

# Springvalley Middle Parent Advisory Council Constitution and Bylaws

The British Columbia School Act provides that:

*...It is the goal of a democratic society to ensure that all its members receive an education that enables them to become personally fulfilled and publicly useful, thereby increasing the strength and contributions to the health and stability of that society; (and)*

The Mission Statement for BC Schools is that:

*...The purpose of the British Columbia school system is to enable all learners to develop their individual potential and to acquire the knowledge, skills and attitudes needed to contribute to a healthy, democratic and pluralistic society and a prosperous and sustainable economy.*

And to facilitate achievement of those objectives the Act provides further that parents/guardians of students attending a school may apply to establish a Parent Advisory Council for that school. To that end, application has been made and a council established in respect of Springvalley Middle School.

In these Bylaws, Springvalley Middle School shall be referred to as "SMS" and the Parent Advisory Council shall be referred to as "PAC". "PAC Executive" refers to the entire PAC executive. "PAC Meeting" refers to a monthly general meeting of the PAC membership.

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# **CONSTITUTION**

## **Section I Name**

The name of the Council shall be the Springvalley Middle School Parent Advisory Council.

The Council will operate as a non-profit organization with no personal financial benefit accruing to members.

The business of the Council will be unbiased in respect of race, religion, gender, politics, sexual orientation, and physical or mental ability.

## **Section II – PURPOSES OF THE COUNCIL**

The purposes of the Council will be:

1. To promote the education and welfare of students in the school
2. To encourage parent involvement in the school, and to support programs that promote parent involvement
3. To advise the Board of Education, principal, and staff on any matter relating to the school, other than matters assigned to the School Planning Council
4. To participate in the work of the School Planning Council through the Council's elected representatives
5. To promote the interests of public education and, in particular, the interests of Springvalley Middle School
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 professional development, and a forum for discussion of educational issues
9. To assist parents in obtaining information and communicating with the principal and staff about their child's progress or other concerns
10. To assist the principal and staff in ensuring the highest safety standards are maintained in the school and neighbourhood
11. To organize and support activities for students and parents
12. To provide financial support for the goals of the Council, as determined by the membership
13. To advise and participate in the activities of the Central Okanagan District Parents Advisory Council (COPAC) and the BC Confederation of Parent Advisory Councils (BCCPAC)

### **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 School District No. 23 (Central Okanagan)

**“DPAC” or “District Parent Advisory Council”** means the parent advisory council organized according to the School Act and operating as a District Parent Advisory Council in School District No.23 (Central Okanagan)

**“PAC” or “Parent Advisory Council”** means the parents organized according to the School Act and operating as a Parent Advisory Council at Springvalley Middle School.

**“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 Springvalley Middle School.

**“school”** means Springvalley Middle School, operating within School District No. 23 (Central Okanagan)

**“SPC”** means the School Planning Council created for Springvalley Middle School according to the School Act

# **Bylaws**

## **Section I – MEMBERSHIP**

### **Voting members**

1. All parents and guardians of students registered in Springvalley Middle School are voting members of the Council.
2. A parent of a student at Springvalley Middle School, who is an employee of the School District, an elected official of any Board of Education In BC or an employee of the Ministry of Education, is considered to be a voting member of the council. It is the responsibility of each member to not vote or enter into debate on any issue which they may have a real or perceived conflict of interest.

### **Non-voting members**

2. Administrators and staff (teaching and non-teaching) of Springvalley Middle 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.
6. All executive members will receive a copy of the SMS PAC Bylaws and will be required to sign a statement that they have read and understand the Bylaws and will uphold the same.

## **Section II –MEETINGS OF MEMBERS**

### **General meetings**

1. General meetings will be conducted with fairness to all members.
2. General meetings will be held not less than eight (8) times during the school year. The Annual General meeting will be held in June for the purpose of the election of officers and School Planning Council members.
3. The executive meetings and additional meetings shall be held at the discretion of the executive, or upon the receipt of a petition representing fifty percent (50%) of the voting members. Every reasonable effort shall be made to provide a minimum of seven (7) days to the general membership of any extraordinary meeting being called.

### **Conduct**

3. At general meetings, members will not discuss individual school personnel, students, parents, or other members of the school community.
4. 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.

