

USING PARLIAMENTARY PROCEDURE

For UTLA
LEADERSHIP RETREAT 2009
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WHAT DOES PARLIAMENTARY PROCEDURE DO?

- ✘ Brings order to a otherwise chaotic process
- ✘ Provides a process for decision making that protects the rights of the members.
- ✘ Insures all members the same right to be heard and vote
- ✘ Protects the rights of the minority interest
- ✘ Legally defensible process

PARLIAMENTARY GROUND RULES

- ✘ We acknowledge and accept that each person wants what's best for the association.
- ✘ Reasonable people can, do and should respectfully disagree on what “best” is.
- ✘ Through Respectful Engagement about ISSUES NOT PEOPLE, the end result will be the “BEST”.

WHAT IT IS NOT

- ✘ It is not a hammer or club to enforce your will on the group
- ✘ It is not a way for the chair to ‘gavel through’ items on the agenda
- ✘ It is not an esoteric process that gets in the way of accomplishing goals

YOUR RULES

- ✘ CONSTITUTION/BYLAWS
 - + General Rules of Governance and Structure
 - + Amendable by process stated in Constitution
 - + Not Suspensible
- ✘ SPECIAL RULES OF ORDER (HOUSE & BOARD RULES)
 - + Specific Rules of Procedure, unique to your organization
 - + Amendable by 2/3 vote without notice for a meeting
 - + Suspensible by a 2/3 vote without notice for a specific time



**IF YOU DISAGREE WITH
SOMETHING THE CHAIR
DID, YOU MAY CHALLENGE
THE CHAIR**

APPEAL: THE DECISION OF THE CHAIR

- ✘ ACTION: Causes to ruling of the chair to be decided by the assembly
 - + Must be seconded
 - + May be debatable
 - + Majority in the negative to overturn the ruling of the chair
 - + Tie upholds the Chair

VOTING

The freeman casting with unpurchased hand
The vote that shakes the turrets of the land

Oliver Wendell Holmes

MAJORITY



MAJORITY



MAJORITY

THE NEXT WHOLE NUMBER GREATER THAN
50%

ABSTENTION

- ✘ No one can be compelled to vote
- ✘ Abstention is NOT a vote – it does not count - EVER
- ✘ Normally not ask for
- ✘ May be recorded with permission or by special rule of order

TRUE OR FALSE

- ✗ The chair can only vote to break a tie.
- ✗ Truth – The chair can vote on any question, but normally only votes on a counted vote and when it makes a difference.

PROCESS ISSUES

- ✗ Voters are not allowed to Explain a vote – that constitute debate
- ✗ Vote may not be interrupted until completed
- ✗ A member may change their vote up until the time the result is announced by the chair, there after only with unanimous consent of the body

WHY RULES OF DEBATE

- ✘ To allow even the most contentious issue to be debated in a controlled and civilized manner
- ✘ To allow all members to be heard on an equal footing
- ✘ Maintain decorum and conduct in an orderly debate

BASIC RULES OF DEBATE

- ✘ No debate without a motion pending
- ✘ Debate only the IMMEDIATE PENDING question
- ✘ All remarks addressed to the chair
- ✘ No one speaks without being recognized by the chair
- ✘ No one speaks twice till all have spoken once
- ✘ No one speaks more than twice without the approval of the assembly
- ✘ Time limit in rules (2/10/5)

