

# **École Margaret Jenkins School Parent Advisory Council**

## **Constitution and Bylaws**

*Approved at EMJS PAC AGM, May 28, 2020*

*Last modified: May 28, 2020*

## **Table of Contents**

CONSTITUTION	2
SECTION I - NAME	2
SECTION II - PURPOSE OF THE ÉMJS PAC	2
SECTION III - INTERPRETATION OF TERMS	2
BYLAWS	3
SECTION IV - MEMBERSHIP IN ÉMJS PAC	3
SECTION V - GENERAL MEETINGS	3
A. MEETINGS	3
B. QUORUM	4
C. VOTING	4
SECTION VI - EXECUTIVE	5
B. ROLE OF EXECUTIVE	5
SECTION VII - COMPOSITION OF EXECUTIVE AND DUTIES OF OFFICERS	7
A. COMPOSITION	7
B. ROLES AND RESPONSIBILITIES	7
SECTION VIII - COMMITTEES	8
SECTION IX - CODE OF ETHICS	9
SECTION X - FINANCIAL MATTERS	9
SECTION XI - CONSTITUTION AND BYLAW AMENDMENTS	10
SECTION XII - PROPERTY IN DOCUMENTS	10
SECTION XIII - DISSOLUTION	10

**A copy of ÉMJS PAC Constitution and Bylaws has been deposited with the ÉMJS Administration for safekeeping.**

## **CONSTITUTION**

### **SECTION I - NAME**

The name of the Association shall be the École Margaret Jenkins School Parent Advisory Council (ÉMJS PAC).

The Council shall operate as a non-profit organization with no personal financial benefit.

The business of the Council shall be unbiased toward race or ethnicity, religion, gender, politics, sexual orientation or physical and mental ability.

### **SECTION II - PURPOSE OF THE ÉMJS PAC**

The purpose of the Council is to support, encourage and improve the quality of education and the well-being of students in École Margaret Jenkins School.

1. To advise the principal and staff on parents' views on any matter relating to the school - programs, policies, plans and activities.
2. To communicate with parents and to promote cooperation between the home and school in providing for the education of the children.
3. To assist parents in accessing the system, and to provide advocacy support for individual children and their parents.
4. To organize ÉMJS PAC activities and events.
5. To contribute to the effectiveness of the school by promoting involvement of parents and other community members.
6. To provide leadership in the school community.
7. To contribute to a sense of community within the school and between the school, home and neighbourhood.
8. To provide parent education and a forum for discussion of educational issues.
9. To provide financial support for the goals of the Council, as determined by the membership.

### **SECTION III - INTERPRETATION OF TERMS**

*Parent* – is as defined in the School Act and means:

- (a) the guardian of the person of the student or child,
- (b) the person legally entitled to custody of the student or child, or
- (c) the person who usually has the care and control of the student or child

and, for the purposes of these bylaws, means the parent or guardian of a child or children enrolled in School District No. 61.

- *Parent Advisory Council* – the parents organized according to the School Act and operating as a parent advisory council in École Margaret Jenkins School.
- *School* – any public elementary, middle or secondary educational institution within Greater Victoria School District No. 61.
- *District* – Greater Victoria School District No. 61.
- *SD 61* – Greater Victoria School District No. 61.

## **BYLAWS**

### **SECTION IV - MEMBERSHIP IN ÉMJS PAC**

1. All parents and guardians of students registered at ÉMJS are voting members of the PAC.
2. Administration and staff (teaching and non-teaching) of ÉMJS may be non-voting members of the Council.
3. Members of the school community who are not parents of students currently enrolled in the system may be invited by a motion of the Executive to become non-voting members of the Council.
4. At no time shall the Council have more non-voting than voting members.
5. Every member will uphold the constitution and comply with these bylaws.

### **SECTION V - GENERAL MEETINGS**

#### **A. MEETINGS**

1. Meetings shall be conducted efficiently and with fairness to the members present.
2. There shall be an Annual General Meeting (AGM) held once per year between January and May for the purpose of election of officers.
3. General meetings shall be held not less than seven (7) times per school year, one of those being the AGM.
4. If procedural problems arise on an issue not covered in these bylaws, Robert's Rules of Order (edition as held by the Executive) shall be used to resolve the issue.
5. A Council meeting shall not be a forum for the discussion of private matters relating to

individual school personnel, students, parents or any other member of the school community.

