



Policy n° 2000-CA-04:	<b>Rules of Order &amp; Procedure for the Meetings of the Council of Commissioners of the Sir Wilfrid Laurier School Board</b>
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<b>Approved:</b>	<b>Resolution n°</b>	<b>000126-CA-0127</b>
<b>Revised:</b>	<b>Resolution n°</b>	<b>CC-161026-CA-0024 CC-181212-CA-0081</b>
<b>Origin:</b>	<b>Council of Commissioners</b>	

## 1.0 PREAMBLE:

The following rules of order and procedures for meetings of the Council of Commissioners of the Sir Wilfrid Laurier School Board are based on the Education Act (C.Q.L.R., Chapter I-13.3) and Robert's Rules of Order. Appendix 1, included herein is an integral part of the policy.

The members of the Council of Commissioners (the "Members") will have recourse to Robert's Rules of Order for any rule or regulation not covered in this policy.

## 2.0 OBJECTIVE

This policy is designed to guide the Council in the conduct of its business, facilitate the decision-making process and insure impartiality, fairness and equality among the members.

## 3.0 DEFINITIONS:

### 3.1. Question of Privilege:

A question of privilege may be raised when a member believes that his reputation or that of another member of the Council is endangered or to complain about physical conditions of the meeting room or other similar circumstances.

### 3.2. Point of Order:

A point of order may be raised if a member considers that an inexact expression has been used, that an argument already dispensed with has been reintroduced or if a rule of procedure has been violated.

### 3.3. Resolution:

A formal expression of opinion, will or intent adopted by the Council of Commissioners.

### 3.4. Motion:

A proposal for action, in particular, a formal proposal made by the Council of Commissioners (e.g. "*I move (motion) the adoption of the following resolution*"). A motion is the means of bringing business before the Council, disposing of it and resolving matters of procedure and urgency.

A **subsidiary motion** helps dispose of the main motion. It always does something to the main motion.

A **privileged motion** relates to special matters of immediate importance. A privileged motion is of higher rank and takes precedence over a subsidiary motion. The vote takes place without discussion.

An **incidental motion** deals with a question of procedure arising from the pending business but does not affect it. An incidental motion is decided upon immediately.

### **3.5 In Camera:**

In camera is a legal term that means in private. The purpose of in camera is to provide an opportunity for the board to discuss particularly sensitive matters within the jurisdiction of the Council, to provide an opportunity to discuss sensitive internal governance matters, or to provide a forum in which Council members who are reticent or reluctant to speak may indicate this and seek advice on the appropriate way to raise issues of concern. At the commencement of the meeting, an in camera provides an opportunity for Council members to flag any sensitive or contentious agenda items and to agree on how or whether to deal with them in advance.

Any Council member may request at any point in time, during a public Council meeting, to call an 'in camera' meeting. At this time, all public and directors of departments are required to leave the board room, and return only once the in-camera session is lifted by Council. Minutes are not recorded for in camera sessions.

## **4.0 PREPARATION OF AGENDA**

- 4.1. The agenda is prepared by the Director General and the Secretary General and reviewed with the Chair.
- 4.2. To have an item placed on the agenda, members must address their request to the Secretary General no later than 4 p.m. on the Tuesday the week prior to the meeting. Any exceptions must be authorized by the Chair.
- 4.3. Administrators shall direct their request to place items on the agenda to the Secretary General within the same time frame as indicated in paragraph 4.2. Any exceptions must be authorized by the Secretary General.
- 4.4. Whenever possible, documentation relative to an item on the agenda of a meeting should be sent to the Secretary General within the same timeframe as mentioned in paragraph 4.2. In exceptional circumstances when no document is immediately available, an individual who wishes to place an item on the agenda will provide the Secretary General with a brief one-paragraph description of the point to be discussed.
- 4.5. The Council of Commissioners' meeting agenda will be structured as follows:
  - ◆ Acceptance of Agenda
  - ◆ Approval of Minutes
  - ◆ Public Question Period (20 minutes; maximum of 5 minutes per speaker)
  - ◆ Chair's Report
  - ◆ Director General's Report
  - ◆ Business Arising
  - ◆ Decision Items
  - ◆ Information Items
    - ❖ Sir Wilfrid Laurier Foundation