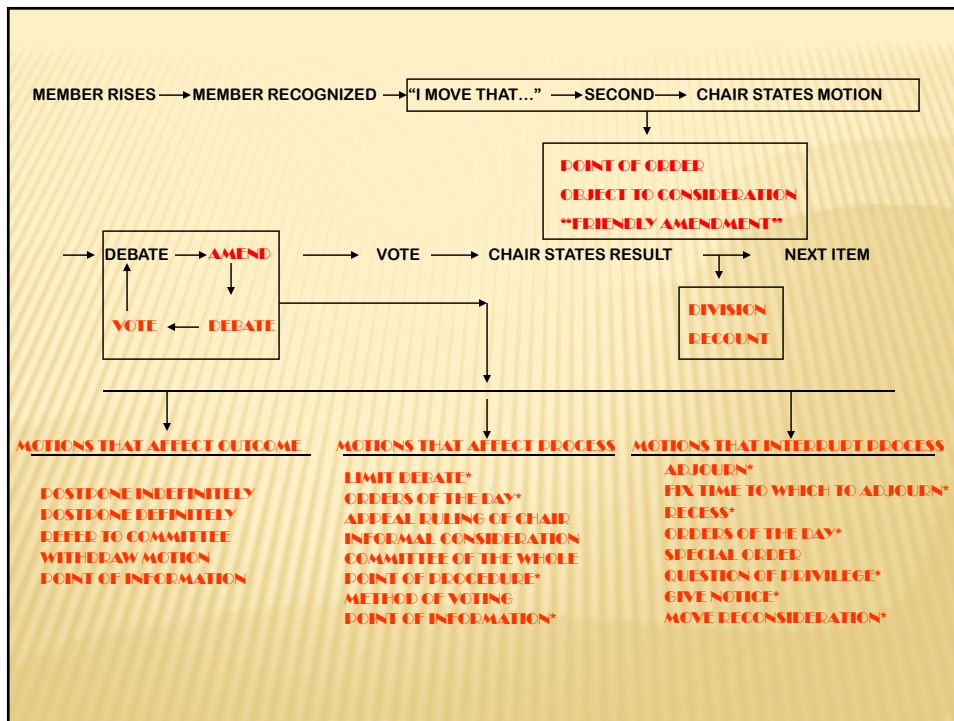
DECORUM DURING DEBATE

- ✗ ISSUES - NOT PEOPLE
- ✗ Confine remarks to the merits of the pending question
- ✗ Refrain from attacking members or members motives
- ✗ Address all remarks to the chair
- ✗ Avoid use of members names
- ✗ Remain quiet during others comments
- ✗ Refrain from disturbing the assembly

DEBATE EFFECTIVELY, DO NOT JUST TALK

- ✗ Present information and opinion in a coherent, ordered manner.
- ✗ Offer real world examples from your experience.
- ✗ Do not repeat what has been already been said.
- ✗ Everything has been said, not everyone needs to say it.

HOW A MOTION GETS PROCESSED



TRUE OR FALSE

- ✘ There can only be one motion on the floor at a time.
- ✘ Truth – There can be several motions on the floor at the same time – but the body only debates and votes on one at a time.
 - + Main Motion
 - + Amendment
 - + Postpone
 - + Refer
 - + Previous Question

TRUE OR FALSE

- ✘ The Secunder must agree with the motion.
- ✘ Truth – The Secunder does not have to agree with the motion, the Secunder is only agreeing that the motion is worthy of debate.

PRECEDENCE OR HIERARCHY OF MOTIONS

- × 86 motions in RONR
- × 13 have a specific order of precedence
 - + No lower rank motion can be made
- × All others fit into the order depending on circumstances

13 RANKING MOTIONS

- × Fix the time TO WHICH to adjourn
- × Adjourn
- × Recess
- × Raise a question of Privilege
- × Call for the orders of the day
- × Lay on the Table
- × Previous Question
- × Limit or Extend limits of debate
- × Postpone Definitely
- × Refer to a Committee
- × Amend
- × Postpone Indefinitely
- × Main Motion

HANDLING MOTIONS PT. 1

- × Member rises
- × Member is recognized by the chair
- × Member says “I Move...”
- × Another member seconds
- × Chair state the motion “It is moved and seconded that...”
- × Chair asks for debate

HANDLING MOTIONS PT. 2

- × Chair ask for vote (ayes & noes)
- × Chair states if motion passed or lost
- × Chair goes to next business in order

