

# **New West District Parents Advisory Council Constitution and By-Laws**

**Passed June 2016**

## **Contents**

### **Constitution**

Bylaws

#### **Article I. Definition of Terms**

#### **Article II. Membership**

#### **Article III. Meetings**

General meetings

Notice of Meetings

Annual General Meeting

Quorum

Voting

#### **Article IV. Constitution and By-law Amendments**

#### **Article V. Executive**

Role of Executive

Executive defined

Eligibility

Election of Executive

Term of Office

Vacancy

Removal of Executive

Remuneration of Executive

Executive Meetings

#### **Article VI. Conduct of Executive and Representatives**

Code of conduct

Representing the Council

Privilege

Disclosure of interest

#### **Article VII. Duties of Executive and Representatives**

Job Descriptions

#### **Article VIII. Committees**

#### **Article IX. Financial Matters**

Financial Year

### **APPENDIX: CODE OF CONDUCT**

## Constitution

- i. The name of the organization will be New Westminister District Parent Advisory Council, (DPAC).
- ii. DPAC will operate as a non-profit organization with no personal financial benefit accruing to members.
- iii. The business of the Council will be unbiased in respect of race, religion, gender, politics, sexual orientation, and physical or mental ability.
- iv. The Council will refrain from partisan political action or other activities that do not serve the interests of the school district or the public school system.
- v. The purpose of the New Westminister District Parent Advisory Council is
  1. To be the collective voice of Parent Advisory Councils (PACs) in the New Westminister School District (SD40).
  2. To advise the school board on any matter relating to education in SD40, including the district's Accountability Contract.
  3. To promote the interests of public education and in particular the interest of SD40.
  4. To provide parent education and a forum for discussion of educational issues.
  5. To promote strong, effective PACs in every school.
  6. To assist PACs/parents/guardians in obtaining information and communicating with district personnel.
  7. To liaise with other organizations in the community and province on educational matters.
  8. To facilitate the exchange of ideas and information amongst PACs in SD40.
- vi. The operations of DPAC are to be carried out chiefly in the City of New Westminister in the Province of British Columbia.
- vii. Dissolution:
  1. Upon winding up or dissolution of the DPAC, the assets which remain after payment of all costs, charges and expenses which are properly incurred in the winding up shall be distributed to PACs in SD40. This provision shall be unalterable.
  2. All records of DPAC shall be placed under the jurisdiction of the School District #40 Superintendent.

## **Bylaws**

### **Article I. Definition of Terms**

“Annual General Meeting” or “AGM” means the general meeting of DPAC held yearly in May or June, during which time the new Executive is elected and changes to the Constitution and Bylaws are passed

“Community organizations” means groups that demonstrate an interest in education and are not already included in the scope of the Council’s constitution and bylaws

“Council” means District Parent Advisory Council

“District” means School District No. 40

“DPAC” or “District Parent Advisory Council” means the parent advisory council organized according to the School Act and operating as a collective voice in School District

“General Meeting” is a meeting of DPAC Executive and member Parent Advisory Council (PAC) representatives who have been duly notified

“Member” means a PAC representative, their designated alternate or the duly elected or appointed Executive

“PAC” or “Parent Advisory Council” means a parent council organized and operating according to the School Act

“Parent” is as defined in the School Act and means

- a. the guardian of the student, or
- b. the person legally entitled to custody of the student, or
- c. the person who usually has the care and control of the student,
- d. and, for the purposes of these bylaws, means the parent or guardian of a child or children enrolled in School District No.40

“School” means any public elementary, middle, or secondary educational institution as defined in the School Act operating within New Westminster School District

### **Article II. Membership**

1. All parent advisory councils in School District No. 40 are the voting members of the Council, (School Act, section 8).
2. A member PAC will be represented on the Council by the person elected annually by the member PAC for that purpose, or their alternate (referred to as the DPAC representative).
3. DPAC Executive members who are duly elected or appointed are members of the council.
4. There will be no other members of the Council.
5. Any member PAC may terminate its affiliation with DPAC provided that 30 days of written notice is given to its constituent PAC members and to DPAC.
6. A DPAC representative may be expelled from DPAC for failing to uphold the Constitution & Bylaws and/or Code of Conduct of DPAC.

### Article III. Meetings

#### General meetings

1. General meetings will be conducted with fairness to all members and allowing all members the opportunity to speak to a topic, members will not discuss individual school personnel, students, parents, or other members of the school community.
2. Member and guests will be expected to adhere to the DPAC code of conduct or at the discretion of the chair may be asked to leave.
3. General meetings will be held not less than six times during the school year.
4. One of the general meetings will be the Annual General Meeting.
5. If procedural problems should arise, "Robert's Rules of Order" will be used to resolve the situation, unless they are in conflict with the guidelines in the Constitution and By-laws of the Council.

