



Miracle Beach Elementary School Parents Advisory Council

Constitution and Bylaws

This document was presented at April 2024 General Meeting for vote at May AGM to adopt required changes. Please note all changes are highlighted. (this statement will be removed on final adaptation)

Red will be removed.

Green will be the corrections or added.

Constitution

Section I – Name

The name of the organization shall be the Miracle Beach Elementary School Parent Advisory Council, (PAC) as per the School Act Chapter 412 Division 2 - Section 8.

Section II - Purpose

1. To encourage parent involvement in the school, and support Miracle Beach Elementary curriculum, staff, programs and extracurricular activities.
2. To make recommendations to the school board, principal and staff on any matter relating to the school.
3. To encourage effective communication and cooperation between the home and school.
4. To provide leadership in the school community.
5. To assist parents in accessing BC school systems, and to advocate on behalf of the parents and students.
6. To organize Miracle Beach Elementary School Parent Advisory Council activities and events. Including the right to fundraise.
7. Responsibility to fulfill the Miracle Beach Elementary School Parent Advisory Council obligations as determined by the full membership.

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Section III – Interpretation of Terms

“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.

“District” means Comox Valley Schools District No. 71

“PAC” or “Parent Advisory Council ” means the parents organized according to the School Act and operating as the Miracle Beach Elementary School Parent Advisory Council.

“DPAC” or “District Parent Advisory Council” means the parent advisory council in School District no. 71.

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

- a. The guardian 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 Miracle Beach Elementary School

“School” means Miracle Beach Elementary School

“Membership” means any parent of a student or child enrolled in Miracle Beach Elementary School.

Bylaws

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Section I – Membership

Voting Members

1. All parents and guardians of students registered in Miracle Beach Elementary School are voting members of the Council.

Non-voting Members

2. Administrators and staff (teaching and non-teaching) of Miracle Beach Elementary School may be invited to become non-voting members of the council.
3. Members of the school community who are not parents of students registered in the public school system may be invited to become non-voting members of the Council.
4. At no time will the council have more non-voting than voting members.

Compliance with bylaws

5. Every member will uphold the constitution and comply with these bylaws.

Section II – Meetings of Members

Annual General Meeting (AGM)

1. The Annual General Meeting will be held in May for the purpose of electing the new executive officers to take office effective July 1 to June 30 of the current year.

General Meetings

2. General Meetings will be conducted with fairness to all members.
3. General meetings will be held not less than 6 times during the school year. One of which will be the annual general meeting.

Conduct

4. At general meetings, members will not discuss individual school personnel, students, parents, or other members of the school community.
5. The council will refrain from partisan political action or other activities that do not serve the interests of the school or the public school system.
6. Meetings will be conducted efficiently and with fairness to the members present. Length of meetings shall not exceed 2(two) hours.
7. PAC has the right to conduct business efficiently and in an orderly fashion using Robert's Rules of Order, unless they are in conflict with the guidelines in this constitution.

Other Meetings

8. Executive only meetings shall be held at the discretion of the current executive called by the chairperson.
9. Special Meetings may be called from time to time throughout the year at the discretion of the executive or by written request to the chairperson with a minimum notice of 7 days to the general membership.

Notice of Meetings

1. Members will be given reasonable notice of general meetings.

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Section III – Proceedings at Meetings

Quorum

1. A quorum for general meetings will be 7 (seven) voting members (the minimum number of voting members that can reasonably be expected to attend.)
2. If at any time during a general meeting a quorum ceases to be present, business then in progress must be suspended until there is a quorum present. The meeting can continue on an information only basis. NO voting can occur.

Voting

3. Except as provided elsewhere in these bylaws, all matters requiring a vote will be decided by a simple majority of votes cast (50% plus 1)
4. In the case of a tie vote, the motion will be lost.
5. Members must be present at meetings to vote. Voting by proxy is not permitted.
6. Voting is by show of hands, except when voting on AGM Elections.
7. AGM Elections voting will be completed by secret ballot as per the School Act Section 8-6.
8. A vote will be taken to destroy the ballots after every election held at AGM or Special Meetings.

Section IV – Executive

Role of the Executive

1. The executive will provide leadership for the council.
2. The executive will manage the day-to-day affairs of the council.
3. The executive will include the Chairperson, Vice-Chairperson, Secretary, Treasurer, DPAC Representative, **and Fundraising Coordinator and/or such other members of the council as the current executive decides.**
4. The **Executive** officers may establish committees, appoint members to serve on committees, delegate tasks to those committees and conduct business between general meetings, all such business must be brought forward to the next general meeting.

