

# Constitution and bylaws: summary of changes

Executive members met in February and March to review the existing constitution and bylaws and recommend changes. The recommended changes are summarized here:

- Removed all references to the School Planning Council (legislation revoked in 2015)
- Added “sexual orientation, or physical or mental ability” to the list of prohibited grounds for discrimination.
- Added fundraising and encouraging parent involvement in the school more explicitly to the PAC’s purposes.
- Added a section to define common terms.
- Clarified who is a voting vs. non-voting member.
- Lowered the threshold required for general members to call a general meeting by petition from 50% of members, to 50 members.
- Clarified voting rules and processes for general meetings and elections.
- Clarified executive roles and responsibilities.
- Changed executive terms from “1 or 2 years” to two years.
- Raised from \$100 to \$500 the threshold for spending motions above which the executive must meet to review, prior to a general meeting.

**To take effect, the revised bylaws must be approved by two thirds of the voting members in attendance at the May 12th 2023 PAC meeting.**

# PUNTLEDGE PARK ELEMENTARY PARENT ADVISORY COUNCIL

## Constitution and Bylaws

A copy of these Bylaws shall be submitted to the school board office for safe-keeping purposes only.

Draft Revised April 27, 2023

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# CONSTITUTION

## SECTION I NAME

The name of the association shall be:

PUNTLEDGE PARK ELEMENTARY PARENT ADVISORY COUNCIL (School District No. 71)

The council will operate as a non-profit organization with no personal financial benefit.

The business of the council shall be unbiased towards race, religion, gender, politics, sexual orientation, or physical or mental ability.

## SECTION II PURPOSES

1. To advise the school principal and staff on the parental views about school programs, policies and activities.
2. To communicate with parents, and promote co-operation between the home and the school in providing for the education of children.
3. To assist parents in accessing the system, and to advocate on behalf of parents and students.
4. To organize activities and events for the school community.
5. To contribute to the effectiveness of the school by promoting the involvement of parents and other community members.
6. To support, encourage, and improve the quality of education and the well being of students in Ecole Puntledge Park Elementary School.
7. To encourage parent involvement in the school, and to support programs that promote parent involvement.
8. To provide financial support for the goals of the PAC, as determined by the membership.

## INTERPRETATION OF TERMS

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

**“district”** means School District No. 71

**“DPAC”** or **“district parent advisory council”** means the parent advisory councils organized according to the School Act and operating as a district parent advisory council in School District No. 71

**“PAC”** or **“parent advisory council”** or **“council”** means the parents organized according to the School Act and operating as a parent advisory council in Ecole Puntledge Park

**“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. 71

**“school”** means any public elementary or secondary educational institution as defined in the School Act operating within School District No. 71

## BYLAWS

### SECTION III DISSOLUTION

1. Upon winding up of dissolution of the Council, the assets which remain after payment of all costs, charges and expenses which are properly incurred in the winding up shall be distributed to the School District 71 (Comox Valley). This provision shall be unalterable.
2. In the event of dissolution of the Council all records of the organization shall be placed under the jurisdiction of the School District 71(Comox Valley).
3. Should the Puntledge Park Elementary Parent Advisory Council, which received charitable gaming funds from licensed charitable gaming and/or direct charitable access, at any time dissolves or ceases to exist, have any and all gaming monies or assets purchased with gaming funds held at the date of dissolution or cessation of existence these/they shall be distributed by Puntledge Park Elementary Parent Advisory Council to:
  - a. A registered charity or registered charity in British Columbia, as defined in the Income tax Act (Canada), as may be determined by the members of the Society at the time of winding up or dissolution, OR
  - b. Such charitable organization or organizations in British Columbia having similar charitable purposes.
4. The foregoing resolution shall not be altered or amended and shall continue to be binding on the Puntledge Park Elementary Parent Advisory Council. The Puntledge Park Elementary Parent Advisory Council will provide its undertaking, by delivery of a copy of the resolution to the Gaming Policy and Enforcements Branch, that it will abide by limits on the application of its assets on dissolution as provided herein.

