

Sparta Area School District

Article 114 – Rules of Order

The Board President, or in his/her absence the Vice President, shall preside at all regular and special School Board meetings and call the meetings to order. The Board President, like any other Board member, has a duty to vote on all matters coming before the Board in the absence of a valid reason to abstain from voting (i.e. a conflict of interest). It shall be the duty of the presiding officer at all times to preserve order at the meeting and to decide questions of rules and order, subject to an appeal to the Board as a whole that is supported by any two individual members.

A majority of the members of the Board shall constitute a quorum for the purpose of conducting Board business, except that a larger number of Board members may need to vote in favor of a motion in order for the Board to take action on those limited items of business which, by statute or policy, require approval by other than a standard majority vote. In the absence of a quorum, the only official action that the Board may take is to adjourn the meeting to another time and/or date.

Action on items of business will be taken by motion. In this policy, “motion” is intended to include any “resolution” of the Board. A motion stated by one Board member may be seconded by another Board member. The effect of seconding a motion is that the motion may thereafter be withdrawn or amended prior to a vote being taken only with either (1) the approval of a majority vote of the Board, or (2) by unanimous consent. Unanimous consent can be shown by verbally asking whether any individual Board member has an objection to the proposed amendment to, or withdrawal of, the pending motion. Prior to a pending motion being seconded, or if the motion is not seconded, the maker of the motion shall be entitled to amend or withdraw the pending motion until such time as a vote is taken.

In the event that there may be no support for a vote to be taken on a motion that has been stated by any individual Board member, any Board member may make a “call for a second” any time prior to a vote being taken. If a pending motion is not seconded after a “call for a second” has been made, then the minutes of the meeting shall reflect that the motion “failed for lack of a second,” and the presiding officer shall continue the meeting without a vote on that motion. If a main motion has received a second and a Board member wishes to dispose of the motion without a direct vote on it, the proper procedure is to make a secondary motion to postpone the main motion (either indefinitely or to a date certain), which motion also requires a majority vote in order to pass.

When extended discussion/debate is occurring over a pending motion, any motion to end or limit discussion/debate and move to a vote on the pending main motion must be approved by a two-thirds vote of those Board members who vote on the motion. A motion to establish a specific time limit for discussion of an item of business that is set prior to the beginning of the debate/discussion (or to modify such a limit after the limit has been set) shall also require a two-thirds vote.

After the Board has taken a vote on an item of business, there are three main procedures that can be used to revisit the issue and any action that was taken:

First, during the same meeting at which the original vote on an item was taken, a Board member who originally voted on the prevailing side of an issue may make a “motion to reconsider”. If the vote on the original motion was a tie, a Board member who originally voted against the motion could properly make a motion to reconsider. A Board member who originally voted in the minority may make a motion to reconsider only with the unanimous consent of those present. A motion to reconsider suspends all action arising from the vote on the original motion until the earlier of (1) the time at which a vote on the motion to reconsider and, if the motion passes, the reconsideration of the original motion is completed: or (2) the conclusion of the next regular Board meeting. If the motion to reconsider fails, or if the time period for voting on the motion to reconsider expires with no vote being taken, the suspension evaporates and the original motion takes full force and effect as enacted. If the motion to reconsider passes by majority vote, then the original motion is once again before the Board for renewed debate and another vote.

A second scenario involves action that was taken at a prior Board meeting that the Board may wish to “undo” or nullify. The proper procedure in this scenario, assuming that the prior action was of a type that can legally be retracted, is to give notice of the subject matter and possible “rescission” of the prior action on a subsequent meeting agenda. At that subsequent meeting, any Board member may make a “motion to rescind” the prior action. If the motion to rescind passes, the prior action of the Board is rendered null and void. After the prior action has been nullified, the Board may or may not choose to consider another motion on the same topic to the extent such an additional motion is consistent with the meeting notice.

A third scenario involves the desire of the Board to take up an item of business after a motion on that same item failed at a previous Board meeting, and, as a result of the failure of the motion, no action was taken. An example of this would be a motion to approve an expenditure that failed 5-2 at a prior Board meeting. In order to revisit the proposed expenditure at a subsequent Board meeting, the only procedure that needs to be followed is to give proper notice of the subject matter of that item of business. There is no need to “rescind” the failed motion from the prior Board meeting because the result of the vote defeating the motion was that “no action” was taken.

In the absence of any specific legal requirement or any rule of order that has been established by the Board, *Robert’s Rules of Order* (including those procedures and procedural flexibility that *Robert’s* allows for small Boards) shall apply to the conduct of Board meetings. However, the failure to follow *Robert’s* or any other local procedural rule(s) that have been set at the discretion of the Board shall not, standing alone, be construed to render any decisions made by the Board void, voidable, or otherwise invalid.

Any motion to suspend the rules shall require the approval of a two-thirds vote of those members who are present at the meeting.

Legal References: Wisconsin Statutes Section 19.88 (ballots and voting); Section 120.11(1) (quorum of the board); Section 65.90(5)(a) (amending the tax levy or a previously approved budget)

Cross References:

Approved: December 18, 2014

Revised