ASSUMING THE MOTION

- ✘ Under certain conditions the chair can assume the motion to save time
 - + Agenda/Minutes/Adjournment
 - + If consensus is obvious
 - + If in report from committee
 - + If in adopted agenda

DILATORY MOTIONS

- ✘ Definition = Motion made for the purpose of interfering with business or the rights of members
- ✘ Always out of order

IMPROPER MOTIONS

- ✘ Definition: Motions which the assembly may not entertain
 - + In conflict with law, bylaws or charter
 - + Outside the object of the society
 - + Question substantially the same as a matter already decided

NOTICE

- ✘ A Warning that a specific proposal will be made at a meeting
- ✘ To protect those that have interest in that issue
- ✘ Requirements for notice MAY NOT be suspended
- ✘ Notice creates Scope of Notice

SCOPE OF NOTICE

- ✘ When motion requires notice, a condition is created called the SCOPE OF NOTICE.
- ✘ Defined as anything between the existing condition and the noticed amendment.
- ✘ Secondary amendments that are not in scope are out of order

SCOPE OF NOTICE: EXAMPLE

- ✘ Dues are \$50 – proposed amendment is \$100
- ✘ Executive Committee has power to act between meetings - proposed amendment requires a 2/3 vote for emergency items.
- ✘ Proposed amendment to add several committee chairs to Board.
- ✘ Chair rules – may be appealed.

SPECIAL ORDERS

- ✘ An item of business that the organization is required to do at a specific meeting according to its governing documents
- ✘ An item of business made a Special Order by an adopted motion at a previous meeting.

ORDER OF BUSINESS

- ✘ Call to Order
- ✘ Opening Ceremonies
- ✘ Approval of Minutes
- ✘ Reports of Officers
- ✘ Reports of Standing Committees
- ✘ Reports of Special Committees
- ✘ Special Orders
- ✘ Unfinished Business and General Orders
- ✘ New Business
- ✘ Adjournment

MAIN MOTION

- ✘ A motion which brings a NEW piece of business before the assembly

POSTPONE INDEFINITELY

- ✘ ACTION: To stop consideration of a pending question without voting on it. Kills it for this session.
 - + Must be Seconded
 - + Debatable
 - + Majority Vote

AMEND

- ✘ ACTION - To alter words in a motion
 - + Add words
 - + Remove words
 - + Remove and add words
 - + Substitute motion

AMEND

- ✘ Must be seconded
- ✘ Is Debatable
- ✘ Is Amendable
- ✘ Adheres on referral/ postpone
- ✘ Majority vote

ADD

- ✘ I move to buy a desk and conference table for the office.
- ✘ I move to amend by adding the words “not to exceed \$500.00”
- ✘ I move to buy a desk and conference table for the office not to exceed \$500.00.

INSERT

- ✘ I move to buy a desk and conference table for the office.
- ✘ I move to amend by inserting the word “wooden” before the word “desk”
- ✘ I move to buy a wooden desk and conference table for the office.

REMOVE

- ✘ I move to buy a desk and conference table for the office.
- ✘ I move to strike the words “and conference table”
- ✘ I move to buy a desk for the office.

REMOVE AND ADD/INSERT

- ✘ I move to buy a desk and conference table for the office.
- ✘ I move to amend by striking the words “conference table” and inserting the word “credenza”
- ✘ I move to buy a desk and conference table credenza for the office.

SUBSTITUTE

- ✘ I move to buy a desk and conference table for the office.
- ✘ I move to amend by substituting the words “I move to sell the file cabinets.”

SUBSTITUTE

- ✘ A SUBSTITUTE MOTION applies ONLY to the process of amendment.
- ✘ Motions to refer, postpone etc. are NOT substitutions.

TRUE OR FALSE

- ✘ Amendments must be “accepted” by the maker and the seconder.
- ✘ Truth – Once the motion is stated by the chair, it ‘belongs’ to the assembly, they can amend it as they wish.

