

## RULES OF PROCEDURE

Section 4 of both Bylaws No. 10 and 11 allow the Resolutions and Policy Development Committee to establish procedures for approval of the Executive. The Executive approved the following Rules of Procedure in September 2023:

### A. RULES OF PROCEDURE

1. The Rules of Procedure are found in the Association's Bylaws and Rules of Procedure.
2. Any procedure not found in the Bylaws or in the Rules of Procedure shall be determined by *Robert's Rules of Order*. The Association currently uses *Robert's Rules of Order Newly Revised, 12th ed.*

### B. RULES OF PROCEDURE FOR BOARDS SUBMITTING BYLAW AMENDMENTS AND RESOLUTIONS TO THE POLICY AND RESOLUTION COMMITTEE

1. Any board wishing to submit a Bylaw Amendment or Resolution to the Committee shall
  - a. Provide its Resolution(s) in writing and provide a rationale explaining the background and reasons for the Resolution.
  - b. Provide on each Resolution, where applicable, a simple estimate of the anticipated cost and staff resources that would be required to act on the Resolution.
  - c. Identify the Association's Position Statement that the proposed Resolution relates to and how the Resolution relates to the Association's Strategic Plan or provincial priorities.
2. Once the board has submitted its Bylaw Amendment or Resolution(s) to the Resolutions & Policy Development Committee, the Committee will
  - a. Examine, edit and, where considered necessary, combine similar Resolutions; and
  - b. place each Resolution in the Proposed Bylaw Amendments and Resolutions booklet based on the order established by the Association's Position Statements.

### C. RULES OF PROCEDURE PRIOR TO THE GENERAL MEETING

1. Accredited delegates must be in attendance when a vote is taken in order for their ballot to be cast. The bylaws do not allow voting by proxy.
2. If an accredited delegate does not attend the AGM or unexpectedly must leave the AGM, the Chair or other authorized board member or official should speak to the designated Association staff member to have the votes of the absent delegate reallocated to another board delegate(s). Changes must be made as soon as possible in advance of the Resolutions portion of the AGM to avoid a delay in the proceedings.

3. In accordance with *Robert's Rules of Order*, a delegate can modify or withdraw its own Bylaw Amendment or Resolution at any time before it is placed before the Assembly at a General Meeting.
4. If a delegate wishes to modify its own Bylaw Amendment or Resolution, the correct procedure is to move the modification by stating what words are to be deleted and substituted, or what words are to be added, etc., as the case may be.

Therefore, the form for a modification utilizes words like:

- To "insert words" or to "add words";
- To "strike out words";
- To "strike out and insert" or to "substitute"

The Bylaw Amendment or Resolution as modified will be discussed during the breakout sessions. The Bylaw Amendment or Resolution will be put to the Assembly in its modified form.

5. If a delegate wishes to withdraw its own Bylaw Amendment or Resolution, simply advise the Assembly of the number of the Bylaw Amendment or Resolution and the fact that it is being withdrawn by the delegate. The Bylaw Amendment or Resolution will not be brought forward to the Assembly for a vote.

The correct procedure to withdraw a Bylaw Amendment or Resolution is as follows:

"On behalf of the Board of Education for \*\*\* School Division, I withdraw Bylaw Amendment/Resolution no. \*\*\*\*"

#### **D. RULES OF PROCEDURE FOR DEBATE DURING THE GENERAL MEETING**

1. These Rules of Procedure for debate on Bylaw Amendments and Resolutions during the General Meeting are made pursuant to Association Bylaws No. 10 and 11.
2. Resolutions to be presented in the General Meeting by the Committee will be moved as circulated to members prior to the General Meeting.
3. **Timelines for Debate:**
  - 3.1. **For Bylaw Amendments and Resolutions presented by the Resolutions and Policy Development Committee:**
    - i. When seconding, the seconder will be allowed to speak for a maximum of 3 minutes;
    - ii. When there is debate on the Bylaw Amendment or Resolution, a delegate will be allowed to speak no more than twice:
      - a. the first time, for a maximum of 2 minutes; and

- b. the second time, for a maximum of 1 minute;
- iii. As the seconder has already spoken once, the seconder will have one more opportunity to speak for a maximum of 1 minute prior to the seconder's opportunity to speak in closing debate;
- iv. The seconder will be allowed a maximum of 1 minute to close debate.

**3.2. For amendments moved to a Bylaw Amendment or Resolution on the floor or a Resolution moved by a delegate from the floor:**

- i. The mover will be allowed a maximum of 3 minutes to make the motion;
- ii. A seconder is required;
- iii. The seconder and other delegates will each be allowed to speak no more than twice:
  - a. the first time, for a maximum of 2 minutes; and
  - b. the second time, for a maximum of 1 minute;
- iv. As the delegate who is the mover has already spoken once, that delegate will have one more opportunity to speak for a maximum of 1 minute prior to his/her last opportunity to speak in closing debate;
- v. The delegate who is the mover will be allowed a maximum of 1 minute to close debate.

**4. Amendments:**

- 1. Bylaw Amendments will be read in full when they are moved, unless the delegates vote, by show of hands, to dispense with the reading of a specific Bylaw Amendment.
- 2. Two-thirds of the votes cast are required for adoption of an amendment to a motion to adopt a Bylaw Amendment, Budget Resolution or Position Statement.

