

Title 8: Education – Institutions of Higher Learning

Part 3: Bylaws

Chapter 3

301.0510 MEETING RULES OF ORDER

Meetings of the Board and its committees shall be conducted in accordance with controlling statutes and applicable bylaws, regulations, or policies. In the absence of such statutes, bylaws, regulations, or policies, meetings shall be conducted in accordance with these rules and *Robert's Rules of Order*. The Board's Meeting Rules of Order are as follows:

A. Presiding Officer

The President of the Board shall be the presiding officer at official Board functions. In his or her absence, the Vice President of the Board shall preside. In the absence of both, the President of the Board may appoint a President Pro Tempore to preside at a Board function. For committee meetings, the chair of the subject committee shall be the presiding officer. In his or her absence, the President of the Board, who is an ex officio member of all committees, shall preside.

B. Convening Meetings

The Board and its committees shall convene at the times and places announced by public notice and as required by law, policy, or Board action.

C. Quorums, Agenda, Rulings of the Presiding Officer, and Delay

1. Quorums

A quorum for the transaction of business shall be a minimum of eight members of the Board. For committees, a quorum shall be a majority of the members. No business may be transacted without the presence of a quorum.

2. Agenda

The agenda for each Board and committee meeting shall be submitted to the members and published by the Office of the Commissioner of Higher Education prior to each meeting. Proposed agenda items arriving after the deadline for submission

to the Commissioner may only be added by a two-thirds (2/3) vote of the members present. This requirement will apply to consideration of all agenda items including recommendations by Board committees in instances where agenda items relating to such recommendations are not submitted prior to the deadline.

The formal agenda will consist of items submitted on behalf of the various institutions and the Board offices. A Board member may notify the Commissioner that an item should be placed on the agenda. Unless otherwise specified on the face of an agenda item, the submission of an agenda item for Board approval by an Institutional Executive Officer or the Commissioner reflects the Institutional Executive Officer's or Commissioner's determination that: (1) the proposed action is authorized by all applicable laws, (2) all requirements of State law and Board policy relating thereto have been met prior to submission of the item, and, (3) adequate funds are available and have been identified for any expenditures authorized thereunder. The form of agenda items will be determined by the Commissioner. The deadline for submission of agenda items by the Board members to be included on an agenda shall be two days before the date of the official meeting. The Commissioner may refer agenda items to appropriate Board committees for consideration. However, no committee's approval is required before Board consideration of any agenda item or matter.

Agenda Item Placement

The presiding officer may move items up or down the agenda with a two-thirds (2/3) vote by the members present.

3. Delay of Board Consideration

Any member may request a delay in consideration of an agenda item from one meeting to the next, but no agenda item may be so delayed more than once by any member. Such a request shall not be granted if there is a vote to proceed by the lesser of (a) two-thirds (2/3) of the members legally present or (b) by seven (7) Board members legally present.

D. Motion to Suspend Policies, Bylaws or Rules

A member may move to suspend any policies, bylaws or rules. A motion to suspend shall state the matter of business to be considered, must be properly seconded, and shall fail without a vote in favor of same by at least seven members.

(BT Minutes, 5/90; 1/98; 4/2012; 6/2013)

Miss. Code Ann. § 37-101-15(c)

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Meetings of the Board and its committees shall be conducted in accordance with controlling statutes and applicable bylaws, regulations, or policies. In the absence of such statutes, bylaws, regulations, or policies, meetings shall be conducted in accordance with ~~the following Rules of Order~~ these rules and *Robert's Rules of Order*. ~~Inquiries outside the scope of these Rules and directed at parliamentary procedures will be resolved by reference to *Robert's Rules of Order*.~~ The Board's Meeting Rules of Order are as follows:

~~Rule 1:~~ A. Presiding Officer

The President of the Board shall be the presiding officer at official Board functions. In his or her absence, the Vice President of the Board shall preside. In the absence of both, the President of the Board may appoint a President Pro Tempore to preside at a Board function. For committee meetings, the chair of the subject committee shall be the presiding officer. In his or her absence, the President of the Board, who is an ex officio member of all committees, shall preside.

