

Adopted 2014

## **SCHOOL COMMITTEE ORDER OF BUSINESS AND CONDUCT OF MEETINGS**

The Malden School Committee hereby adopts the following as its policy relating to the order of business and the conduct of meetings consistent with Malden School District Policy Manual Section BE: School Committee Meetings and Section BDB: School Committee Officers.

### **I. GENERAL**

#### **1.00 SCHEDULE OF COMMITTEE MEETINGS**

**1.01** The School Committee shall meet at least once each month, with the exception of July and August. Regular meetings shall be held on a Monday evening. The Chairperson shall be responsible for establishing the schedule of regular meetings each school year. Regular meetings shall begin at 6 p.m., with the first hour reserved for executive session matters and the public session beginning at or after 7 p.m. The School Committee may also meet at other times as called by the Chairperson or by petition of two-thirds of the members.

**1.02** Notification of School Committee meetings shall be in accordance with Policy BEDA: Notification of School Committee Meetings.

**1.03** A roll call shall be taken at the beginning of each regular School Committee meeting.

#### **2.00 QUORUM**

**2.01** A majority of the members of the School Committee shall constitute a quorum for the transaction of business.

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### **3.00 ORDER OF BUSINESS**

**3.01** At every regular meeting of the Committee, the order of business shall be as follows:

1. Roll Call
2. Approval of Minutes
3. Public Comment
4. Superintendent's Report
5. Subcommittee Reports
6. Deliberations
7. Consent Agenda
8. Resolves
9. Personal Privilege
10. Executive Session
11. Adjournment

**3.02** The above order shall not be departed from except by vote of the majority of the members present; and all questions relating thereto shall be decided without debate.

### **4.00 MEETING RECORDS**

**4.01** The Secretary, or in his/her absence, the Vice Chairperson, shall attend and keep the records of all meetings of the Committee, shall record the names of the members present, and shall have care and custody of all documents, maps, plans and papers submitted to the Committee as a matter or record during its meetings.

**4.02** Each Member shall be provided with a draft copy of the minutes of the full Committee forty-eight hours in advance of any vote regarding those minutes.

## **5.00 NON-MEMBER'S RIGHT TO FLOOR**

**5.01** At any time during a meeting the Chairperson may recognize school department managers including the Superintendent, any Assistant Superintendent, the School Business Manager, Department Heads or Principals, the School Department Attorney, the City's Chief Financial Officer, the President of the City Council and the Student Representative and allow them to address the Committee on the matter presently under consideration.

**5.02** With a majority vote, the Chairperson may recognize the president of any union that represents employees of the Malden Public Schools, Malden City Councilors or City of Malden Department Heads and allow them to address the Committee on the matter presently under consideration.

**5.03** Any person other than those identified in Sections 5.01 or 5.02 may address the Committee only during the public comment period in accordance with Policy BEDH: Public Participation at School Committee Meetings.

## **6.00 PRINCIPAL AND DEPARTMENT HEAD APPEARANCES**

**6.01** The Committee shall direct requests to speak with principals or department heads by providing one week written notice to the Superintendent. Such notice shall provide a description of the information the Committee seeks. Committee members may ask for information on any other school or department matter subject to the rule of the Chairperson.

**6.02** The Superintendent shall inform the Committee that a principal or Department Head will be appearing before the Committee by providing notice in the Superintendent's report.

## **7.00 RESERVED**

## **8.00 ROBERT'S RULES APPLY**

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**8.01** As per Policy BEDD: Rules of Order Robert's Rules of Order, Newly Revised shall be the authority on all questions of debate or parliamentary procedure, whenever the same do not conflict with the rules set forth by the School Committee.

## **9.00 DECORUM DURING MEETINGS OF THE COMMITTEE**

**9.01** Participants and spectators shall disable the audible signal on any electronic communication device and shall not use any said device to the distraction of others in attendance when any meeting of the Committee is in progress, except in the case of an emergency.

**9.02** Committee members shall not electronically communicate with anyone on a matter under consideration while a meeting is in progress unless such communication can be observed by other members and the public.

## **II. PRESIDING OFFICER**

### **10.00 DESIGNATION OF PRESIDING OFFICER**

**10.01** Meetings of the Committee shall be presided over by the Mayor as Chairperson pursuant to the Malden City Charter.

