

Rules: SSCCC's Sword and Shield

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Rules for the SSCCC Senators



Lincoln as a Statesman

Four score and seven years ago our fathers brought forth on this continent a new nation, conceived in liberty, and dedicated to the proposition that all men are created equal.

Now we are engaged in a great civil war, testing whether that nation, or any nation, so conceived and so dedicated, can long endure.



Lincoln as a College Student

The 2 sentences will be read again, but now with 23 examples of the current vernacular lexicon.

Does the vernacular lexicon improve the impact of the original text?



Hierarchy of Governance

- Federal Statutes
- State Laws (Corp. Code; Brown Act, etc.)
- City and Local Statutes
- Constitution
- Bylaws
- Rules of Order (Robert's)
- Standing Rules
- Policies/Customs



SSCCC Council Protocol

- Only one person speaks at a time
- A speaker must be recognized before speaking
- All comments are made through the chair
- Comments confined to the current issue
- No reading of lengthy papers
- No cross conversations
- No verbal attacks of other members
- Remember: We are in a fishbowl



The Brown Act of 1953

Government Code §54950-54963 explains the minimum effort expected by the voters.

- The people of California do not yield their sovereignty to the agencies that serve them.
- The people insist on remaining informed so that they may retain control over the instruments they have created.



Your goal is to convince the public that you exceed the requirements of the Brown Act.

Brown Act Definitions - 1

Local Agency:

County, city, school district, municipal corp., district, political subdivision, local public agency; and its board and commissions.

Action Taken:

Any collective decision or commitment, or actual vote taken by a majority of the members.



Brown Act Definitions - 2

Legislative Body:

- The governing body of such local agency created by state or federal statute, regardless of whether it is permanent or not, decision making or not.
- Also includes Standing Committee with a continuing subject matter jurisdiction, regardless of composition.



Open Meetings - 1

- The public must have access to any congregation, if a majority of the members meet at the same time and same location.
- The public must have access to any such gathering where the members may deliberate or take action on any business that is within the subject matter jurisdiction of the legislative body.



Open Meetings - 2

- Serial meetings constitute a meeting of the majority
 - Facebook and other lesser social media
 - Website and Listserv.
- Exceptions:
Members at a conference not related to their decision making domain or of purely ceremonial nature.



Teleconference Communications

Minimum requirements

- Post Agendas at ALL teleconference locations.
- Each location must be identified in the Notice and in the Agenda.
- If bylaws allow during teleconference
 - Voting - all voting must be by roll call,
 - Counted as present – caller is part of the quorum.



Open Meeting Agenda - 1

- Must be posted at least 72 hours before the meeting.
- Must be posted in a public, and freely accessible location.
- Must include a general description of each item of business for that meeting.
- The public need not register in any way as a condition to admission or speaking.



Open Meeting Agenda - 2

- If an item of business is not on the agenda, neither action nor discussion may be undertaken.
- The public may tape or record the meeting as long as such actions do not disrupt the proceedings.
- The meeting place must comply with ADA.
- No person may be prohibited admittance.



Special Meetings

- A 24 hour notice must be given by the president or a majority of the members.
- The Notice must include the business that will be handled.
- No other business may be handled.
- The public has the right to address the body as in all regular meeting.



Emergency Meeting

- A Special Meeting without the one hour notice may be held if both of the following exists:
 - Work stoppage or crippling activity that severely impairs public health or safety.
 - A crippling disaster, mass destruction, or terrorist act.
- Emergency Meeting minutes must be posted. Posting must be for at least 10 days. (No other meeting minutes need to be posted.)



The Public May Address the Body

- The public has the right to address the body on any item, before or during the consideration of that item.
- The public has the right to address the body on any item within the subject matter jurisdiction of the body. No action may be taken if the item is not on the agenda.
- The body may limit public address time.



Closed Sessions

Closed Sessions are prohibited.

- If advised by an attorney that the local agency's actions qualify as one of the exceptions, the following is required:
 - Before the closed session, the items of business must be disclosed to the public on the agenda of the open meeting.
 - Afterwards, a disclosure of any action taken must be made at the open meeting to include every member's vote or abstention.