- ❖ Parent Commissioners Report
  - ❖ SEAC Report
  - ❖ QESBA
  - ◆ Public Question Period (20 minutes; maximum of 5 minutes per speaker)
  - ◆ Correspondence
  - ◆ Varia
  - ◆ Adjournment of Meeting
- 4.6. The Council of Commissioners' meetings will be held from 19h30 to 22h30. Council may, by resolution, extend this time.
- 4.7. A web-based package with documents, reports and other written material will be made available to members the Friday evening prior to all Council of Commissioner' meetings.
- 4.8. Question Periods
- ◆ The agenda will provide for two 20-minute question periods, one at the beginning of the agenda and one at the end. Council may, by resolution, extend this time, by a 2/3 majority vote.
  - ◆ The purpose for these question periods are restricted to answering questions only, and not enter into debates or conversations;
  - ◆ The Secretary General will explain these parameters prior to the first question period at each meeting;
  - ◆ For the first question period, questions are to be addressed to the Chair by fax or email sent to the Secretary General's offices by 13:00 hours on the day of the meeting;
  - ◆ The second question period must be restricted to questions pertaining to agenda items discussed at that meeting;
  - ◆ Each speaker is allowed 5 minutes to present all their questions;
  - ◆ After each speaker's 5 minute presentation, the Chairperson will provide any available answers.

## 5.0 MINUTES OF BOARD MEETINGS:

### 5.1. Recording of Minutes:

The minutes of the meetings of the Council of Commissioners constitute a record of the meeting. The minutes will consist of but not be limited to:

- ◆ date of the meeting
- ◆ time of the meeting
- ◆ presence and absence of commissioners
- ◆ whether the meeting is regular or special
- ◆ chair and secretary of the meeting
- ◆ approval of minutes
- ◆ mention of loss of quorum during the meeting
- ◆ indication of late arrivals, early departures and "ins and outs" of Council members and senior administration
- ◆ all motions voted upon
- ◆ all resolutions voted upon
- ◆ results of the vote

- ◆ names of commissioners who voted for, against or abstained from a vote
- ◆ brief description of reports and/or information items
- ◆ brief description of presentations made during the public question period
- ◆ time of closure

## **5.2. Approval of Minutes:**

Draft minutes of the previous meeting are submitted to the Council for approval. Acceptable modifications are those which serve to better reflect the information listed in item 5.1 above. Naturally, only Council members who were present at the meeting should motion to approve the minutes.

## **6.0 RIGHTS AND DUTIES OF MEMBERS:**

- 6.1. Only Council members, the Director General and persons authorized by Council may participate in deliberations of the Council.
- 6.2. Every member has a right to be convened to all meetings and to be present. Each member may submit, support, defend or debate any proposal deemed appropriate by the Chair. Each member also has the right to ask pertinent questions, to intervene in a debate and to be a candidate for posts which the Council of Commissioners intends to fill.
- 6.3. A member may speak only after being acknowledged by the Chair. The speaker must address the Chair; he may not address another Council member nor answer a question by another member without first being acknowledged by the Chair.
- 6.4. The right to speak is granted in order of request.
- 6.5. Members, including the mover of the motion, can only speak twice to a motion and each time for not longer than 5 minutes. They can take their second turn only after everyone who wants to speak for the first time has done so. The 5-minute time limit can be changed by majority vote.  
  