Eligibility

5. Any voting member of the council is eligible to serve on the executive, except employees, elected officials of School District No. 71 and/or the Ministry of Education.

Election of Executive

6. The executive officers shall be elected from the voting members at the Annual General Meeting held in May.
7. A call for Nominations shall be made at the general meeting held prior to the Annual General Meeting.
8. Nominations to be submitted to the nominations lead, who is decided by the executive.
9. Nominations will be forwarded to the Secretary for documentation.
10. 2 (Two) scrutineers shall be appointed by the **Executive Nomination Lead** in advance of the Elections.
11. Elections shall be by secret ballot.
12. A vote shall be taken to destroy the ballots.

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Term of Office

13. The executive shall hold office for a one-year term beginning on July 1st of the current year to June 30 of the following year.
14. The June meeting will be held with the past executive and newly elected executive for the purpose of training.
15. Elected members of council may serve on the executive for as many years as they are elected to a position, but no person may hold any one position for more than 3 consecutive years.
16. No person may hold more than one executive position at any one time.

Vacancy

17. If an executive member resigns or ceases to hold office for any reason, the remaining **executive members membership** may appoint an eligible member of the council to fill the vacancy until the next AGM.

Removal of Executive

18. Written notice specifying the intention to make a motion to remove the executive member must be given to the full executive not less than 14 days prior to any general meeting.
19. Written notice specifying the intention to make a motion to remove the executive member must be given to the full membership not less than 7 days prior to the general meeting.
20. The members may, by a majority of not less than 75% of the votes cast, remove an executive member before the expiration of their term of office, and removal is enacted Vacancy terms apply.

Remuneration of Executive

21. 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.

Section V – Executive Meetings

Meetings

1. Executive meeting will be held at the discretion of the Chairperson.

Quorum (for casual votes)

2. A quorum for executive meetings will be a majority (50% plus 1) of the members of the executive.

Notice

3. Executive members will be given reasonable notice of the executive meetings.

Voting

4. All matters requiring a vote at executive meetings will be decided by a simple majority of the votes cast (50% plus 1). Except on monetary decisions, these are not made at executive meetings.
5. In case of a tie vote, the chair does not have a second or casting vote and the motion is defeated.

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Section VI – Duties of Executive and Representatives

Chairperson

1. Convene and preside at all membership, special and executive meetings.
2. Ensure that an agenda is prepared and presented.
3. Take action or ensure that council activities are aimed at achieving the purposes set out in the constitution.
4. Be the official spokesperson for the council.
5. Consult with the council members.
6. Ensure that the council is represented in school and district activities.
7. Be the primary person responsible for electronic communications.
8. Be a signing officer.
9. Submit an annual report at the AGM.

Vice-Chairperson

1. Assume the duties of the chairperson in the chairperson's absence or upon request.
2. Support the chairperson.
3. Accept extra duties as required.
4. Be a signing officer.
5. Submit an annual report at the AGM.

Secretary

1. Record, prepare and distribute the minutes of the general, special and executive meetings.
2. Keep an accurate copy of the constitution and bylaws and make copies available to members upon request.
3. Issue and receive correspondence on behalf of the council including the PAC boards.
4. Accept extra duties as required.
5. Ensure safekeeping of all records of the council.
6. Ensure that members are notified of meetings.
7. Prepare and maintain other documentation as requested by the membership or executive.
8. May be a signing officer.

Treasurer

1. Be responsible for the report of banking accounts and ensure that proper financial records and books of all accounts are maintained.
2. Be a signing officer.
3. Report on all receipt and disbursement at general meetings.
4. With the assistance of the executive, consultation with the principal draft an annual budget.
5. Ensure that another signing officer has access to all the financial records and books of accounts in the treasurer's absence.
6. Apply and report on all gaming grants and licenses.
7. Ensure all funds of the council are properly accounted for.
8. Make **current year** financial records and books of accounts available to members upon request with consideration of FIPA.
9. Have the financial records and books of accounts ready for inspection or audit.
10. Keep original and electronic records **up** to date.
11. Submit an annual financial statement and report at the AGM.

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DPAC Representative

1. Attend all SD71 Comox Valley DPAC meetings or send registered alternate, to represent, speak, and vote on behalf of the council.
2. Report to the full membership and executive on all matters relating to DPAC.
3. Seek and give input to the DPAC on behalf of the council.
4. Receive, and provide DPAC newsletters, brochures, speaker series and announcements, at the following general meeting.
5. Receive and act on all communications related to DPAC.
6. Liaise with other parents and DPAC representatives.
7. Accept extra duties as required.
8. Submit an annual report at the AGM.