**4.1 Correct Procedure for Moving an Amendment to a Bylaw Amendment or Resolution**

The amendment shall state what words are to be deleted and substituted, or what words are to be added, etc., as the case may be.

Therefore, the form for an amendment utilizes words like:

- To "insert words" or to "add words";
- To "strike out words";

- To “strike out and insert” or to “substitute”

If the amendment passes, the Bylaw Amendment or Resolution as amended is then put before the Assembly.

#### **4.2 Amendments - in order**

It is essential that a proposed amendment be **germane** to be in order. This requirement for an amendment to be in order is often not understood, and, when an amendment that is not germane is ruled out of order, results in some discord.

To be **germane**, an amendment must in some way involve the same question that is raised by the Bylaw Amendment or Resolution on the floor. The following general rules guide the germaneness of an amendment, although there is no all-inclusive test:

- An amendment cannot introduce an independent question.
- An amendment that is hostile to or even defeats the spirit of the original motion might still be germane, and, therefore, in order.

#### **4.3 Friendly Amendments:**

1. A friendly amendment only clarifies wording or corrects a reference but does not otherwise change the intent or wording of the Bylaw Amendment or Resolution.
2. The process for a friendly amendment is:
  - i. Any time after the Resolution or Bylaw Amendment has been moved and seconded, a delegate may propose an amendment to clarify wording, indicating that it is a “friendly amendment”;
  - ii. If the Chair determines that the proposed amendment is a friendly amendment, the Chair will ask the Assembly to indicate, by a show of hands, whether the friendly amendment is adopted. The Chair reserves the right to call for a ballot vote if the show of hands is inconclusive;
  - iii. If the Chair determines that the proposed amendment is not a friendly amendment, it must be treated as an amendment to be handled according to normal Rules of Procedure;
  - iv. Any amendment not adopted as a friendly amendment must be moved, seconded, debated and voted on according to normal Rules of Procedure.

#### **4.4 Amendments – Out of Order**

Some examples of out of order Amendments include but are not limited to:

1. When the Assembly has decided a question, another Resolution raising the same or substantially the same question cannot be introduced.
2. An amendment that merely makes the adoption of the amended question equivalent to a rejection of the original motion.
3. An amendment that would make the Resolution, as amended, identical with, or contrary to, a Resolution already decided by the Assembly in the same session.
4. An amendment that would leave an incoherent wording or a wording which contains no rational proposition.

#### **4.5 Withdrawal of a Bylaw Amendment or Resolution**

1. In accordance with *Robert's Rules of Order*, any delegate can bring a motion to withdraw a Bylaw Amendment or Resolution in the ordinary course of business. As the Bylaw Amendment or Resolution has been introduced to the Assembly by the Resolutions and Policy Development Committee, the delegates must vote on its withdrawal.
2. The correct procedure to withdraw a Bylaw Amendment or Resolution is as follows:

“On behalf of the Board of Education for \*\*\* School Division, I withdraw Bylaw Amendment/Resolution no. \*\*\*”

#### **E. RULES OF PROCEDURE FOR ELECTRONIC VOTING DURING THE GENERAL MEETING**

1. At any assembly where there is a business portion requiring voting, the accredited delegates will be permitted 5 minutes to vote electronically at the close of debate on the Bylaw Amendment or Resolution. If the vote is not electronically tallied within this 5-minute timeframe, the Chair will proceed to the next Bylaw Amendment or Resolution and will announce the vote's results as soon as practicable. (If technical difficulties arise with electronic voting, additional time beyond the 5-minute voting timeframe may be granted at the discretion of the Chair.)
2. The electronic vote will be automatically tallied as the final vote at the close of debate on the Bylaw Amendment or Resolution and following the 5-minute voting timeframe. An accredited delegate who, for whatever reason, does not cast their vote within the allotted 5 minutes from close of debate will have their vote deemed “abstained”.
3. It is not possible for an accredited delegate to “spoil their ballot” electronically.

## F. MISCELLANEOUS RULES OF PROCEDURE

### 1. Point of Order

When a delegate thinks that the rules of the Assembly are being violated, the delegate can make a *Point of Order* or raise a question of order causing the Chair to make a ruling and enforce the regular rules.

### 2. Point of Information

A *Point of Information* is a request to the Chair, or through the Chair to another delegate or officer (or staff member, if necessary), for information relevant to the business at hand, but that is not related to parliamentary procedure.

### 3. Resolutions on Emergent Questions – “Suspend the Rules”

One of the purposes of a motion to suspend one or more of the Rules of Procedure is to permit the making of another Resolution or to consider another Resolution out of its scheduled order. This procedure to consider a new Resolution or a Resolution out of order is used infrequently, and only when the emergent question must be decided by the Assembly before the Assembly can properly consider the Resolution on the floor or subsequent Resolutions. The person making the motion must be prepared to state why a new Resolution or consideration of a Resolution out of its scheduled order should occur. Suspending the rules and taking up a Resolution out of order requires a 2/3 vote. If, at the discretion of the Chair, the vote by show of hands is inconclusive, a vote by ballot can take place.

The usual form of a motion in these circumstances is:

“I move to suspend the rules and adopt the following Resolution: ‘Be it resolved that . . .’”

**Or**

“I move to suspend the rules and immediately take up Resolution \_\_\_ as circulated (or as modified as the case may be). The reason we ask for this Resolution to be considered out of its scheduled order is \_\_\_\_\_.”