The mover of a motion is the last to speak to a motion, when all other speakers have had the opportunity to speak, and has the right, at that time, to make a summary statement.
- 6.6. Every Council member is entitled to raise a question of privilege if he deems that his rights are not being respected. He may make a point of order if he deems that a rule has not been observed or if order or decorum has not been ensured.
- 6.7. The speaker may be interrupted by the Chair or another Council member on a question of privilege, on a point of order or for a matter to be discussed in committee. Furthermore, the Chair may interrupt or terminate an individual's speaking privilege if the speaker's comments are disruptive, obscene, or insulting.
- 6.8. Commissioners have authority only when acting as members of the Council of Commissioners legally in session. The Council shall not be bound in any way by any statement or action on the part of any individual board member except when such statements or actions are in pursuance of specific instructions by the Council.

- 6.9. Discussion of a topic which has already been disposed of by the Council is not permissible at the same meeting unless moved by someone who voted with the prevailing majority on the original vote. A two-thirds majority is required to pass.
- 6.10. Every member has a duty to respect the order and silence required for the proper functioning of the meeting. As such, members will abstain from sending e-mails and surfing the Internet during Council meetings.
- 6.11. Every member must avoid private conversations, unnecessary departures, noise, disorder and distractions.
- 6.12. Every member must remain courteous and respectful.
- 6.13. It is the responsibility of a member to notify the Secretary General's offices as soon as possible if he is unable to attend a Council meeting.

## **7.0 RIGHTS AND DUTIES OF THE CHAIR:**

- 7.1. The Chair enjoys the rights and exercises the duties provided for in the Education Act, this policy, and "Robert's Rules of Order". The Education Act and this policy "supersede" Robert's Rules of Order.
- 7.2. Specifically, the Chair shall:
- 7.2.1. Ensure that proceedings are conducted in an orderly fashion, with an appropriate degree of decorum and conduct the meeting in an impartial manner.
- 7.2.2. Determine whether proposals and questions can be entertained.
- 7.2.3. Intervene for inappropriate behaviour as deemed necessary.
- 7.2.4. Have the right to, among others:
- ❖ request to withdraw certain comments;
  - ❖ withdraw right to speak at the meeting;
  - ❖ introduce a motion of censure;
  - ❖ request to leave the meeting;
  - ❖ introduce a motion to evict from the assembly for the balance of the meeting. A two-thirds majority is required to pass.
- 7.2.5. Call a caucus at his discretion.
- 7.2.6. Call for a brief break at his discretion.
- 7.2.7. Be an ex-officio member of all committees and/or sub committees of the Council.
- 7.2.8. Have the right to intervene in his capacity as a Council member. In such a case, he will relinquish the Chair and be replaced by the Vice-Chair or any other member of the Council.

7.3. If an issue of Conflict of Interest arises, a sub-committee composed of the two commissioners of the Council of Commissioners will determine the right of the member appearing to be in conflict to vote and to be present at the table with respect to that issue, after having heard, if applicable, the representation of the concerned member. The decision of the sub-committee is final.

In the event that the member in appearance of conflict is the Chair or Vice-Chair, the alternate vice-chair shall chair the meeting during the concerned topic on the agenda.

7.4. The Chair can vote on all issues at Council meetings and has the casting vote in the event of a tie.

## **8.0 ABUSE OF RULES OF ORDER:**

When a participant seriously contravenes the rules the Council may decide to refer the issue to the Commissioner of Ethics, in accordance with BL2009-CA-17: Code of Ethics & Professional Conduct for Commissioner of the Sir Wilfrid Laurier School Board.

Rv. 2018-12-12

## APPENDIX 1

**References:** Robert McConnell Productions. 1999. *Webster's New World™ Robert's Rules of Order Simplified and Applied*. MacMillan General Reference, A Simon & Shuster MacMillan Company, New York, 400 pp.

