

These Guidelines were developed to guide Senators and chairs in handling concerns regarding decorum in meetings. Wherever possible, Senate and Senate committee meetings should be conducted informally in a manner which enables full, fair and free discussions. The processes outlined in these Guidelines should only be when there is a need for a formal intervention.

How are Senators expected to act in meetings?

Guided by **Robert's Rules**, all Senators are expected to act in a respectful and civil manner in all Senate and committee meetings. Senators must maintain a courteous tone and remarks should be confined to the question or issue under discussion. Senators should refrain from injecting a personal tone into discussions and must never attack or allude to the motives of other Senators. Senators also should address their remarks to the Chair rather than speaking directly to another Senator.

What if a Senator breaches the rules of decorum?

If a Senator commits a slight breach, for example, failing to confine remarks to the merits of the question or speaking out of turn, the Chair should firmly remind the Senator of the proper rules of order, point out the breach and advise the Senator to avoid it.

If the breach is more serious, or if the Senator has not followed the advice of the Chair and has continued the behavior, the Chair may, with or without a warning, call the Senator to order. To do **this, the Chair should state, "Senator X is out of order. Please refrain from [state the breach] and take your seat."** Another Senator may also call the Senator to order. If the Chair agrees that the Senator is out of order, the Chair should declare the Senator out of order and direct the Senator to cease the conduct.

If the breach is a grave breach of order or if there have been repeated warnings from the Chair and the Senator has continued **the unruly behavior, the Chair may 'name' an offender. This** should only be done in extreme circumstances. When it begins to appear that it may be necessary to resort to this mechanism, the Chair should direct the Secretary to take down the objectionable or disorderly **words used by the Senator. In naming the offender, the Chair uses the Senator's name and states what they have done wrong. For example, the Chair may state: "Senator X! The Chair has repeatedly directed you to refrain from offensive personal references when speaking in this meeting. The chair has ordered you to cease the behavior and you have continued to speak." This declaration is entered into the minutes.**

The Committee or the Senate, as the case may be, may then choose whether to impose a penalty. If **the Senator complies with the Chair's directions, the Committee or Senate may choose not to impose** a penalty. The Chair has no authority to impose a penalty or order the offending Senator to leave the room; however, the Committee or Senate may do so. Another Senator may make a motion proposing a penalty, **or the Chair may ask, "What penalty, if any, should be imposed on the Senator?"**

What are the potential penalties?

Possible motions regarding a penalty include:

- A motion that the Senator must apologize

- A motion that the Senator must leave the room during the remainder of the meeting
- A motion to censure the Senator
- A motion to **suspend the Senator's rights for a designated period of time**
- A motion to expel the Senator from Senate

If the Committee or the Senate wishes the Senator to leave the room while Senators discuss a potential penalty, this requires a motion with majority approval. If the Senator is not asked to leave during the discussion, the Senator should be allowed to speak briefly in his/her defense. If the Senator denies the allegations, the Secretary can read back the record of what the Senator said or did. Any penalty other than expulsion requires a majority vote to adopt; expulsion requires a two-thirds vote. At the request of a Senator, the vote on a penalty motion must be taken by ballot.

What if a Senator or other committee member disagrees with the Chair?

All Senators present at a meeting are expected to comply with legitimate orders of the Chair. However, if any Senator disagrees with a decision of the Chair, any Senator can appeal from the decision or move a reconsideration. Any Senator can do this whether or **the Chair's decision involved the Senator**. **The appeal should be made at the time of the Chair's ruling. Under Robert's Rules, if any debate or business has intervened, it is too late to appeal.**

To seek an appeal, any Senator may address the Chair and **state: "I appeal from the decision of the Chair."** **This requires a second. The Chair will then state that the decision of the Chair is appealed from and shall state clearly the exact question at issue. Under Robert's Rules, if the ruling concerns indecorum or a transgression of the rules of speaking, the motion is not debatable, however, the Chair may provide reasons for the Chair's decision. The Chair will then put the question on the appeal to the Committee or Senate, by stating: "Shall the decision of the Chair be sustained?"** A majority vote is required to overturn the decision of the Chair. Once the results of the vote are announced, business may be resumed in accordance with the decision of the Committee or Senate.

What if a Senator has a concern with certain conduct but did not address it during the meeting?

As guided by **Robert's Rules, any Senator who has concerns with the conduct of another Senator is expected to raise it promptly after the conduct has occurred, in the meeting during which the conduct occurred, and before any other business has been transacted.** This way, the words spoken or the conduct observed can be accurately recorded by the Chair and Secretary for the record and **addressed in accordance with Robert's Rules. Attempting to address** conduct after a meeting is problematic from a procedural perspective, as it relies on recollections and perception, which may no longer be reliable. Any concerns which are not addressed during the meeting may be resolved collegially by Senators, and if necessary, through discussions with the Chair of Senate and/or the Committee Chair.

Some issues that may arise in meetings of Senate and of Senate committees are more appropriately addressed under procedures outside of Senate; however, where appropriate, Senators and other members of Senate committees are encouraged to deal with issues that arise at Senate and in Senate committees informally and collegially in accordance with Senate rules and procedures.