Misdemeanor

- Each member who attends a meeting where action is taken in violation of the Brown Act is guilty of a misdemeanor.
- But the greater consequences include:
 - Public Embarrassment
 - Erosion of Public Trust
- Violation renders an action null and void.
- Corrective Action:
 - Retake the action (i.e., discussion, vote, etc.)
 - Comply with the Brown Act



The Brown Act and You

**Your goal is
to convince the public that you have
exceeded the requirements
of the Brown Act.**



Robert's Rules of Order

Order of Business

Robert's recommended format for an efficient agenda encourages customization.

Sample Order of Business

Minutes

Well taken minutes can be adopted swiftly if Robert's dos and don'ts are followed.

Dos & Don'ts



What a Motion is Not

- I move that we kinda watch that bill
- I'd like to; I think we ought to; We should
- So moved
- I'll entertain a motion
- A lofty narrative on a vague vision
- A train of thought ...without a caboose
- Ramblings that your high school English teacher cannot diagram



Motion Making Approaches

What Robert Says

1. Move the motion
2. Amend the motion
3. Vote on the motion

What Some Groups Do

1. Brainstorm a topic
2. Move a vague 2 paragraph motion
3. Vote on the motion
4. Amend the motion
5. Vote on the motion
6. Next month vote on the motion again



Steps to Handling a Main Motion

- If the chair is handling a routine motion, such as adoption of the agenda or the minutes, the 6 formal steps to handling a motion may be replaced with one casual statement: **“If there is no objection, the ____ will be adopted.”**
- If someone objects, the chair must follow the 6 formal steps to handling a motion.
 - Six Steps to Handling a Motion
 - Script A: Handling a Motion



Amend by Inserting

Main Motion:

That all Senator reports be limited to one page.

Intent:

These should be due 10 days before the meeting.

Motion to Amend:

I move to amend by inserting, “and be submitted 10 days before the meeting.” after the word “page”.

Amended Motion:

**That all Senator reports be limited to one page
and be submitted 10 days before the meeting.**



Amend by Striking

Main Motion:

That all Senator reports be limited to one page.

Intent:

These should not be limited to the 'Senator' reports.

Motion to Amend:

I move to amend by striking, "Senator".

Amended Motion:

That all reports be limited to one page.



Amend by Striking and Inserting

Main Motion:

That all Senator reports be limited to one page.

Intent:

These should refer to the Officer reports not the Senator reports.

Motion to Amend:

I move to amend by striking, “Senator” and inserting “Officer”.

Amended Motion:

That all Officer reports be limited to one page.



Motion to Refer

- When a body needs more time or more information during the handling of a motion, it may refer the motion to a Standing Committee or to a Special Committee.
 - Script B: Motion to Refer
- A Special Committee may be created, but the motion needs the following information:
 - Number of members
 - Name of chair and of members
 - Instructions on action and date to report back



Point of Order and Appeal - 1

- Anytime a member notices that a rule has been violated, the member has the obligation of stopping the violation.
- Without waiting to be recognized, the members must call out, “**Point of Order**”.
- The Chair will listen to the complaint and rule whether there is a violation or not.
- If the member disagrees with the chair’s ruling, the member may call out, “**I appeal from the decision of the chair.**”



Point of Order and Appeal - 2

Appeal Process

- Chair explains the reason for the ruling
- Each member who wishes may debate one time
- The Chair gives a closing statement
- A vote is taken on “**Shall the decision of the chair be sustained?**”
- Only a majority in the negative will overturn the ruling of the chair.
- Script C: [Point of Order and Appeal](#)



Suspend the Rules

- Often, a group has a need to perform a certain task, but there is a rule that prohibits that task. The group can move to “**Suspend the rule that prohibits ...**”
- The challenge is to determine which rules may be suspended and what vote would be required.
 - Drill: Suspend the Rules



Purpose and Form - Selected Motions

- All members know what they wish to accomplish during the handling of a motion.
- There are 2 obstacles to this need
 - What motion should I use?
 - How should I word the motion?

Purpose of Motions and their Correct Form



Strategy of Parliamentary Procedure

- As in the application of all rules, most members will figure out how to use the rules to their advantage.
- Let Parliamentary Procedure be
 - A Sword to champion your motions
 - A Shield to protect your motions

Rules as Sword or Shield



Ranking of Selected Motions

- Not all motions need a second. Not all may be amended or debate. Not all require a majority vote to adopt.
- Some motions have a higher ranking in power than others.
- This chart will illustrate all of these features.

Ranking of Motions



You and Robert's Rules

Your goal is
to uphold the objectives of the SSCCC
as described in our bylaws, and
to protect the rights of the
California Community College students.