MOTIONS in order of making them (top to bottom). Order of voting on them is reverse (bottom to top).		A	D	R	M	Notes
1	Main motion Puts new business before council	√	√	√	M <sup>1</sup>	Remains property of commissioner until repeated by Chair. A second is required. Commissioner making motion has first right and the last right to speak to it, can't speak against it, but can vote against it. Maximum of 2 amendments. An amendment to an amendment cannot be amended. <sup>1</sup> An action outside of the main purpose for the school board requires a 2/3 majority
2	Postpone indefinitely Kills main motion for duration of meeting	X	√	√*	M	*Only the affirmative vote
3	Amend Change the main motion by removing, adding, striking out and replacing certain words. Must be germane to the main motion	√ <sup>1</sup>	√	√	M <sup>2</sup>	Proposed amendment becomes part of main motion and must be seconded and voted on. <sup>1</sup> An amendment to the third degree is not allowed. <sup>2</sup> A motion to amend the agenda requires 2/3 majority
4	Refer to a committee For further study	√ <sup>1</sup>	√	√ <sup>2</sup>	M	Committee reports back at the next, or later, meeting. <sup>1</sup> Only as to propriety or advisability of referral. <sup>2</sup> Only if committee hasn't begun discussing it
5	Consider informally Council acts as committee	X	√	√*	M	*Only the negative vote can be reconsidered
6	Postpone to a certain time To delay a decision indefinitely (for duration of meeting)	√	√ <sup>1</sup>	√ <sup>2</sup>	M	<sup>1</sup> Merits of postponing only. <sup>2</sup> Only the affirmative vote without debate before the time limit expires
7	Postpone to a certain time made into a special order To ensure that motion will be taken up at a specified time	√*	√*	√	2/3	A special order interrupts any business currently before council. *Only the time factor
8	Limit or extend limits of debate To set a time limit on debate, or time limit or number of times each commissioner can speak to motion	√ <sup>1</sup>	X	√ <sup>2</sup>	2/3	<sup>1</sup> Time element only. <sup>2</sup> Only the affirmative vote without debate before the time limit expires
9	Previous question. Call the question. Call for a vote To stop debate and take the vote	X	X	√	2/3	Can be reconsidered without debate before any vote has been taken under the order of the previous question
10	Lay on the table Set main motion and adhering motions aside temporarily to take up something more urgent	X	X	X	M	The item should be lifted from the table immediately after the urgent business is completed. Cannot be used to kill a motion or put it off to a later time.
<b>PRIVILEGED MOTIONS</b>						
11	Call for Orders of the day Go directly to the agenda. Go to the next item	X	X	X	--	Commissioner or Chair may interrupt speaker. * The Chair rules. No vote is taken unless commissioners want to set aside orders of the day which takes a 2/3 vote. If Chair's ruling is challenged, a majority vote is required
12	Raise a question of privilege Permits a commissioner to make a request or motion relating to rights and privileges of the Council, a commissioner, or another group or individual and to consider it immediately	X	X	X		Commissioner or Chair may interrupt speaker. Privilege of council has priority. Chair rules on the request. Chair cannot refuse a request to go into committee
13	Recess To take a break	√	X	X	M	Length of recess is amendable
14	Adjourn To end meeting now	X	X	X	M	It takes precedence over all other motions except to <i>Fix the time to which to adjourn</i>
15	Fix date and time to continue meeting To set a later time to continue this meeting before the next regular meeting	√	X	√	M	Time and date are amendable
16	Fix date and time to continue meeting To set the time to adjourn the meeting	√	√	X	M	If meeting is to continue past the fixed time someone must move to suspend the rules