### SECTION IV MEMBERSHIP

1. Voting members: All parents and guardians of students registered at Puntledge Park Elementary School may be voting members of the PAC.
2. Non-voting members:
  - a. Administration, staff (teaching and non-teaching), and students of Ecole Puntledge Park Elementary School may be invited to PAC meetings as non-voting attendees.

- b. A staff member who is a parent of a student enrolled at Puntledge may be a voting member at general meetings of the PAC.
  - c. Members of the school community who are not parents of the students currently in the system may also be non-voting members of the PAC.
3. Every member will uphold the constitution of the PAC and comply with the PAC bylaws.

## SECTION V MEETINGS

1. There shall be an Annual General Meeting for the purpose of election of officers held in June of each year.
2. General meetings shall be held at least once a month during the school year to conduct current business.
3. Executive meetings and additional general meetings shall be held at the discretion of the Executive, or upon the receipt of a petition representing fifty voting members.
4. Meetings will be conducted efficiently and with fairness to the members present.

## SECTION VI VOTING

1. No less than five voting members present at any duly-called general meeting shall constitute a quorum.
2. Questions arising at any meeting shall be decided upon by ordinary resolution (i.e. a simple majority vote) unless the matter is required by the School Act or these Bylaws to be decided by special resolution or by another resolution having a higher voting threshold than the threshold for an ordinary resolution.
3. In the case of a tie vote the chair does not have a second or casting vote and the motion is defeated.
4. Voting of members on all the matters must be given personally, voting by proxy shall not be permitted.
5. Except as provided elsewhere in these bylaws, voting shall be done by show of hands, an oral vote or another method that adequately discloses the intention of the voting members, or, where requested by two voting members present, by secret ballot.
6. If procedural problems should arise, Robert's Rule of Order will be used to resolve the situation.

## SECTION VII ELECTION OF THE EXECUTIVE OFFICERS

1. The executive officers shall be elected from the voting members at the Annual General Meeting.
2. No employee/elected official of school district 71 or Ministry of Education shall hold an executive position.
3. Call for nominations shall be made at the meeting in May.

4. In the event of a vacancy on the Executive during the year the PAC Executive may appoint a new officer to be ratified at the next regularly scheduled General meeting of the PAC.
5. Elections shall be conducted by the Chairperson.
6. Election of officers shall be done by secret ballot.

## SECTION VII-B ELECTION OF DISTRICT PARENT ADVISORY COUNCIL REPRESENTATIVE

1. One parent representative shall be elected annually from parent or legal guardians of students enrolled in the school, who are not employees of School District 71 or of the Ministry of Education, to represent the Puntledge Park Elementary School Parent Advisory Council at the School District 71 District Parent Advisory Council.
2. Per the School Act s.8(6) the election of the District Parent Advisory Council representative must be by secret ballot.

## SECTION VIII EXECUTIVE TERM OF OFFICE

1. The term of office shall commence in July of each year and shall be for two years.
2. Any elected member of the Council may serve on the executive for as many years as they want, but no person may hold any one position for more than four consecutive years.
3. No person may hold more than one elected executive position at any one time.

## SECTION IX EXECUTIVE OFFICERS

1. The affairs of the Council shall be managed by a board of elected executive officers.
2. The executive will include the Chairperson, Secretary, Treasurer, Past Chairperson, DPAC representative, and such other members of the PAC as the membership decides.

