

RULES OF PROCEDURE FOR BOARD OF EDUCATION MEETINGS

A. INTRODUCTION

These Rules of Procedure are adopted by the Pitt County Board of Education for use at all meetings of the Board of Education and its Committees. The rules are a modified version of Robert's Rules of Order, Revised and, except for those modifications of Robert's Rules of Order which appear in this policy, Robert's Rules of Order, Revised shall continue to be used as the procedure for conducting School Board meetings.

B. RULES OF PROCEDURE

1. AGENDAS

The Superintendent shall prepare the agendas for all Board and Committee meetings, with the consent of the Board Chair and Committee Chairs, respectively.

Any member of the public may request to have an item of business placed on the agenda. The request must be submitted in writing to the Superintendent and received at least 15 calendar days before the meeting. All such requests are subject to the approval of the Superintendent with the consent of the Board Chair.

Any member of the Board may request to have an item of business placed on the prepared agenda. The request must be made to the Superintendent or Board Chair. In addition, the Board, by a majority vote, may place an item on the agenda at the appropriate time once the meeting has been convened.

The Board's agenda materials shall include, for each item of business placed on it, as much background information on the subject as is available and feasible to reproduce.

A copy of the agenda materials should be delivered to the home or business of each member of the Board three to five days prior to the meeting, unless there is a special or emergency meeting. Copies of the agenda materials should be made available for public inspection in the office of the Superintendent and in Sheppard Memorial Library as soon as the materials have been distributed to Board members.

2. PRESENTATION OF AWARDS AND RECOGNITION OF ACHIEVEMENT

- 2.1 The first portion of each agenda shall be set aside for the presentation of awards and the recognition of outstanding achievement. (See Appendix 1.306-A: Employee/Student Recognition Form.)

3. REGULAR BUSINESS ITEMS

- 3.1 On the successful motion of any member to defer consideration of a routine business item, action on the said item shall be deferred until the next regular meeting of the Board.

4. PUBLIC EXPRESSION

- 4.1 A portion of each regular Board meeting will be set aside for public expression. This does not include workshop sessions and/or retreats.

- 4.2 At no time may speakers address any of the following:

- 4.2.1 matters concerning the job competence and performance of specific personnel or employees of the Board of Education

The policies and laws of the State of North Carolina, as well as the policies of the Board, provide that matters concerning the job competence and performance of individual school system employees are confidential. For this reason, and to ensure that Board meetings are conducted in an orderly and fair manner, the Board will not entertain public discussion about specifically named school system employees during the open session of Board meetings. The proper manner for raising concerns about a specific employee is to submit comments in writing to the Superintendent or to use the grievance procedures that have been established by the Board.

- 4.2.2 matters involving specific students of the school system

- 4.3 Any individual or spokesperson for any group who wishes to address the Board shall complete a Request to Address the Board form at least fifteen minutes prior to the commencement of the meeting, and shall provide his/her name, address, the name of the organization he/she represents, if any, and the topic to be addressed. (See Appendices 1.307-A: Procedures for Speaking before the Board, and 1.308-A: Form for Speaking before the Board.) If the speaker wishes to give the Board members written materials related to his/her remarks, twenty (20) copies shall be given to the Superintendent's designee for distribution.

- 4.4 Individual speakers will be given up to three (3) minutes to speak before the Board. Groups shall be asked to select one or more spokespersons to speak on their behalf and will be given up to a total of five (5) minutes for the group. The Chair may limit the number of speakers on a specific topic, depending on the number of speakers and topics listed.

- 4.5 The following rules shall be followed by speakers appearing before the Board:
- 4.5.1 The speaker shall state his or her name and address.
 - 4.5.2 All remarks shall be made to the Board as a body and not to an individual Board member.
 - 4.5.3 No speaker shall make obscene, derogatory or slanderous remarks. Any Board member may stop such comments.
 - 4.5.4 No person shall be allowed to disrupt the speaker except for Board members as provided in 4.5.3 and the Board Chair as provided in 4.6.
 - 4.5.5 Remarks shall end when the speaker's allotted time has expired.
 - 4.5.6 Board members or the Superintendent may ask the speaker questions for clarification. However, no person from the floor shall enter into discussion with the Board.
- 4.6 The Board Chair may immediately terminate any comments that are considered to be inappropriate.
- 4.7 Public speaker comments from action meetings of the Board will be 1) accepted as opinion, or 2) referred to an administrator for investigation to be reported back to the citizen and Board to the extent permitted by law, or 3) referred to the Board Chair, Vice Chair and Superintendent for agenda planning, or 4) referred to a Board Committee.

When the Board Chair refers an issue of public concern to an administrator for investigation, the Superintendent or administrator will respond in one of three ways within 5 business days: 1) provide an answer to the citizen about their issue of concern, or 2) provide an estimated time frame that the administration feels will be necessary to investigate and provide an answer to the citizen, or 3) indicate that the administration will not be able to provide the answer with reasonable effort.

5. CONSENT ITEMS

- 5.1 A portion of each agenda will be set aside for consent items.
- 5.2 Consent items shall be disposed of collectively by unanimous consent. Should any Board member object to inclusion of an item under Consent Items, or should any item require discussion, it shall be removed from Consent Items and placed under either old business or new business, depending upon the nature of the item.