### **Notice of meetings**

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

### **Section III – PROCEEDINGS AT GENERAL MEETINGS**

#### **Quorum**

1. A quorum for general meetings will be five (5) voting members no more than three (3) of which may be executive members.
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 or until the meeting is adjourned or terminated

#### **Voting**

3. 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).
4. In the case of a tie vote, the president shall cast a vote to break the tie.
5. Members must vote in person on all matters. Voting by proxy will not be permitted.
6. Except as provided elsewhere in these bylaws, voting is by a show of hands or, where requested by any members present, by secret ballot.
7. A vote will be taken to destroy the ballots after every election.

## **Section IV -- EXECUTIVE**

### **Role of executive**

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

### **Executive defined**

2. The executive will include the president, vice-president, secretary, treasurer, immediate past president (if appropriate) COPAC Rep, two (2) or more members at large, at least one (1) parent member of the School Planning Council.

### **Eligibility**

3. With the exception of School Planning Council members, any voting member of the Council is eligible to serve on the executive. School Planning Council Members may not be employees of any School District, the Ministry of Education or elected officials of any Board of Education in BC.

### **Election of executive**

4. The executive will be elected at each Annual General Meeting.
5. Elections will be conducted by the chair of the Nominations Committee.

### **Term of office**

6. The executive will hold office for a term of one (1) school year beginning in September following the election. The outgoing executive will use the month of June to assist the incoming executive in learning the duties and responsibilities of each position.
7. No person may hold the same executive position for more than two (2) years.

### **Vacancy**

8. If an executive member resigns or ceases to hold office for any other reason, the remaining executive members may appoint an eligible member of the Council to fill the vacancy until the next annual general meeting.

### **Removal of executive**

9. 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.
10. 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.

### **Remuneration of executive**

11. 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 meetings will be held at the call of the president. At least one meeting will be held before each general meeting. Any member may attend an executive meeting but shall not be permitted to vote.

### **Quorum**

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 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).
5. In the case of a tie vote, the president shall cast a vote to break the tie.

## **Section VI - SCHOOL PLANNING COUNCIL, DISTRICT PARENT ADVISORY COUNCIL AND EXTERNAL COMMITTEE REPRESENTATIVES**

### **School Planning Council representatives**

1. Three (3) representatives to the School Planning Council (SPC) must be elected by secret ballot annually from among the voting members who are not employees or elected officials of any Board of Education in BC or the Ministry of Education. One (1) of these representatives must be an elected member of the Council executive.

### **District Parent Advisory Council representative**

2. One (1) representative to the Central Okanagan Parent Advisory Council (COPAC) may be elected by secret ballot annually from among the voting members.

### **Election of SPC and DPAC representatives**

3. The election of representatives to the SPC and DPAC must be by secret ballot.

### **Term of office**

4. SPC and DPAC representatives will hold office for a term of one year.

### **Vacancy**

5. If an SPC or DPAC representative resigns or ceases to hold office for any other reason, the membership may elect an eligible member of the Council to fill the vacancy for the remainder of the term. Such election must be by secret ballot.

### **External committees**

6. The membership or executive may elect or appoint a member to represent the Council on an external committee or to an external organization.
7. The representative will report to the membership or executive as required.

## **Section VII – CONDUCT OF EXECUTIVE AND REPRESENTATIVES**

### **Code of ethics**

1. On election or appointment, every executive member and representative must sign and agree to abide by a code of ethics acceptable to the membership.

### **Representing the Council**

2. Every executive member and representative must act solely in the interests of the parent membership 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. 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.
5. Such an executive member or representative must avoid using his or her position on the Council for personal gain.

## **Section VIII – DUTIES OF EXECUTIVE AND REPRESENTATIVES**

### **A. The President will**

- a. speak on behalf of the Council
- b. consult with Council members
- c. preside at membership and executive meetings
- d. be an ex-officio member to all committees except the Nominating Committee
- e. ensure that an agenda is prepared
- f. appoint committees where authorized by the membership or executive
- g. ensure that the Council is represented in school and district activities
- h. ensure that Council activities are aimed at achieving the purposes set out in the constitution
- i. be a signing officer
- j. remain available to assist the President-Elect to learn his/her duties until the last day of the current school year
- k. In the event that the President is unable to remain until the end of the school year, an outgoing executive member will be appointed to complete the tasks as outlined in Item j

### **B. The Vice-President will**

- a. support the president
- b. assume the duties of the president in the president's absence or upon request
- c. assist the president in the performance of his or her duties
- d. accept extra duties as required
- e. may be a signing officer