#### Notice of Meetings

Electronic notice shall be forwarded in the following timeframes to all members:

1. AGM four weeks
2. General meetings two weeks
3. Special meetings one week

#### The Annual General Meeting

1. Shall be held in May or June
2. Shall do this business:
  - a. Conduct Elections for Executive
  - b. Receive Annual Report from the Executive
  - c. Receive financial statements and proposed budget

#### Quorum

1. A quorum for general meetings will be fifty percent of voting members as defined below.
2. If at any time during a general meeting a quorum ceases to be present, motions may not be moved.

#### Voting

1. Except as provided elsewhere in these bylaws, all matters requiring a vote will be decided by a simple majority of the votes cast (50% plus 1).
2. In the case of a tie vote, the chair does not have a second or casting vote and the motion is defeated.
3. Member PACs will vote through their elected representatives. A representative or alternate must be present at a meeting to vote.
4. Voting by proxy will not be permitted.
5. Each member PAC has one vote. A member may have two votes if they are representing two PACs.
6. If a PAC representative is an executive member, that member has one vote as their PAC representative.
7. Each executive member has one vote if they are not a PAC representative.
8. Except as provided elsewhere in these bylaws, voting is by a show of hands or, where requested by two voting members present, by secret ballot.
9. A vote will be taken to destroy the ballots after every election.

### ARTICLE IV. Constitution and By-law Amendments

1. This Constitution may be amended only at a General Meeting of the Council. Thirty days written notice

of a motion to amend must be given to all member PACs. A 75% majority of voters at the General Meeting is required to carry the amendment.

2. These By-laws may be amended only at a General Meeting of the Council. Thirty days written notice of a motion to amend must be given to all member PACs. A 75% majority of voters at the General Meeting is required to carry the amendment.

## **ARTICLE V. Executive**

### Role of Executive

The Executive will manage the Council's affairs between general meetings.

### Executive defined

The Executive will include the Chairperson, Vice-Chair, Secretary, Treasurer, and Immediate Past Chairperson (or Acting Past Chair) and up to two Members at Large.

### Eligibility

1. Any parent who has a child enrolled at a member school is eligible to serve on the executive, except employees or elected officials of School District No. 40 or the Ministry of Education.
2. A PAC may nominate a parent from their school to seek election to the executive.

### Election of Executive

1. The Executive will be elected at each Annual General Meeting.
2. The position of Chairperson may be held jointly by up to two persons (to be known as Co-chairpersons) as long as the arrangement is mutually agreeable to both individuals and is agreed to by more than 50% of the voting members.
3. PAC members will make every effort to ensure there is representation from a variety of member schools.
4. The Past Chairperson may be the immediate previous Chair, provided that person is eligible, able, willing to serve and is agreed to by more than 50% of the voting members.
5. Otherwise, any previous member of the executive may put their name forward to be the Acting Past chair; provided they are still a member. They must be elected to this position.

### Term of Office

1. The Executive will hold office for a term of one year at the adjournment of the annual general meeting at which they are elected until the adjournment of the next Annual General Meeting.
2. No person may hold any one Executive position for more than four years without a break of two consecutive years.

### Vacancy

1. If there is an Executive vacancy, for any reason other than a member being removed from office by the members, the remaining Executive members may appoint an eligible parent of a member PAC to fill the vacancy until the next Annual General Meeting.

### Removal of Executive

1. The members may, by a majority of 75% of the votes cast, remove an Executive member before the expiration of their term of office, and may elect an eligible parent to complete the term.
2. Written, electronic notice specifying the intention to make a motion to remove the Executive

member must be sent to all members not less than two weeks before the meeting.

#### Remuneration of Executive

1. No Executive member may be remunerated for serving on the Executive, but may be reimbursed for expenses reasonably and necessarily incurred while engaged in the Council's affairs.

#### Executive Meetings

1. Executive meetings will be held at the call of the chair or any two Executive members.
2. A quorum for Executive meetings will be a majority (50% plus 1) of the members of the Executive.
3. Members will be given one week minimum written notice of executive meetings.
4. Minutes of Executive Meetings will be kept and will be received by General Meetings for information.
5. All matters requiring a vote at executive meetings will be decided by a simple majority of the votes cast (50% plus 1).
6. In the case of a tie vote, the chair does not have a second or casting vote and the motion is defeated.

## **ARTICLE VI. Conduct of Executive and Representatives**

### Code of conduct

1. On election or appointment, every member must abide by the code of conduct

### Representing the Council

2. When representing Council, every member and representative must act solely in the interest of the Council

### Privilege

3. Any information received in confidence by an Executive member or representative from school personnel, a student, parent, or other member of the school community is privileged and must not be divulged without permission of the person giving the information.

### Disclosure of interest

4. A member who is interested, either directly or indirectly, in a proposed contract or transaction with the Council must disclose fully and promptly the nature and extent of his or her interest to the membership and Executive.
5. A member or representative must avoid using his or her position on the Council for personal gain.