TRUE OR FALSE



REFER TO COMMITTEE

- ✘ ACTION: Sends the Main Motion and all adhering motions to a committee for consideration and recommendation
 - + Standing or Special committee
 - + Motion can create the committee
 - + Can have time limit
 - + Can be recalled if committee does not act

REFER TO COMMITTEE

- ✘ Must be seconded
- ✘ Debatable
- ✘ Amendable
- ✘ Majority Vote

POSTPONE DEFINITELY

- ✘ ACTION: Postpones consideration until a specific day and/or time
 - + Must be seconded
 - + Amendable as to time
 - + Majority vote

LIMIT OR EXTEND DEBATE

- ✘ Action: To change to time allotted for debate, Individual or total.
 - + Must be seconded
 - + Not Debatable
 - + Amendable
 - + 2/3 vote

TRUE OR FALSE

- ✘ If someone says
- ✘ “I call the Question”,
- ✘ that ends debate immediately.

- ✘ One person cannot control the debate. Call the Question is a short form of Move the Previous Question, which must be seconded and voted on

PREVIOUS QUESTION

- ✘ ACTION: Ends debate, proceed to vote on the pending question
- ✘ Alternate form: call the question
 - + Must be seconded
 - + Not debatable
 - + Not amendable*
 - + Requires 2/3 vote

LAY ON THE TABLE

- ✘ ACTION: Lay a matter aside temporarily while something of more importance is done.
 - + Must be seconded
 - + Not Debatable
 - ✘ Chair can ask for explanation
 - + Not Amendable
 - + Not Qualifiable
 - + Majority vote
 - + Must vote to take from the table

CALL FOR THE ORDERS OF THE DAY

- ✘ Action: To call attention to subject matter not germane to the discussion or that the body has strayed from the agenda
 - + Chair must act to return the situation to the agenda

RECONSIDER

- ✘ ACTION: Recalls a previously disposed of motion to the floor to be amended, debated and voted on again
 - + Restrictions as to time
 - + Cannot reconsider anything that can't be undone
 - + Must be moved by person who voted on the prevailing side
 - + Majority vote

RESCIND/AMEND SOMETHING PREVIOUSLY ADOPTED

- ✘ Action: To change an action already taken
- ✘ Restrictions as to what can be changed
 - + Notice may be required
 - + Must be Seconded
 - + Debatable
 - + Amendable
 - + 2/3 vote

SUSPEND THE RULES

- ✘ Action: To allow the assembly to do something outside the rules.
- ✘ Can be applied to Standing Rules.
- ✘ Bylaws CANNOT be suspended

SUSPEND THE RULES

- ✘ Must be Seconded
- ✘ Not Debatable
 - + Brief explanation allowed
 - + Can be two part motion
- ✘ Not Amendable
- ✘ 2/3 vote

POINT OF ORDER

- ✘ **ACTION:** A member alerts the chair that a improper action has taken place
 - + Does not require a second
 - + No vote is taken
 - + Not Debatable
 - + Chair decides if point 'well taken'
 - + Can be appealed

HOW TO WRITE A MOTION

WHAT IS A MAIN MOTION?

- ✘ A Main Motion brings a NEW piece of business before the assembly.
- ✘ A Main Motion is a formal proposal to take an action, a position on an issue, or make a statement of principles.

WHAT SHOULD A MAIN MOTION CONTAIN?

- ✘ A statement of the action, position or principal, stated in a brief, succinct, understandable way.
- ✘ Avoid jargon, abbreviations, or acronyms so all who read it can understand it.

HOW TO

- ✘ State objective in first sentence
- ✘ Bullitt or numbered list for more than one action item
- ✘ As brief as possible
- ✘ Do NOT use “by way of”, “around” etc. – these are non-specific terms.
- ✘ Do research into costs, timelines etc. before motion is made, include “not to exceed” amount

UTLA NUMBERING

- ✘ (who) – (date) –(sequential #)
- ✘ BOD – 1-20-08- #4

A POORLY WRITTEN MOTION

“Move that any offer that the district has that attacks our students, by way of class size (i.e. K- 12) and cuts of much needed programs and an offer that attacks our profession by way of teacher layoff, cuts to our health care, worsening working conditions and low pay increase, must be rejected. We must build the unity of parents students and teachers.”

