

I would like to read some of what Robert's Rules has to say about the role of the parliamentarian. These lines are taken from a paragraph that comes after a discussion of how the position is rarely necessary for smaller committees like ours:

“A member of an assembly who acts as its parliamentarian has the [...] duty [...] to maintain a position of impartiality, and therefore does not make motions, participate in debate, or vote on any question except in the case of a ballot vote. [...] If a member feels that he cannot properly forgo these rights in order to serve as parliamentarian, he should not accept the position.”

The reason for this section's focus on impartiality is clear--the person entrusted with explaining and interpreting the rules of a debate should not be invested in a particular outcome of that debate. Imagine if during the Super Bowl, after a controversial call, the Eagles had to ask the Patriots' coach to review the play.

Such a conflict in this body is not hypothetical--at the first meeting of the current council, there was a debate in which the parliamentarian and I represented opposing sides. When I had a procedural question based on information that seemed to contradict what had been stated at previous meetings, I had to ask for clarification from the person who was both arguing the opposite point and had presented what I saw as a contradiction. As a result of this situation I requested we purchase the official Robert's Rules books, which provide objective clarity and have brought to the surface some of the misinterpretations of the rules that we discussed at the last meeting.

We are, of course, entitled to modify Robert's Rules to suit our needs; however, if we do so, we should make sure that we have good reason. In the 11 or 12 years I have been on this committee, the most frequently asked question of the parliamentarian is whether or not a vote is a voice vote or a roll call vote--a simple flowchart would allow us to resolve these questions. For other issues, which arise far less frequently, relying on a parliamentarian has produced confusion at least as often as clarification.

For evidence of this, we need only look back to what happened two meetings ago. After a vigorous debate and a close vote, our parliamentarian announced that he and another member of the committee would like to change their votes, in what he himself described as a “parliamentary trick”, so that they could preserve certain rights in future discussions. He then assured us that this was “perfectly legal”.

We later discovered that the vote change was unnecessary and based on a misunderstanding of the rules...by the parliamentarian. He and the other committee member already had the rights that this “trick” was intended to preserve.

The actual vote change, which had been described by the parliamentarian as “perfectly legal”, was in fact not. It was a clear violation of Robert's Rules, but when the pronouncement that it

was legal came from our official arbiter of the rules, most of us accepted it as fact without questioning its validity.

And finally--a "parliamentary trick"...offered up by our parliamentarian. The use of a "parliamentary trick" to influence debate should make us all question "What are we even doing here?" I, like I think most of you, am not a member of this council because I am especially fond of meetings. There are lots of other things I could be doing with this time--there is a pile of work back in my classroom that I will be doing at ten and eleven o'clock tonight because I am not doing it now, and there are people at home who very much deserve my time and attention. But, I am here because I care about this school, because I think our mission is important, because I think, like all of you, that I have experiences in the UHS community that give me insights that are worth sharing, and because I believe this body can be a fair and functional committee. I am fine if I offer a position and am overruled by the opinion of the majority. That doesn't bother me. I have no interest, however, in giving my time and energy to entertain "parliamentary tricks" or constantly unwind stratagems concocted so some members of this committee can gain an advantage over others. I believe it is our duty as a committee to minimize this type of behavior, which is an abuse of our time, leads us to be less collegial, and ultimately undermines our effectiveness as a deliberative body.

I do not believe we need a parliamentarian, but if we do have one, he or she should maintain the impartiality described in Robert's Rules.

For these reasons, I would like to introduce a new motion: I move that we adopt the proposed language for Section III.O as stated in III.O.1 and III.O.2, with the following change to Section III.O.3:

SECTION III.O.3. THE PARLIAMENTARIAN SHALL MAINTAIN A POSITION OF IMPARTIALITY, AND THEREFORE WILL NOT MAKE MOTIONS, PARTICIPATE IN DEBATE, OR VOTE ON ANY QUESTION EXCEPT IN THE CASE OF A BALLOT VOTE AND SHALL SERVE AT THE PLEASURE OF THE CHAIRPERSON. THE PARLIAMENTARIAN CAN ALSO BE REMOVED BY A MAJORITY VOTE OF THE SCHOOL COUNCIL.

Notes: Complete paragraph from Robert's Rules:

"A member of an assembly who acts as its parliamentarian has the same duty as the presiding officer to maintain a position of impartiality, and therefore does not make motions, participate in debate, or vote on any question except in the case of a ballot vote. He does not cast a deciding vote, even if his vote would affect the result, since that would interfere with the chair's prerogative of doing so. If a member feels that he cannot properly forgo these rights in order to serve as parliamentarian, he should not accept the position. Unlike the presiding officer, the parliamentarian cannot temporarily relinquish his position in order to exercise such rights on a particular motion."

Proposed Policy Language: School Council Parliamentarian
SECTION III.O.- SCHOOL COUNCIL PARLIAMENTARIAN

SECTION III.O.1. IF THE SCHOOL COUNCIL CHAIRPERSON OR A MAJORITY OF THE MEMBERSHIP OF THE SCHOOL COUNCIL SEES THE NEED, THE CHAIRPERSON SHALL APPOINT A PARLIAMENTARIAN WITH THE APPROVAL OF THE MAJORITY OF THE SCHOOL COUNCIL. IN THE ABSENCE OF AN APPOINTED PARLIAMENTARIAN, THE SCHOOL COUNCIL CHAIRPERSON SHALL SERVE IN THAT CAPACITY.

SECTION III.O.2. THE SCHOOL COUNCIL PARLIAMENTARIAN SHALL BE A MEMBER OF THE SCHOOL COUNCIL WHO HAS KNOWLEDGE OF THE UHS CONSTITUTION, UHS POLICY, TUSD POLICY, STATE LAW, FEDERAL LAW, AND PARLIAMENTARY PROCEDURE. THE PARLIAMENTARIAN SHALL ADVISE THE CHAIRPERSON AND, WHEN CONSULTED, GIVE ADVICE TO THE SCHOOL COUNCIL ON PROCEDURAL MATTERS.

SECTION III.O.3. THE PARLIAMENTARIAN SHALL RETAIN FULL VOTING RIGHTS AS A MEMBER OF THE SCHOOL COUNCIL AND SHALL SERVE AT THE PLEASURE OF THE CHAIRPERSON. THE PARLIAMENTARIAN CAN ALSO BE REMOVED BY A MAJORITY VOTE OF THE SCHOOL COUNCIL.

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