**10.01(a)** Selection of the Vice Chair will occur in a closed special meeting at the inauguration ceremony at the beginning of a new School Committee term, or as soon as otherwise practical following the beginning of a new term. A quorum must be present to conduct the special meeting. The Chair of the School Committee will open the floor to the members to accept voice nominations for the position of Vice Chair to serve for two years, or for whatever time remains in the current term, whichever is shorter. The Chair may recommend a candidate to the School Committee for the position. Nominations must be seconded before voting on a candidate. The School Committee Members will vote on

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nominees by raise of hand or otherwise “open” voting. The candidate that has the highest vote tally in his/her favor and that has a least a majority of votes of the members present will win the election.

**10.02** In the absence of the Mayor, the Vice Chairperson shall preside until the Mayor is present. In the absence of the Mayor and the Vice Chairperson, the longest serving School Committee member shall preside until a President pro tempore is chosen by ballot. Senior member shall mean the member with the most years of service to his/her credit as a member of any prior or present Malden School Committee and if two or more members have the same years of service, age of the members.

**10.03** Any member called upon to preside over a Committee meeting under the provisions of Rule 10.02 or 14.00 shall assume all the powers and duties of the Chairperson.

#### **11.00 CHAIRPERSON TO CALL MEETING TO ORDER**

**11.01** The Chairperson shall take the chair at the hour fixed and, a quorum being present, shall proceed to business.

#### **12.00 CHAIRPERSON TO ENFORCE RULES AND PRESERVE ORDER**

**12.01** The Chairperson shall enforce the Rules and Orders of the Committee by any means necessary and proper.

**12.02** The Chairperson shall preserve order and decorum, may speak to points of order in preference to other members, and shall decide all questions of order.

#### **13.00 CHAIRPERSON TO DECIDE WHICH MEMBER IS ENTITLED TO THE FLOOR**

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**13.01** When two or more members request the floor at the same time, the Chairperson shall determine who is entitled to speak.

#### **14.00 CHAIRPERSON TO DECIDE QUESTIONS AND DECLARE VOTES**

**14.01** The Chairperson shall decide all questions of order, but any member may appeal the Chairperson's ruling to the full Committee, under the provisions of Rule 20.

**14.02** The Chairperson may vote on all questions under appeal.

**14.03** The Chairperson shall declare all votes of the Committee; provided that, if a member doubts the vote as declared by the Chairperson, he/she may request that a roll call be taken.

#### **15.00 CHAIRPERSON TO VACATE CHAIR TO ENGAGE IN DEBATE**

**15.01** The Chairperson may state facts and give an opinion on questions of order without leaving the Chair.

**15.02** The Chairperson may express an opinion on any matter under debate, but in such cases, shall call upon another member to preside and shall leave the Chair.

**15.03** The Chairperson shall not resume the chair while a question on which he/she has spoken is pending, provided that the question under debate is decided before adjournment.

#### **16.00 RESERVED**

### **III. RIGHTS AND DUTIES OF MEMBERS**

#### **17.00 MEMBERS TO OBSERVE RULES OF DECORUM**

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**17.01** When speaking, members shall address the chair and shall confine discussion to the question under debate.

**17.02** No member shall mention another member in debate except by his/her title or surname.

**17.03** No member shall speak or vote out of place without the consent of the Chairperson.

**17.04** No member shall interrupt another, except by a call to order, for the correction of a mistake, or for explanation.

**17.05** Members shall not converse among themselves while a question is being stated, while a member is speaking or while a paper is being read.

**17.06** When a member is called to order, he/she shall immediately come to order unless permitted to explain. If, on a call to order, the full Committee is appealed to, the question shall be decided without debate; and if the decision is against the member, he/she shall not be permitted to speak.

#### **18.00 MEMBERS TO VOTE, UNLESS EXCUSED**

**18.01** Except when excluded by interest, every member, including the Chairperson, shall vote on all questions. A request to be excused from voting must be made before the calling of the roll begins, and shall be decided without debate.

**18.02** No member shall vote on any question or serve on any committee where his/her private right or interest is immediately concerned.

#### **19.00 MEMBERS TO REMAIN AT MEETINGS UNTIL ADJOURNMENT**

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**19.01** No member shall leave a meeting without permission of the Chairperson and his/her presence shall cause his/her name to be added to the roll for purposes of constituting a quorum.

#### **20.00 MEMBERS MAY APPEAL CHAIRPERSON'S RULINGS**

**20.01** Any member may appeal any ruling of the Chairperson to the full Committee, provided that a motion for appeal will be in order only if another member seconds it.