6. A special meeting may be called by the Chairperson, and shall be called at the request of twenty-five (25) members. A special meeting is for a specific reason and no other business may be dealt with thereat. Special meetings require five (5) instructional days notice to the membership.
7. Members will be given reasonable notice of general meetings.
8. Meetings may be in person or by video conferencing using programs such as Zoom or Skype, as long as each participant is able to communicate and vote, if needed. If an online platform is used, a phone-in option will be provided for those without computer and internet access. Hybrid meetings may also be held if needed, which will also allow people to join in person or electronically.

## **B. QUORUM**

1. A quorum for the AGM shall be 15 voting members.
2. A quorum for general meetings shall be a majority (50% plus 1) of Executive officers and at least one additional non-Executive voting member.

## **C. VOTING**

1. Unless otherwise provided (as in Robert's Rules of Order), questions arising at any meeting shall be decided by a simple majority vote of 50% plus 1 of voting members.
2. In the case of a tie vote, the motion is defeated.
3. General Members must vote personally on all matters; voting by proxy shall not be permitted.
4. Electronic Voting may be used to decide any matter that comes before the Executive outside of the regularly scheduled Executive and general meetings.
5. Regular Voting will be used to decide any motions that are raised at an Executive or general meeting.
6. Regular Voting shall be done by a show of hands, with the exception of the election of officers, which may be done by secret ballot. A vote shall be taken to destroy the ballots after the election.
7. Electronic Voting shall proceed as follows:
  - a. The motion shall be dispatched via electronic mail to all members, at approximately the same time, together with any explanatory material, giving a date and time by which votes must be received (which shall be a minimum of four (4) days from the dispatch), and instructing members how to cast their vote electronically (e.g. by providing a link to

an online poll or survey tool, or by inviting members to email a designated Executive officer). Members shall be informed in this email whether their vote will be anonymous (if supported by the chosen electronic voting tool), held in confidence by designated Executive officer(s), or revealed to the general membership with the results.

- b. The motion shall not be combined with another motion, or with an electronic mail message that includes unrelated information.
- c. All votes received by the due date and time shall be counted;
- d. A simple majority shall be required to have a motion passed;
- e. Voting by proxy is not permitted;
- f. The designated Executive officer(s) shall summarize the results and notify the membership via electronic mail.
- g. The Minutes Secretary shall ensure that all electronic votes are recorded, acknowledged and added to the minutes of the next formal meeting.

## **SECTION VI - EXECUTIVE**

### **A. ROLE OF EXECUTIVE**

1. The Executive shall manage the Council's affairs between general meetings.
2. The primary function of the Executive shall be communication, coordination, control, and community building as follows:
  - a. *Communication:* The Executive shall facilitate communication of the affairs of the ÉMJS PAC to the membership (parents) and school administration.
  - b. *Coordination:* The Executive shall coordinate and connect volunteers for ÉMJS PAC activities and school activities requesting PAC assistance.
  - c. *Control:* The Executive shall provide accountability to the membership to ensure that ÉMJS PAC commitments are fulfilled, and shall provide control over ÉMJS PAC finances to ensure that PAC raised funds are properly accounted for, managed, and spent in accordance with an approved ÉMJS PAC budget. Wherever possible funds will be spent to equitably benefit all EMJS students.
  - d. *Community building:* The Executive shall contribute to a sense of community within the school and between the school, home and neighbourhood through the activities and initiatives they support.

## **B. ELECTION OF EXECUTIVE OFFICERS**

1. The Executive officers shall be elected from the voting members at the AGM.
2. Any employee or elected official of SD 61, or of the Ministry of Education, shall declare a possible conflict of interest prior to running for an Executive position.
3. Call for nominations shall be made by the Executive at the two general meetings before the AGM.
4. In the event of a vacancy on the Executive, the remaining Executive members shall either appoint an eligible member of the Council to fill the vacancy until the next AGM, or arrange for the membership to elect a new officer from among the voting members at the next general meeting.
5. The current Chairperson or delegate shall conduct elections.

## **C. TERM OF OFFICE**

1. The term of office for Executive officers of the Parent Advisory Council shall commence two weeks following election at the AGM and shall be for one year. The two weeks of overlap immediately following election at the AGM shall be used to transition knowledge from any outgoing Executive officers to those taking over their roles.
2. There shall be no maximum term for holding an Executive position. However, a person wishing to fill the same Executive position for consecutive years must continue to be an eligible voting member (i.e. with a child at the school), put forward their nomination and be re-elected at each AGM.
3. No person may hold more than one elected Executive position at any one time.
4. If an Executive officer ceases to be a voting member of the PAC during their term (e.g. they no longer have a child at the school), their position shall be immediately vacated.