~~Rule 2:~~ B. Convening Meetings

The Board and its committees shall convene at the times and places announced by public notice and as required by law, policy, or Board action.

~~Rule 3:~~ C. Quorums, Agenda, Rulings of the Presiding Officer, and Delay

~~A:~~ 1. Quorums

A quorum for the transaction of business shall be a minimum of eight members of the Board. For committees, a quorum shall be a majority of the members. ~~In the absence of a quorum of the appointed members of the committee, the President of the Board may then be counted toward a quorum.~~ No business may be transacted without the presence of a quorum.

~~B:~~ 2. Agenda

The agenda for each Board and committee meeting shall be submitted to the members and published by the Office of the Commissioner of Higher Education prior to each meeting. Proposed agenda items arriving after the deadline for submission to the Commissioner may only be added by a two-thirds (2/3) vote of the members present. This requirement will apply to consideration of all agenda items including recommendations by Board committees in instances where agenda items relating to such recommendations are not submitted prior to the deadline.

The formal agenda will consist of items submitted on behalf of the various institutions and the Board offices. A Board member may notify the Commissioner that an item should be placed on the agenda. ~~request through the Commissioner that an item be placed on the agenda.~~ Unless otherwise specified on the face of an agenda item, the submission of an agenda item for Board approval by an Institutional Executive Officer or the Commissioner reflects the Institutional Executive Officer's or Commissioner's determination that: (1) the proposed action is authorized by all applicable laws, (2) all requirements of State law and Board policy relating thereto have been met prior to submission of the item, and, (3) adequate funds are available and have been identified for any expenditures authorized thereunder. The form of agenda items ~~and the deadline for submission~~ will be determined by the Commissioner. The deadline for submission of agenda items by the Board members to be included on an agenda shall be two days before the date of the official meeting. The Commissioner may refer agenda items to appropriate Board committees for consideration. However, no committee's approval is required before Board consideration of any agenda item or matter.

~~C. Rulings of the Presiding Officer~~ Agenda Item Placement

The presiding officer may ~~shall have the discretion to~~ move items up or down the agenda with a two-thirds (2/3) vote ~~of by~~ the members present. ~~The presiding officer may also remove items from the agenda with a two-thirds (2/3) vote of the members present.~~

~~D. 3.~~ Delay of Board Consideration

Any member may request a delay in consideration of an agenda item from one meeting to the next, but no agenda item may be

so delayed more than once by any member. Such a request shall not be granted if there is a vote to proceed by the lesser of (a) two-thirds (2/3) of the members legally present or (b) by seven (7) Board members legally present. ~~vote to proceed immediately with consideration of the matter.~~

Rule 4: Decorum and Speaking

~~Members of the Board shall observe proper decorum when speaking, shall address the presiding officer, and shall refrain from derogatory and offensive language. The presiding officer shall recognize members to speak in the order in which they seek recognition. To seek recognition, members should raise their hands, or, if necessary, speak to call the attention of the presiding officer. When a member is speaking, other members shall avoid side discussions and make no interruptions. The presiding officer, at his or her discretion, may limit each member to five minutes speaking time on any one issue and after each member has had the opportunity to speak once may call the question. The presiding officer shall have the authority to suspend business to remove members for abusive behavior.~~

Rule 5: Parliamentary Inquiries and Points of Order

~~It shall always be in order for a member to make a parliamentary inquiry or to raise a point of order to the presiding officer. Parliamentary inquiries shall be limited to clarification of pending business. A point of order must be raised immediately upon the occurrence of an infraction of the Rules or improper decorum. Inquiries outside the scope of these Rules and directed at parliamentary procedures will be resolved by reference to *Robert's Rules of Order*. The presiding officer should consult with the parliamentarian and the presiding officer will rule based on the parliamentarian's advice.~~

Rule 6: Voting

~~The presiding officer shall call for a voice vote to decide motions, but any member may require a vote by show of hands. A vote shall be recorded for each member present, with the exception that a member may, in advance of the vote, abstain, and have such abstention reflected in the minutes. A member may submit a brief written statement explaining his or her vote for inclusion in the minutes.~~

When the vote results in a tie, it can be broken by the presiding officer unless he or she participated in the primary vote.