**20.02** When an appeal is pending, no other business shall be in order until the appeal is decided.

#### **21.00 MEMBERS MAY REQUEST PERSONAL PRIVILEGE**

**21.01** At the conclusion of regular business, the Chairperson shall afford any member so requesting the floor on any matter of personal privilege.

### **IV. AGENDA, POLICY OR REGULATION ADOPTION, RESOLUTIONS, MAKING OF MOTIONS, DEBATE, DECIDING QUESTIONS**

#### **A. AGENDA**

**22.00** Members may place items on the agenda by submitting the item to the clerk in accordance with Policy BEDB: Agenda.

#### **INTRODUCTION OF POLICIES OR REGULATIONS**

**22.01** Members may propose to add or amend School Department policies or regulations by following the procedures described in Policy

BG: School Committee Policy Development and Policy BGB: Policy Adoption.

#### **23.00 FORM OF RESOLVES**

**23.01** Any matter in which the Committee wishes to express an opinion or principal or to state a fact shall be termed a resolve and shall be expressed in the following for: "Resolved: That it is the sense of the Malden School Committee that...".

**24.00 RESERVED**

**25.00 RESERVED**

**26.00 OBJECTIONS TO THE INTRODUCTION OF POLICIES, REGULATIONS OR RESOLUTIONS**

**26.01** When a member objects to the reading of a paper, the majority of the members present and voting shall decide whether or not the paper will be read.

**27.00 RESERVED**

**28.00 LIMITATIONS ON PLACING ARTICLES ON AGENDA**

**28.01** When a measure has been rejected by the Committee no item containing substantially the same subject matter shall be introduced within the next six months.

**B. DEBATE**

**29.00 LIMITATIONS ON A MEMBER'S RIGHT TO SPEAK**

**29.01** No member shall speak more than once on the same question until all members choosing to speak have spoken.

**29.02** No member shall speak more than three times to the same question on the same day except by majority consent.

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## **30.00 LIMITATIONS ON DEBATE**

**30.01** The following motions shall be decided without debate:

- to adjourn;
- to table
- to take from the table.

**30.02** Debate on the following motions shall be limited as hereinafter proscribed:

1. on a motion to adjourn to a date certain, debate shall be allowed only on the date to which adjournment shall be made;
2. on a motion for the previous question, debate shall be limited to five minutes, with no member permitted to speak for more than two minutes. Members shall confine their comments to reasons why the main question should not be put.

**30.03** In all other instances, debate may be limited only by adoption of a motion for the previous question.

The Chairperson shall put a motion for the previous question in the following form: "Shall the main question now be put?" and all debate on the main question and pending amendments shall be suspended until that question is decided.

Motions for the previous question shall be limited as proscribed in Rule 33.02. All incidental questions of order arising after a motion is made for the previous question shall be decided without debate, except an appeal.

After the adoption of the previous question, votes shall be taken, without debate, upon pending amendments in their regular order, and then upon the main question.

## **C. MOTIONS**

### **31.00 MOTIONS MAY BE REQUESTED IN WRITING**

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**31.01** At the request of the Chairperson, any motion shall be reduced to writing by the member making said motion.

## **32.00 DISPOSAL OF MOTIONS**

**32.01** After a motion is stated or read, it shall be disposed of by vote, except as provided in Rule 35.02.

**32.02** The sponsor of any motion may withdraw it, by majority consent, at any time before a decision or amendment.

## **33.00 ORDER IN WHICH MOTIONS ARE CONSIDERED**

**33.01** Except as set forth below, the Chairperson shall propound all questions in the order in which they are moved.

**33.02** A privileged motion shall be considered before any regular motions. Privileged motions shall be considered in the order set forth in Rule 33.

**33.03** When setting amounts, the smallest figure shall be put first.

**33.04** When fixing times, the latest date shall be put first.

**33.05** When referring to committee, a motion to refer to a standing committee shall be considered before a motion to refer to a special committee.

## **34.00 MOTIONS IN ORDER DURING DEBATE**

**34.01** When a question is under debate, only the following subsidiary and incidental motions shall be in order:

- to adjourn;
- to table until a date certain;
- to table indefinitely;
- to order the previous question;
- to refer to committee;
- to amend; or
- to recess.

**34.02** These motions shall have precedence in the order on which they are arranged.

### **35.00 MOTIONS MAY BE DIVIDED**

**35.01** A motion containing two or more propositions capable of division shall be divided whenever a majority of the members present and voting so request.