## **D. REMOVAL OF EXECUTIVE**

1. The members may, by a majority of not less than 75% of the votes cast, remove an Executive member before the expiration of his or her term of office, and may elect an eligible member to complete the term.
2. Written notice specifying the intention to make a motion to remove the Executive member must be given to all members not less than 14 days before the meeting.

## **E. 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.

## **F. EXECUTIVE MEETINGS**

1. **Meetings:** At least one Executive meeting shall be held before each general meeting. Where possible, meetings will be regularly scheduled at a consistent time and place that can accommodate all members.
2. **Quorum:** A quorum for Executive meetings shall be a majority (50% plus 1) of the members of the Executive.
3. **Notice:** Executive members shall be given a minimum of one week notice of Executive meetings unless otherwise agreed by 50% of members plus 1.
4. **Voting:** All matters requiring a vote at Executive meetings will be decided by a simple majority of the votes cast (50% plus 1).
  - a. In the case of a tie vote, the chair does not have a second or casting vote and the motion is defeated.

## **SECTION VII - COMPOSITION OF EXECUTIVE AND DUTIES OF OFFICERS**

### **A. COMPOSITION**

1. The Executive shall consist of a board of no fewer than 5 (five) elected officers which will be the Chairperson, Treasurer and Secretary plus two Members at Large. The Executive may also include up to 5 (five) additional Members at Large, as well as one or more Outgoing Executive Members.

### **B. ROLES AND RESPONSIBILITIES**

1. The roles and responsibilities appointed to each Executive member shall be determined and designated at the AGM or immediately thereafter, prior to the next general meeting.
2. The following duties shall be fulfilled by the Executive team according to their elected position, except where the executive members all agree to reassign them among the Executive Members (such as in the case where a role is shared among two Executive officers).

#### **The Chairperson shall:**

- a) convene and preside at membership, special and Executive meetings.
- b) ensure that an agenda is prepared and presented.
- c) know the constitution and bylaws and meeting rules.
- d) know where to find resources to assist members.
- e) appoint committees where authorized to do so by the Executive or membership.
- f) consult PAC members regularly.
- g) ensure that the PAC is represented in school and school district activities.



- h) ensure that PAC activities are aimed at achieving the objectives and purposes of the organization, as outlined in Section II.
- i) be the official spokesperson for the organization.
- j) be a signing officer.
- k) meet monthly with the treasurer to review and acknowledge by signature the financial statement(s).
- l) ensure roles and responsibilities are recorded and documented for future persons in this role.
- m) delegate the duties of any Executive position not filled to the elected officers.
- n) perform other duties as required.

**The Treasurer shall:**

- a) be a signing officer.
- b) receive and receipt all funds for the Council.
- c) disburse funds authorized by the Executive or members.
- d) maintain an accurate record of all expenditures of the Council.
- e) give a report of all receipts and expenditures at all general meetings.
- f) ensure that all members handling funds are provided with and aware of the Financial Policy and Guidelines of ÉMJS PAC.
- g) deposit all funds collected on behalf of the Council in an account at a recognized financial institution approved by the PAC.
- h) meet monthly with the Chairperson to review and acknowledge by signature the financial statement(s).
- i) only delegate responsibility for depositing funds to a signing officer of the Executive.
- j) make financial records available for viewing by members upon request.
- k) have the financial records ready for inspection or audit annually.
- l) with the assistance of the Executive, draft a budget and tentative plan of expenditures as per Section XIV.
- m) ensure that another signing officer has access to the financial records in the event of his/her absence.
- n) ensure roles and responsibilities are recorded and documented for future persons in this role.
- o) perform other duties as required.
- p) ensure all funds of the Council are properly accounted for.
- q) ensure the proper financial records and books of account are maintained.

**The Secretary shall:**

- a) ensure that members are notified of meetings.
- b) record the minutes and action points of general, special and Executive meetings.
- c) be a signing officer.
- d) safely keep all records of the Council.
- e) issue and receive correspondence on behalf of the organization.
- f) prepare and maintain other documentation as requested by membership or Executive.
- g) keep an accurate and up-to-date copy of the Constitution and Bylaws, and have copies available for members upon request.
- h) ensure role and responsibilities are recorded and documented for future persons in this role.
- i) perform other duties as required.

**Members at Large may:**

- a) assume the responsibilities of the Chairperson in the Chairperson's absence or upon request.
- b) assist the Chairperson in the performance of his/her duties.
- c) accept extra duties as required.
- d) be a signing officer.
- e) ensure role and responsibilities are recorded and documented for future persons in the role.