~~Rule 7: Seconding Motions Required~~

~~Every motion shall require a second, except that a motion to close the meeting to determine the need for an executive session shall not require a second.~~

~~Rule 8: Withdrawal of Motions~~

~~After a motion is made and seconded it may be withdrawn by a majority vote of the members present. Additionally, the maker may withdraw a motion with the consent of the member who seconded the motion.~~

~~Rule 9: Division of a Question~~

~~A member may request and the presiding officer shall then divide any motion which contains two or more distinct and separable elements.~~

~~Rule 10: Precedence of Motions~~

~~Except where otherwise stated in these Rules, when a motion on a matter of business has been made and properly seconded, the following motions shall be in order and shall have precedence over each other in order, as listed:~~

- ~~• to adjourn,~~
- ~~• to take a recess,~~
- ~~• to lay on the table subject to the call of the presiding officer,~~
- ~~• the previous question,~~
- ~~• to defer or postpone,~~
- ~~• to refer back to a committee,~~
- ~~• to substitute, and~~
- ~~• to amend.~~

~~Motions to adjourn, to recess, to lay on the table subject to call, or for the previous question shall be decided without debate. A motion to adjourn shall always be in order, except when a member is in possession of the floor; when the members are voting; when adjournment was the last preceding motion; and when it has been decided that the previous question shall be taken.~~

~~Rule 11: Previous Question~~

~~When a member shall move the previous question and upon a proper second, the presiding officer shall suspend all debate and put the motion for the previous question to a vote. If two thirds (2/3) of the members present approve the previous question, then the presiding officer shall call for a vote on the main question without further discussion or debate.~~

~~Rule 12: Motion to Amend~~

~~An amendment modifying the intent of a motion shall be in order; but an amendment relating to a different subject shall not be in order. A motion to amend a proposed amendment to a motion shall not be in order. However, after a motion to amend has been adopted, a new motion to amend shall be in order. A motion to amend shall require a majority vote.~~

~~Rule 13: Motion to Substitute~~

~~When a motion to substitute has been adopted, the substituted question replaces the original question and all prior amendments to said question. A motion to substitute may not be offered in place of an amendment but only for the main question. A motion to substitute shall require a majority vote.~~

~~Rule 14: Reconsideration~~

~~The last order of public business on the agenda shall be Reconsideration. At this time any member may move that an action taken previously during the same meeting be reconsidered. This motion requires a two thirds (2/3) vote of the members present. The item of business being reconsidered shall be back before the Board of Trustees for discussion and/or action. No item may be reconsidered twice at the same meeting. No motion to reconsider actions taken at one meeting shall be in order at a subsequent meeting; provided that when a meeting is recessed it shall be deemed to be a continuation of the original meeting when it is reconvened. If an executive session is required, it may follow any reconsideration of business items.~~

~~Rule 15: Pending Business~~

~~In the event the Board or a committee adjourns before taking action on agenda items or matters pending, the Office of the Commissioner of Higher Education shall at his or her discretion place those items on the agenda for the next meeting.~~

~~Rule 16:~~ D. Motion to Suspend Policies, Bylaws or Rules

A member may move to suspend any policies, bylaws or rules. A motion to suspend shall state the matter of business to be considered, must be properly seconded, and shall fail without a vote in favor of same by at least seven members unless a majority of the Board votes in favor of suspension.

(BT Minutes, 5/90; 1/98; 4/2012; 6/2013)

Miss. Code Ann. § 37-101-15(c)