### **C. The Secretary will**

- a. ensure that members are notified of meetings
- b. record and file minutes of all meetings
- c. keep an accurate copy of the constitution and bylaws, and make copies available to members upon request and when changes are made to the Constitution and Bylaws the copy shall be dated and signed and submitted to the Secretary Treasurer's office for School District No. 23 (Central Okanagan) and to COPAC.
- d. prepare and maintain other documentation as requested by the membership or executive
- e. issue and receive correspondence on behalf of the Council
- f. ensure safekeeping of all records of the Council
- g. may be a signing officer
- h. safely keep all records of the Council

**D. The Treasurer will**

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

**E. The DPAC Representative will**

- a. attend all meetings of the Central Okanagan Parent Advisory Council (COPAC) and represent, speak, and vote on behalf of the Council
- b. report regularly to the membership and executive on all matters relating to the DPAC
- c. seek and give input to the DPAC on behalf of the Council
- d. receive, circulate, and post DPAC newsletters, brochures, and announcements
- e. receive and act on all other communications from the DPAC
- f. liaise with other parents and DPAC representatives
- g. submit an annual report

**F. The Members-at-Large will**

- a. serve in a capacity to be determined by the Council at the time of election, and at other times as the Council requires

**G. The immediate Past President will, if appropriate**

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

**H. The School Planning Council (SPC) representatives will**

- a. attend all meetings of the School Planning Council (SPC)
- b. represent, speak, and vote on behalf of the Council at SPC meetings
- c. request and take direction from the membership and executive
- d. be strong advocates for meaningful parent involvement in the school and school planning
- e. attend general and executive meetings as directed by the membership or executive

## **Section IX – 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 will be appointed annually before the annual general meeting.

## **Section X – FINANCIAL MATTERS**

### **Financial year**

1. The financial year of the Council will be September 1<sup>st</sup> to August 31<sup>st</sup>.

### **Power to raise money**

2. The Council may raise and spend money to further its purposes.

### **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 three (3) signing officers for banking and other documents. Two signatures will be required on all banking documents required for the release of PAC funds.

### **Annual budget**

5. The executive will prepare a budget and present it to the membership for approval before the end of November each year.

### **Non-budgeted expenditures**

6. The executive will present all proposed expenditures beyond one hundred dollars (\$100.00) for consideration at the next general meeting.

### **Treasurer's report**

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

### **Auditor**

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.



## **Section XII – PROPERTY IN DOCUMENTS**

1. 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 president when the member, executive member, representative, or committee member ceases to perform the task to which the papers relate.

### **Section XIII – 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 such charitable organizations or organizations in British Columbia having a similar charitable purpose. This provision shall be unalterable.
2. In the event of winding up or dissolution, all records of the Council shall be placed under the jurisdiction of School District No.23 (Central Okanagan) in the person of the Principal of Springvalley Middle School

This clause is unalterable see Appendix I

**Section XIV – APPENDIXES**

**APPENDIX I**

RESOLVED that should the Springvalley Middle School Parent Advisory Council, which received charitable gaming funds from licensed charitable gaming and /or direct charitable access, at any time dissolves or cease to exist, have any and all gaming monies or assets purchased with the gaming funds held a the date of the dissolution or cessation of existence these/they shall be distributed by the Springvalley Middle School Parent Advisory Council to:

1. A registered charity or registered charities 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

2. Such charitable organization or organizations in British Columbia having a similar charitable purpose.

RESOLVED FURTHER that the foregoing resolution shall not be altered or amended and shall continue to be binding on the Springvalley Middle School Parent Advisory Council

RESOLVED FURTHER that the Springvalley Middle School Parent Advisory Council will provide its undertaking, by delivery of a copy of this resolution to the gaming Policy And Enforcement Branch, that it will abide by the limits on the application of its assets or dissolution as provided herein.

CERTIFIED to be a true and correct copy of a resolution unanimously passed by the Board of Directors of the Springvalley Middle School Parent Advisory Council at a meeting held on September 11, 2001.

CERTIFIED to be a true and correct copy of the CONSITITUTION AND BYLAWS of the Springvalley Middle School Parent Advisory Council, Adopted by the members of the Springvalley Middle School PAC at Kelowna, British Columbia, on the \_\_\_\_day of \_\_\_\_\_2007.

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President

Secretary