rules would be in order to allow a non-club member to attend a meeting of the club on a particular date or on a particular agenda item.

Counting Votes

The matter of counting votes starts simple, but can become complicated.

Usually, it’s pretty easy to determine whether a particular motion passed or whether it was defeated. If a simple majority vote is needed to pass a motion, then one vote more than 50 percent of the body is required. For example, in a five-member body, if the vote is three in favor and two opposed, the motion passes. If it is two in favor and three opposed, the motion is defeated.

If a two-thirds majority vote is needed to pass a motion, then how many affirmative votes are required? The simple rule of thumb is to count the “no” votes and double that count to determine how many “yes” votes are needed to pass a particular motion. For example, in a seven-member body, if two members vote “no” then the “yes” vote of at least four members is required to achieve a two-thirds majority vote to pass the motion.

What about tie votes? In the event of a tie, the motion always fails since an affirmative vote is required to pass any motion. For example, in a five-member body, if the vote is two in favor and two opposed, with one member absent, the motion is defeated.

Vote counting starts to become complicated when members vote “abstain” or in the case of a written ballot, cast a blank (or unreadable) ballot. Do these votes count, and if so, how does one count them? The starting point is always to check the statutes.

In California, for example, for an action of a board of supervisors to be valid and binding, the action must be approved by a majority of the board. (California Government Code Section 25005.) Typically, this means three of the five members of the board must vote affirmatively in favor of the action. A vote of 2-1 would not be sufficient. A vote of 3-0 with two abstentions would be sufficient. In general law cities in California, as another example, resolutions or orders for the payment of money and all ordinances require a recorded vote of the total members of the city council. (California Government Code Section 36936.) Cities with charters may prescribe their own vote requirements. Local elected officials are always well-advised to consult with their local agency counsel on how state law may affect the vote count.

After consulting state statutes, step number two is to check the rules of the body. If the rules of the body say that you count votes of “those present” then you treat abstentions one way. However, if the rules of the body say that you count the votes of those “present and voting,” then you treat abstentions a different way. And if the rules of the body are silent on the subject, then the general rule of thumb (and default rule) is that you count all votes that are “present and voting.”

Accordingly, under the “present and voting” system, you would **NOT** count abstention votes on the motion. Members who abstain are counted for purposes of determining quorum (they are “present”), but you treat the abstention votes on the motion as if they did not exist (they are not “voting”). On the other hand, if the rules of the body specifically say that you count votes of those “present” then you **DO** count abstention votes both in establishing the quorum and on the motion. In this event, the abstention votes act just like “no” votes.

How does this work in practice?

Here are a few examples.

Assume that a five-member city council is voting on a motion that requires a simple majority vote to pass, and assume further that the body has no specific rule on counting votes. Accordingly, the default rule kicks in and we count all votes of members that are “present and voting.” If the vote on the motion is 3-2, the motion passes. If the motion is 2-2 with one abstention, the motion fails.

Assume a five-member city council voting on a motion that requires a two-thirds majority vote to pass, and further assume that the body has no specific rule on counting votes. Again, the default rule applies. If the vote is 3-2, the motion fails for lack of a two-thirds majority. If the vote is 4-1, the motion passes with a clear two-thirds majority. A vote of three “yes,” one “no” and one “abstain” also results in passage of the motion. Once again, the abstention is counted only for the purpose of determining quorum, but on the actual vote on the motion, it is as if the abstention vote never existed — so an effective 3-1 vote is clearly a two-thirds majority vote.

Now, change the scenario slightly. Assume the same five-member city council voting on a motion that requires a two-thirds majority vote to pass, but now assume that the body **DOES** have a specific rule requiring a two-thirds vote of members “present.” Under this specific rule, we must count the members present not only for quorum but also for the motion. In this scenario, any abstention has the same force and effect as if it were a “no” vote. Accordingly, if the votes were three “yes,” one “no” and one “abstain,” then the motion fails. The abstention in this case is treated like a “no” vote and effective vote of 3-2 is not enough to pass two-thirds majority muster.

Now, exactly how does a member cast an “abstention” vote? Any time a member votes “abstain” or says, “I abstain,” that is an abstention. However, if a member votes “present” that is also treated as an abstention (the member is essentially saying, “Count me for purposes of a quorum, but my vote on the issue is abstain.”) In fact, any manifestation of intention to vote either “yes” or “no” on the pending motion may be treated by the chair as an abstention. If written ballots are cast, a blank or unreadable ballot is counted as an abstention as well.