## **ARTICLE VII. Duties of Executive and Representatives**

### Job Descriptions

1. The Chairperson(s) will
  - a. speak on behalf of the Council
  - b. consult with Council members
  - c. preside at Council meetings
  - d. ensure that an agenda is prepared
  - e. appoint committees where authorized by the membership or Executive
  - f. ensure that an Executive member attends District Board of Education meetings on behalf of the Council
  - g. ensure that Council activities are aimed at achieving the purposes set out in the constitution
  - h. be the only spokesperson for DPAC to the media or may designate a representative on issues that DPAC has taken a clear position on. As the spokesperson for DPAC, they must represent the majority view of the members
  - i. where the position of Chairperson is shared by two people the duties will be divided as mutually agreed upon in consultation with the Executive
  - j. be a signing officer
  - k. submit an annual report on behalf of the Executive
  - l. Chair should sign grant applications and summary reporting
  - m. be the DPAC liaison between DPAC and BCCPAC
2. The Vice-Chair will
  - a. support the Chairperson
  - b. assume the duties of the Chairperson in their absence or upon request
  - c. assist the Chairperson in the performance of his or her duties
  - d. accept extra duties as required
  - e. be a signing officer

3. The Secretary will

- a. keep an accurate record of current members and PAC chairs
- b. communicate notice of meetings
- c. record and file minutes of all meetings
- d. keep an accurate copy of the constitution and bylaws
- e. make minutes and governing documents available on the DPAC website
- f. prepare and maintain other documentation as requested by the membership or Executive
- g. issue and receive correspondence on behalf of the Council
- h. ensure safekeeping and open access to all records of the Council
- i. may be a signing officer

4. The Treasurer will

- a. with the assistance of the Executive, draft an annual budget
- b. disburse funds as authorized by the membership or Executive
- c. ensure that proper financial records and books of account are maintained
- d. report on all receipts and disbursements at general and Executive meetings
- e. make financial records and books of account available to members upon request
- f. have the financial records and books of account ready for inspection or audit annually
- g. ensure that another signing officer has access to the financial records and books of account in the treasurer's absence
- h. submit an annual financial statement at the annual general meeting
- i. be a signing officer
- j. complete and keep records of government, district and other grant applications and summary reports

Members-at-Large (2) will assist in performing the duties of the Executive

The Immediate Past Chair or Acting Past Chair will

- a. advise and support the membership and Executive
- b. provide information about resources, contacts, and other matters

The DPAC Representative (or PAC designated alternate) will

- a. attend all General Meetings of DPAC
- b. keep their contact information current with DPAC
- c. report DPAC business regularly to their member PAC
- d. seek and give input to the DPAC on behalf of their member PAC

#### **ARTICLE VIII. Committees**

1. The membership and Executive may appoint committees to further the Council's purposes and carry on its affairs.
2. The terms of reference of each committee will be specified by the membership or Executive at the time the committee is established, or by the committee at its first meeting, as the membership or Executive decide.
3. Committees will report to the membership and Executive as required.
4. A Nominating Committee may be appointed annually before the Annual General Meeting.



## **ARTICLE IX. Financial Matters**

1. The financial year of the Council will be July 1<sup>st</sup> to June 30<sup>th</sup>
2. All financial records are the property of the DPAC and must be kept for a minimum period of seven (7) years and turned over to the Executive on demand.
3. All funds of the Council will be on deposit in a Chartered Bank or Credit Union or any other financial establishment registered under the Bank Act of the Credit Union Incorporation Act.
4. The Executive shall name at least three signing officers; one of who will be the Treasurer, for banking and legal documents. Two signatures will be required on these documents.
5. All monies paid out from the DPAC will be as a cheque on receipt of a detailed invoice or receipt. Signing officers must never sign a cheque where the payee is left blank, nor for payments to self. All cheques must bear the signatures of two of the authorized signatories.
6. A draft budget shall be drawn up by the Treasurer/Executive for discussion at the AGM in May or June. A finalized budget will be presented for approval by the membership at the first General Meeting of the fiscal year.
7. The membership must approve all expenditures by the Executive or Committee members that exceed the budget.
8. The Executive shall have the authority to pay accounts as approved in the annual budget. The Executive shall have the authority to spend up to \$100.00 for items not allocated in the budget, provided the projects or items support the purpose of the New Westminster DPAC. Following the expenditure, a report must be presented to the DPAC and recorded in the minutes of the next general meeting convened.
9. For programs that have been approved by the membership but cannot be financed through the annual budget, the Executive shall have the authority to:
  - a. Initiate special fundraising projects;
  - b. Seek grants that may be available from governments, charitable foundation and similar sources, provided only that neither constitutes or implies support of a political party or endorsement of a commercial product.
10. The Executive will set aside at least \$500.00 for start-up operating costs for the following fiscal year.

## **APPENDIX:CODE OF CONDUCT**

A parent who accepts a position as a Council executive member, committee member, or representative:

1. upholds the constitution and bylaws, policies, and procedures of the electing body
2. performs his or her duties with honesty and integrity and in the interests of the Council
3. works to ensure that the well-being of students is the primary focus of all decisions
4. respects the rights of all individuals
5. takes direction from the membership and executive
6. encourages and supports parents and students with individual concerns to act on their own behalf, and provides information on the process for taking concerns forward
7. works to ensure that issues are resolved through due process
8. strives to be informed and only passes on information that is reliable
9. respects all confidential information
10. supports public education