## SECTION X DUTIES OF THE OFFICERS

1. CHAIRPERSON
  - a. Shall convene and preside at all membership, special, and executive meetings.
  - b. Shall ensure that an agenda is prepared and presented.
  - c. Shall appoint committees where authorized to do so by the executive or membership.
  - d. Shall be an ex-officio member to all committees except Nominating Committees.
  - e. Shall take such actions or ensure that such actions are taken by others to achieve the objectives and purpose of the PAC.
  - f. Shall be the official spokesperson for the PAC.
  - g. Shall be one of the three signing officers of the executive as per Section XII.
  - h. Shall issue and receive correspondence on behalf of the PAC.
  - i. Shall submit an annual report.
2. TREASURER

- a. Shall be responsible for and report on accounts of the PAC.
  - b. Shall be one of the three signing officers of the executive as per Section XII.
  - c. Shall prepare a financial report for publication in the school newsletter as per section XII.
  - d. Shall, with the assistance of the executive, draft a budget and tentative plan for expenditures as per Section XII.
  - e. Shall ensure that another financial signing officer has access to the books in the event of their absence.
  - f. Shall submit an annual report.
3. SECRETARY
- a. Shall record the minutes of membership, special, and executive meetings.
  - b. Shall distribute minutes to PAC members.
  - c. Shall keep an accurate copy of the Constitution and Bylaws and if and when changes are made they shall be done so in red and the copy of the amended shall be dated and initialed and a copy submitted to the school board office for safe keeping.
  - d. Shall safely keep all records of the Council.
4. DPAC REPRESENTATIVE
- a. Shall attend DPAC meetings.
  - b. Shall report back to the PAC.
  - c. Shall seek input from the PAC.
5. PAST CHAIRPERSON
- a. Shall help smooth the transition between chairpersons.
  - b. Shall assist and advise the PAC.

## SECTION XI COMMITTEES

1. Standing and ad-hoc committees shall be formed when necessary.
2. Committees are responsible to the executive and members.
3. Members may be appointed annually to committees by the chairperson after consultation with the executive.

## SECTION XII FINANCES

1. The Council shall have a fiscal year end of June 30.
2. A budget and tentative plan of expenditures should be drawn up by the executive and presented for approval at a general meeting prior to the end of October each year.
3. All funds of the organization will be on deposit in a bank or financial establishment registered under the Bank Act or a credit union established under the Credit Union Incorporation Act.
4. The executive shall name at least three executive members as signing officers, one of whom will be the treasurer and one of whom will be the chairperson.
5. Two signatures will be required for banking and legal documents.

6. All money spent above and beyond a predetermined amount \$500.00 will be first presented to and voted on by the executive, and then approved by a majority at a general meeting.
7. A previous year end Treasurer's Report to all members should be presented to the PAC, by the Treasurer that was in office for that year, no later than the following October.
8. A need for audits will be agreed upon by the members at any general meeting where an independent auditor will be appointed as needed.

## SECTION XIII CONSTITUTION & BYLAW AMENDMENTS

1. Amendments to the Constitution and Bylaws of the Puntledge Park Elementary School Advisory Council may be made at any general meeting at which business is conducted, providing:
  - a. Written notice of the meeting has been given to all members (14 days minimum).
  - b. The notice of the meeting included notice of the specific amendments proposed.
  - c. A two-thirds (2/3) majority vote of those voting members present at the meeting will be required to amend the Constitution and Bylaws.

## SECTION XIV CODE OF CONDUCT

1. The Puntledge Park Elementary School Advisory Council is not a forum for the discussion of individual school personnel, students, parents, or other individual members of the school community.
2. An executive member who is approached by a parent with a concern relating to an individual is in a privileged position and must treat such discussion with discretion, protecting the confidentiality of the people involved.
3. A parent who accepts a position as a PAC Executive Member:
  - a. Upholds the Constitution and Bylaws, policies, and procedures of the PAC.
  - b. Performs their duties with honesty and integrity.
  - 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 that representation processes are in place.
  - f. Works to ensure that issues are resolved through due processes.
  - g. Strives to be informed and only passes on information that is reliable and correct.
  - h. Respects all confidential information.
  - i. Supports public education.

## SECTION XV RECALL OF OFFICERS

1. Any elected or Executive officer may be removed, by secret ballot, by a 2/3 majority of the PAC, at any General Meeting of the PAC provided there is 14 days written notice of the motion.