### **36.00 MOTIONS FOR RECONSIDERATION**

**36.01** After a vote has been taken, any member of the majority may move reconsideration, provided that the motion is made under one of the following conditions:

1. at the same meeting, only if the item in question appeared on the docket; or
2. within forty-eight hours of adjournment, whether or not the item in question appeared on the docket.

**36.02** A member who wishes to move reconsideration after the adjournment of a meeting shall notify the clerk of his/her intention to move for reconsideration at the next regular meeting. Upon receipt of such notice, the clerk shall retain possession of the papers until such meeting.

### **37.00 LIMITATIONS ON MOTIONS FOR RECONSIDERATION**

**37.01** No motion shall be reconsidered twice.

**37.02** No vote on the following motions shall be reconsidered:

- to adjourn;
- to lay on the table;
- to take from the table;
- the previous question, and;
- to reconsider.
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#### **D. FINANCIAL ORDERS**

##### **41.00 LIMITATION ON AUTHORIZATION OF EXPENDITURES**

**41.01** Except as provided by statute, after the annual budget has been adopted, no additional expenditures shall be authorized, unless provisions for the same shall be made in one of the following manners:

1. by specific transfer of an appropriation contained in the budget, or
2. by expenditure of supplemental appropriation authorized by the City Council.

##### **42.00 FINANCIAL ORDERS TO BE REVIEWED BY BUDGET COMMITTEE**

**42.01** All orders for appropriation to be made by transfer shall not be acted upon until the matter has been referred to and reported upon by the Budget Subcommittee.

**42.02** No less than 14 days prior to adoption of the annual budget, the Committee shall hold a public hearing on proposed expenditures to provide residents with an opportunity to express objections to or support for specific expenditures or programs, or to propose new initiatives. The Budget Subcommittee Chairperson shall determine the time and place of the hearing. Notice of said hearing shall be publicized as determined by the Budget

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Subcommittee Chairperson and shall include information relative to the availability of the budget proposal for public inspection.

#### **43.00 RESERVED**

### **IV. COMMITTEES**

#### **A. IN GENERAL**

#### **44.00 APPOINTMENT OF COMMITTEES**

**44.01** The Chairperson shall at the beginning of each two-year term, as soon after the organization of the Committee as may be convenient, appoint members to the Standing Committees of the Committee, as listed below in Rule 46.01.

**44.02** The Chairperson and Superintendent shall be an ex-officio member of all committees. When present, his/her name may be added to the committee roll for the purpose of constituting a quorum. If the Chairperson is added to the committee roll, he/she may vote upon matters before the committee. In any other case, the Chairperson shall vote only on committees to which he/she is regularly appointed.

**44.03** Reports on all matters referred to a standing committee shall be made within eight weeks of referral, unless the Committee stands in recess for the summer or, at the request of the committee, a majority of the members present and voting have approved an extension of the reporting deadline on a specific matter.

#### **45.00 APPOINTMENT OF CHAIRPERSON**

The first named member of each committee shall be the committee's chairperson, and the second named member shall be its vice-chair.

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## **46.00 STANDING COMMITTEES**

**46.01** Standing Committees shall be constituted as follows:

**BUDGET SUBCOMMITTEE: FOUR MEMBERS.** The Budget Subcommittee shall have jurisdiction over all matters pertaining to the Malden School Department finance including budgets, claims, salaries and grants.

**POLICY AND PROCEDURES: FOUR MEMBERS.** The Policy and Procedures Committee shall have jurisdiction over all matters pertaining to the District Policy Manual, School Department Regulations and School Committee Procedures.

**PUBLIC FACILITIES AND SAFETY: FOUR MEMBERS.** The Public Facilities and Safety Committee shall have jurisdiction over all matters pertaining to the condition, cleanliness and capital improvements for school department facilities and grounds, for school building safety and emergency planning.

**TECHNOLOGY AND STUDENT SERVICES: FOUR MEMBERS.** The Technology and Student Services Committee shall have jurisdiction over all matters pertaining to electronic technology planning, access policies, operations and maintenance, and services and organizations offered to students outside the classroom setting.

**NEGOTIATION COMMITTEES: AS NEEDED AND DESIGNATED BY THE CHAIR.** Negotiation committees participate in negotiations with school department employee union officials regarding proposed contract terms and conditions to be presented for approval of the Committee.

## **47.00 SPECIAL COMMITTEES**

**47.01** Unless otherwise provided by law, all special committees shall be appointed by the Chairperson.

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**47.02** The sponsor of any order or resolve creating a committee shall be the first named to that Committee, provided that the member so named may refuse appointment to the Committee and the Chairperson may name another member in his/her place.