Fundraising Coordinator

1. Will be the lead/executive responsible for the Fundraising Committee.
2. Be responsible for overseeing all fundraising activities/efforts with assistance from other executives as needed.
3. Shall Maintain a record of fundraising activities, provide suggestions for improvement for future fundraisers.
4. Report at General Meetings of progress/upcoming fundraisers.
5. Submit a final fundraising report for each activity to the treasurer and secretary for financial purposes/record keeping.
6. Be available to support the school community and membership with fundraising efforts.
7. Accept extra duties as required.
8. Submit an annual report at the AGM.

Section VII – Committees

1. Standing and ad-hoc committees shall be formed when necessary and approved by the executive.
2. The terms of reference (TOR) of each committee will be specified by the committee membership or executive at the time the committee is established, or by the committee at its first meeting, and presented at the next general meeting.
3. Each committee will have its own Lead, who is expected to report on behalf of the committee at the general meetings.
4. ALL committees shall have an executive member spokesperson who will report to the executive and make their reports available at general meetings.
5. Members may be selected annually to committees by the full membership.
6. Committees shall submit an annual report at the AGM.

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Section VIII – Financial Matters

Financial Year

1. The financial year of the council will be July 1 to June 30.

Funds Management

2. The council may raise and spend money to further its purposes. **As per Section II of the Constitution**

Bank Accounts

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.

Signing Authority

4. The executive will name at least 3 (three) signing officers for banking and legal documents.
5. 2 (Two) signatures will be required on all of these documents.

Annual Budget

6. **With the assistance of the executive, through consultation with the principal, use of past year budget and income statement, draft a new annual budget for future year. The upcoming annual budget will be drafted from the previous budgets, and current income statement with the assistance from the Executive and consultation with the Principal.**
7. Present future year annual budget for approval before the current budget expires.

Non-budgeted Expenditures

8. The executive will present all proposed expenditures beyond the current approved budget for approval at any general meeting.

Treasurer's Report

9. A treasurer's report will be presented at each general meeting.

Audit

10. A need for audits will be agreed upon a vote of the members at any general meeting.
11. **Whereupon an auditor is required the members will collectively agree on the chosen independent auditor. An independent auditor will be collectively agreed upon by the membership if an audit is required.**

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Section IX – Constitution and Bylaw Amendments

Amendments to the Constitution and Bylaws of Miracle Beach Elementary School Parent Advisory Council may be made at any general meeting at which business is conducted providing the following is met:

1. Notice specifying the proposed amendments must be made available to the members not less than 14 days before the meeting.
2. Where the proposed amendments exceed 1 (one) page but must be posted in a conspicuous place in the school and/or made accessible to all members.
3. A $\frac{2}{3}$ (two-thirds) majority vote of those present and voting at the meeting will be required to amend the Constitution and Bylaws.

Section X – Property of the Council

All documents, records, minutes, correspondence or other papers or related information kept by any member, including but not limited to executive members, representatives, or committee members in connection with the council shall be deemed to be property of the council. When the member ceases to perform the task to which the documents relate, they shall be turned over to the executive.

Section XI - Dissolution

1. If the school is permanently closed, the council shall be dissolved.
2. In the event of winding up or dissolution of the council, and after payment of all debts and costs of winding up or dissolution, the assets and remaining funds of the council will be distributed as per the BC School Act, and BC Gaming current guidelines.
In the event of dissolution and after payment of all debts and costs of dissolution, the assets and remaining funds of the council will be distributed equally to all SD71 PACs for the betterment of the children.
3. In the event of winding up or dissolution, all records of the council shall be given to the principal of Miracle Beach Elementary School and/or the Secretary-Treasurer of School District No.71.

Section XII – Code of Conduct and Ethics

All who attend are expected to follow the Code of Conduct and Ethics during all meetings, **correspondence** and representation of the council regardless of position or membership.

The Miracle Beach Elementary School Parents Advisory Council....

1. Is not a forum for the discussion of individual school personnel, students, parents or other individual members of the school community.
2. Is in a privileged position when approached and must treat such discussion with discretion, protecting the confidentiality of the people involved.
3. Works to ensure that the well-being of students is the primary focus of all decisions.
4. Upholds the constitution and bylaws, policies, and procedures of the elected body.
5. Performs their duties with honesty, integrity and in the interests of the council.
6. Respects the rights of all individuals with a positive, encouraging and safe environment.
7. Supports parents and students with individual concerns and provides information on the process for taking concerns forward.
8. Strives to be informed and only passes on information that is true and accurate.
9. Respects all confidential information.
10. Supports public education.

11. Honor the school code of conduct at all times.

12. Follow Roberts Rules of order.

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

14. The business of the PAC shall be unbiased in respect of the BC Human Rights Code.