**Outgoing Council Members:**

To assist with the transfer of knowledge from outgoing Executive members to the new Executive and facilitate more seamless transitions from year to year, when there is significant turnover or attrition of Executive members, at least one outgoing Executive member is encouraged to stay on through the end of the current school year beyond the 2-week transition period as an Outgoing Executive Member. While not an official Executive role (i.e. this does not count toward the total number of Executive members for quorum), Outgoing Executive Members may:

- a) attend Executive meetings and participate in discussions and decisions in an advisory capacity.
- b) assist the Executive in the performance of duties, with the intention of mentoring, training or transferring knowledge through the process.
- c) accept extra duties as needed.
- d) ensure roles and responsibilities are recorded and documented for future persons taking over their previous role.

**SECTION VIII - COMMITTEES**

1. The membership and Executive may appoint standing and ad hoc 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 are responsible to and will report to the membership and Executive as required.

**SECTION IX - CODE OF ETHICS**

A member who accepts a position on the ÉMJS PAC Executive:

- a) Upholds the Constitution and Bylaws, policies and procedures of the Council.
- b) Performs his/her duties with honesty and integrity and in the interests of the council.
- c) Works to ensure that the well-being of students is the primary focus of all decisions.
- d) Respects the rights of all individuals.
- e) Takes direction from the members, ensuring representation processes are in place.
- f) Encourages and supports parents and students with individual concerns to act on their own behalf, and provides information on the process for taking forward concerns.
- g) Works to ensure that issues are resolved through due process, i.e., with advance notice, time to prepare, and the right to appear.
- h) Strives to be informed, and only passes on information that is reliable.

- i) Respects all confidential information.
- j) Where there is a conflict of interest or a perception of conflict of interest, abstains from debate or voting on any motion.

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.

An Executive member or representative 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.

## **SECTION X - FINANCIAL MATTERS**

1. The financial year of the Council will be August 1st to July 31st.
2. The Council may raise and spend money to further its purposes.
3. All funds of the Council must be kept on deposit in the name of the Council in a bank or financial institution registered under the Bank Act.
4. The Executive will name at least three signing officers for banking and legal documents. Two signatures will be required on all of these documents.
5. The Executive will prepare a budget and present it to the membership for approval at a general meeting before the current budget expires.
6. The Executive will present all proposed expenditures beyond the current budget for approval at the next general meeting.
7. A treasurer's report will be presented at each general meeting.
8. Members at a general meeting may appoint an auditor.

## **SECTION XI - CONSTITUTION AND BYLAW AMENDMENTS**

1. The members may, by a majority of not less than 75% of the votes cast, amend the Council's Constitution and Bylaws.
2. Written notice specifying the proposed amendments must be given to the members not less than 14 days before the meeting.
3. Where the proposed amendments exceed one page, they need not be given to every member, but must be posted in a conspicuous place in the school or made accessible to all members.
4. A constitution or bylaw amendment shall be dated, signed and deposited with the ÉMJS

Administration for safekeeping.

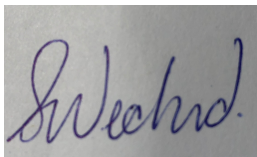
## SECTION XII - PROPERTY IN DOCUMENTS

All documents, records, minutes, correspondence, or other papers kept by a member, Executive member, representative, or committee member in connection with the Council shall be deemed to be property of the Council and shall be turned over to the Chairperson when the member, Executive member, representative, or committee member ceases to perform the task to which the papers relate.

## SECTION XIII - DISSOLUTION

1. In the event of dissolution or winding up of the Council, and after payment of all debts and costs of dissolution or winding up, the assets and remaining funds of the Council shall be distributed to another parent advisory council, or councils, in Greater Victoria School District No.61 having purposes and objectives similar to those of the Council, as the members of the Council may determine at the time of dissolution or winding up. This clause shall be unalterable.
2. In the event of dissolution of the Council, all records of the organization shall be placed under the jurisdiction of Greater Victoria School District No. 61 in the person of the principal of the school.

**Adopted by École Margaret Jenkins School Parent Advisory Council at  
Victoria, British Columbia, on May 28 \_\_\_\_\_, 2020\_\_.**



Chairperson



Secretary

(Note: electronic signatures added until signatures can be obtained in person)

**Statement of Understanding**

I, the undersigned, in accepting the position of \_\_\_\_\_ on the École Margaret Jenkins School Parent Advisory Council Executive, have read, understood and agreed to abide by the Code of Ethics set out in this document.

Name of Executive Member: \_\_\_\_\_

Signature: \_\_\_\_\_

Date:

Phone number:

**Note: This page must be photocopied and used yearly for the new Executive to sign.**