6. INFORMATIONAL REPORTS

- 6.1 A portion of each agenda will be set aside for the presentation of informational reports by the staff on some aspect of the curriculum, operations or administration of the school system. All formal written reports shall be listed on the agenda and included with the agenda materials distributed to the Board prior to the meeting.
- 6.2 Reports presented during this portion of the agenda are for informational purposes only and not action.
- 6.3 The Chair of the Board or the Board, by a majority vote of its members, may refer a report to a Committee for further study.

7. PRESIDING OFFICER

- 7.1 The Chair of the Board or of a Committee shall preside at Board or Committee meetings, respectively. To address the Board or a Committee, a member must be recognized by the Chair.
- 7.2 The Chair shall have the following powers:
 - 7.2.1 To rule motions in or out of order
 - 7.2.2 To determine whether a speaker has gone beyond reasonable standards of courtesy in his/her remarks and to entertain and rule on objections from other Board members on those grounds
 - 7.2.3 To entertain and answer questions of parliamentary law and/or procedure with the advice of the Board attorney
 - 7.2.4 To adjourn in an emergency

8. ACTION BY THE BOARD

- 8.1 The Board shall proceed by motion. Anyone, including the Chair, may make a motion.
- 8.2 A second for each motion shall be required.
- 8.3 A member may make only one motion at a time.
- 8.4 After a substantive motion has been made and seconded, the Chair should state the motion and, except in regard to the Consent Items, open the floor to debate on it. The Chair shall preside over the debate according to the following general principles:
 - 8.4.1 The maker of the motion is entitled to speak first
 - 8.4.2 A member who has not spoken on the issue shall be recognized before someone who has already spoken
 - 8.4.3 To the extent possible, the debate should alternate between proponents and opponents of the motion

8.5 A motion shall be adopted by a majority of the votes cast, a quorum being present, unless otherwise required by these rules, the Board's By-Laws, or the laws of North Carolina.

9. PROCEDURAL MOTIONS – In addition to substantive motions, the following procedural motions and no others shall be in order. Unless otherwise noted, each motion is debatable, may be amended, and requires a majority vote for adoption. In order of priority (if applicable), the procedural motions are as follows:

9.1 To adjourn – The motion to adjourn may be made only when action on a substantive motion concludes; it may not interrupt deliberation of a pending matter.

9.2 To take a recess – This motion may be made at any time.

9.3 To follow the agenda – This motion must be made at the first reasonable opportunity or it is waived.

9.4 To suspend the rules – For adoption, this motion requires a two-thirds vote of the members present.

9.5 To divide a complex motion and consider it by paragraph or section.

9.6 To defer consideration – A substantive motion that has been deferred expires three months thereafter unless a motion to revive consideration is adopted.

9.7 To postpone to a certain time or day – This motion is appropriate when more information is needed or when the deliberations are likely to be lengthy.

9.8 To refer to a Committee – Two months after a substantive motion or matter has been referred to a Committee, the maker of the motion may compel consideration of the matter by the entire Board, regardless of whether the Committee has reported the matter back to the Board.

9.9 To call the previous question – This motion is not in order until every member has had an opportunity to speak.

9.10 To amend – An amendment to a motion must be pertinent to the subject matter of the motion, but it may achieve the opposite of the motion's intent. The motion may be amended. An amendment may be amended once. Further amendments may be made to the motion, but not to the amendment of the motion.

9.11 To revive consideration – This motion is in order at any time within three months after a vote to defer consideration. If the motion to revive consideration does not succeed within three months of the date on which consideration was deferred, the substantive motion expires.

- 9.12 To reconsider – This motion must be made by a member who voted with the prevailing side. It must be made at the same meeting as the vote was taken. It may not interrupt deliberation on a pending motion or matter but it is in order at any time before actual adjournment.
- 9.13 To rescind or repeal – This motion is in order only for those measures adopted by the Board that may be repealed or rescinded legally.
- 9.14 To ratify – This motion is used to approve, after the fact, a matter which the Board would have authorized initially.
- 9.15 To prevent reconsideration for six months – This motion is in order immediately following the defeat of a substantive motion and at no other time. For adoption, the motion must receive two-thirds of the votes of the members present, provided there is a quorum.
10. RENEWAL MOTIONS – A motion that is defeated may be renewed at any subsequent meeting unless a motion to prevent reconsideration has been adopted.
11. WITHDRAWAL MOTIONS – A motion may be withdrawn by the introducer or maker at any time before a vote, with the consent of the member who seconded the motion.
12. AMENDING THE BY-LAWS AND RULES OF ORDER – The Pitt County Board of Education By-Laws and Rules of Order may be amended at any regular business meeting by a two-thirds vote of the entire Board membership or, if the amendment was submitted in writing at a previous regular business meeting, then it may be amended by two-thirds of those voting, so long as a quorum is present.

Last Revision/Adoption: September 12, 2005, November 16, 2009

Legal References: Robert's Rules of Order, Revised

Cross References: Policy 10.212 (Student and Parent Complaints) & 7.007 (Employee Grievances)