### INCIDENTAL MOTIONS

INCIDENTAL MOTIONS						
17	Point of order. To correct a breach of the rules (repetition, speaking out of order, etc.)	X	X	X		Commissioner or Chair may interrupt speaker. Chair rules and his ruling stands unless someone appeals
18	Call a member to order	X	X	X		Commissioner or Chair may interrupt speaker. For use of unacceptable language and other disruptions. Same as above.
19	Appeal from the decision of the Chair To disagree with the Chair's ruling and let commissioners decide the disagreement by taking a vote	X	√ <sup>1</sup>	√	M <sup>2</sup>	Must be made at the time the ruling was made. Chair has the right to speak first and last. <sup>1</sup> Not debatable if relates to rules of speaking, order of business, or a ruling on an undebatable motion. <sup>2</sup> Majority or tie vote sustains the decision of the Chair
20	Request for permission to withdraw a motion To withdraw a motion without taking a vote on it	X	X	√*	M	When withdrawn – not recorded in minutes. * Only the negative vote for withdrawing the motion can be recorded in minutes
21	Request for permission to modify a motion To modify or amend a motion before it is adopted	X	X	√	M	Motion presented to council in modified form
22	Object to consideration of a question To prevent a main motion from being considered	X	X	√*	2/3	Motion can be proposed at another meeting. * Only the negative vote can be reconsidered.
23	Division of the council To doubt the result of the vote	X	X	X		The vote is retaken in a different way
24	Parliamentary inquiry To determine appropriateness and implications of pending motion					The Chair answers the inquiry but may call on others to assist (Directorate). Not considered as debate
25	Point of information. Questions. To clarify details about the main motion					Directed to the Chair. Anyone may respond but without debate. Not considered as debate
26	Suspend the rules To set aside the rules of the council	X	X	X	2/3	Cannot put aside the by-laws and Charter of Human Rights and Freedoms or Education Act
27	To lift from the table To bring into discussion a previously tabled motion	X	X	X	M	The motion becomes the immediate pending business
28	Reconsider the vote To reconsider the vote on a motion	X	√*	X	M	Must be made by a commissioner on the prevailing side. Not possible if something has been done that is impossible to undo under the motion being reconsidered. Can be made but not considered when other business is pending. *Only if the reconsidered motion is debatable
29	Reconsider the vote and enter on the minutes Suspends all action on the motion till the next meeting	X	√*	X	M	*Identical to above
30	Rescind or amend something previously adopted To change a motion or by-law previously adopted either by striking it out or changing part of it	X	√	√ <sup>1</sup>	2/3 <sup>2</sup>	Not possible if something has been done that is impossible to undo under the motion being amended or rescinded. <sup>1</sup> Only the negative may vote. <sup>2</sup> Majority vote with previous notice
31	Discharge a committee To take a matter from the hands of a committee before its report is presented and act on it immediately	√	√	X	2/3*	Can only be made when no other business is pending. Any motions referred to committee must be immediately discussed. *Majority vote with previous notice or if committee gives only a partial report or fails to report by designated time

**A: amendable; D: debatable; R: can be reconsidered if adopted; M: majority; √= yes; X = no**

#### OTHER RULES

- If a main motion is defeated, it can't be brought before the council again at the same meeting unless it is a substantially new question, by a change in wording, or a difference in time or conditions or through special procedures to **reconsider the vote** (#28 or 29). However, it can be brought up at a future meeting as if it were a new motion.
- When a proposed action takes away members' rights, a two-thirds vote is necessary.

### SOME STRATEGIES FOR COUNTERING MOTIONS

MOTION	STRATEGY
Postpone indefinitely	Amend, Refer to committee, Postpone to a certain time
Amend	Withdraw, Refer to committee
Refer to committee	Name a different committee, stipulate date for committee report, stipulate what the committee is do
Postpone to a certain time	If time is prior to next meeting then motion is out-of-order, amend time, fix the time at which to adjourn, and postpone to a specific time at the adjourned meeting.
Limit or extend limits of debate	Amend, Previous question, Recess, Parliamentary inquiry



Previous question	Recess, Parliamentary inquiry
Lay on the table	Point of order if misused, Recess, Parliamentary inquiry
Question of privilege	Recess, Adjourn, Fix time to which to adjourn
Recess	Amend, Adjourn, Fix the time to which to adjourn. Parliamentary inquiry, Previous question
Adjourn	Fix the time to which to adjourn, Parliamentary inquiry
Fix the time to which to adjourn	Amend, Previous question, Parliamentary inquiry