Can a member vote “absent” or “count me as absent?” Interesting question. The ruling on this is up to the chair. The better approach is for the chair to count this as if the member had left his/her chair and is actually “absent.” That, of course, affects the quorum. However, the chair may also treat this as a vote to abstain, particularly if the person does not actually leave the dais.

The Motion to Reconsider

There is a special and unique motion that requires a bit of explanation all by itself; the motion to reconsider. A tenet of parliamentary procedure is finality. After vigorous discussion, debate and a vote, there must be some closure to

the issue. And so, after a vote is taken, the matter is deemed closed, subject only to reopening if a proper motion to consider is made and passed. A motion to reconsider requires a majority vote to pass like other garden-variety motions, but there are two special rules that apply only to the motion to reconsider.

First, is the matter of timing. A motion to reconsider must be made at the meeting where the item was first voted upon. A motion to reconsider made at a later time is untimely. (The body, however, can always vote to suspend the rules and, by a two-thirds majority, allow a motion to reconsider to be made at another time.)

Second, a motion to reconsider may be made only by certain members of the body. Accordingly, a motion to reconsider may be made only by a member who voted in the majority on the original motion. If such a member has a change of heart, he or she may make the motion to reconsider (any other member of the body — including a member who voted in the minority on the original motion — may second the motion). If a member who voted in the minority seeks to make the motion to reconsider, it must be ruled out of order. The purpose of this rule is finality. If a member of minority could make a motion to reconsider, then the item could be brought back to the body again and again, which would defeat the purpose of finality.

If the motion to reconsider passes, then the original matter is back before the body, and a new original motion is in order. The matter may be discussed and debated as if it were on the floor for the first time.

Courtesy and Decorum

The rules of order are meant to create an atmosphere where the members of the body and the members of the public can attend to business efficiently, fairly and with full participation. At the same time, it is up to the chair and the members of the body to maintain common courtesy and decorum. Unless the setting is very informal, it is always best for only one person at a time to have the floor, and it is always best for every speaker to be first recognized by the chair before proceeding to speak.

The chair should always ensure that debate and discussion of an agenda item focuses on the item and the policy in question, not the personalities of the members of the body. Debate on policy is healthy, debate on personalities is not. The chair has the right to cut off discussion that is too personal, is too loud, or is too crude.

Debate and discussion should be focused, but free and open. In the interest of time, the chair may, however, limit the time allotted to speakers, including members of the body.

Can a member of the body interrupt the speaker? The general rule is “no.” There are, however, exceptions. A speaker may be interrupted for the following reasons:

Privilege. The proper interruption would be, “point of privilege.” The chair would then ask the interrupter to “state your point.” Appropriate points of privilege relate to anything that would interfere with the normal comfort of the meeting. For example, the room may be too hot or too cold, or a blowing fan might interfere with a person’s ability to hear.

Order. The proper interruption would be, “point of order.” Again, the chair would ask the interrupter to “state your point.” Appropriate points of order relate to anything that would not be considered appropriate conduct of the meeting. For example, if the chair moved on to a vote on a motion that permits debate without allowing that discussion or debate.

Appeal. If the chair makes a ruling that a member of the body disagrees with, that member may appeal the ruling of the chair. If the motion is seconded, and after debate, if it passes by a simple majority vote, then the ruling of the chair is deemed reversed.

Call for orders of the day. This is simply another way of saying, “return to the agenda.” If a member believes that the body has drifted from the agreed-upon agenda, such a call may be made. It does not require a vote, and when the chair discovers that the agenda has not been followed, the chair simply reminds the body to return to The agenda item properly before them. If the chair fails to do so, the chair’s determination may be appealed.

Withdraw a motion. During debate and discussion of a motion, the maker of the motion on the floor, at any time, may interrupt a speaker to withdraw his or her motion from the floor. The motion is immediately deemed withdrawn, although the chair may ask the person who seconded the motion if he or she wishes to make the motion, and any other member may make the motion if properly recognized.

Special Notes about Public Input

The rules outlined above will help make meetings very public friendly. But in addition, and particularly for the chair, it is wise to remember three special rules that apply to each agenda item:

Rule One: Tell the public what the body will be doing.

Rule Two: Keep the public informed while the body is doing it.

Rule Three: When the body has acted, tell the public what the body did.

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