A BETTER WAY TO SAY IT

We move that UTLA reject any contract offer or proposal that:

- + Increases class size
- + Cuts needed programs
- + Leads to teacher layoffs
- + Cuts health care benefits
- + Degrades working conditions
- + Has an insufficient pay increase.

POORLY WRITTEN

“Moved by xxx and seconded by yyy moved the UTLA Violence Prevention School Safety Committee move that UTLA encourage HS Chapter Chairs & Members to take the lead in getting parents in schools where a majority of students qualify for the free/reduced federal lunch program to fill out and turn in applications for this program. Encouragement from UTLA could include a letter from the President to chapter chairs and a brief blurb in the U.T. for members and sending info to parent organizations we work with.”

BETTER

The Violence Prevention School Safety Committee moves that UTLA take steps to maximize the inclusion of students in the Federal Free Lunch program.

- + The committee will work with the UTLA officers to plan and implement a program to accomplish this goal.

TOO MUCH

“Moved that UTLA support the April 4, 2009 March and Rally for Immigrant rights by (1) announcing the march and rally in the next United Teacher (2) announcing the march and rally on the UTLA website (3) and printing 10,000 flyers and printing 500 signs for the event. The march will start at 11:00 a.m In downtown LA at the corner of Olympic and Broadway and proceed to the Convention Center where the rally will take place. This particular march and rally is not only calling for a new immigration reform bill, but it is also calling on President Barack Obama to keep his promise to Latino leaders of ra new immigration reform bill. The march and rally will also commemorate the historic march for immigrant rights that took place on March 25, 2006.”

ENOUGH

Moved that UTLA support the April 4, 2009
March and Rally for Immigrant rights by

- + (1) Announcing the march and rally in the next United Teacher
- + (2) Announcing the march and rally on the UTLA website
- + (3) Printing 10,000 flyers and 500 signs for the event

YOU TRY

Moved that UTLA President A.J. Duffy, will write a letter to be sent to elected representatives of the regions within LAUSD. The purpose of the letter is to encourage the development of large scale renewable utilities to create jobs, improve air quality, and build a sustainable economy. The letter will ask out leaders for guidance and support in creating two types of energy projects that together, will exceed all of California's energy needs. One specifically for the purpose of solar energy zone. A region of desert allocated specifically for the purpose of solar energy production where the state develops the zone then sells or leases the parcels out to solar energy producers. The other project is to tap the power of our ocean's waves by planning for and building networks of ocean wave energy collectors to generate utility scale electrical infrastructure up to the waterline and sells of leases rights to develop the utility according to state regulations, one being that the construction improve the ecosystem. Recipients will include Villariagosa, Senators Boxer and Feinstein, Schwarxnegger, members of the U. S. House of Representatives, and every state senator and state representative whose constituents reside within LAUSD as well as the President of the University of California. Letter will include appropriate, supporting research.

MY SOLUTION

Moved that The UTLA President send a letter to all state and federal elected officials within LAUSD to encourage the development of utility scale renewable energy sources such as Solar energy and Tidal energy public private partnerships.

+ Supporting research references to be included

AGAIN

Moved that UTLA organize teams of Chapter Chairs and activists to visit School Board members to denounce the Districts plan to implement second semester renorming in January. These teams should pressure to organize a vote to overturn second semester renorming. Further moved that UTLA send fax blast encouraging all secondary and elementary schools to organize Board Member “teams” of teachers and staff from each school to choose a day to do mass phone calling to School Board members, along the lines developed by Manual Arts High School UTLA chapter. Each team would focus on an individual School Board member to call them and pressure for a vote to overturn second semester renorming.

MY SOLUTION

Moved that UTLA is opposed to second semester renorming.

- + UTLA will create a plan to combat and overturn this renorming .