



# Constitution and Bylaws

Revised May 2015

*Promoting Parent  
Involvement, Education and  
Meaningful  
District-wide Collaboration.*

# Constitution and Bylaws

May 2015

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**Revised from the May 2014 version**

# **CONSTITUTION**

## **ARTICLE 1 – ORGANIZATION**

- 1. The District Parents' Advisory Council (DPAC) for School District #62 (Sooke) (SD 62) is known as SOOKE PARENTS' EDUCATION ADVISORY COUNCIL (SPEAC).**
  - a. The mailing address of SPEAC is the SD 62 board office which is currently located at 3134 Jacklin Rd., Victoria, BC V9B 5R1.

## **ARTICLE 2 – PURPOSES OF SPEAC**

- 2. The purposes of SPEAC shall be to provide and maintain a parent liaison group at the district level within SD 62 that:**
  - **Liases:**
    - by expressing the parent voice to the district as well as informing parents of district information;
    - to facilitate parental involvement and collaboration in curricular and policy decisions where appropriate within SD 62;
    - develop, maintain and advance communications among parents and the SD 62 community
  - **Educates:**
    - by sponsoring educational forums for the purpose of increasing public dialogue and parent awareness on educational and parenting issues;
    - the parents of district policy and procedures to support them as advocates for their children
  - **Engages:**
    - in developing, maintaining and encouraging meaningful parent involvement within SD 62;
    - to promote parent leadership in the community

# **BYLAWS**

## **PART 1 – DEFINITIONS**

- 1) In these bylaws, unless the context otherwise requires:
  - a) “officers” are the president, vice presidents, treasurer, and secretary
  - b) “directors” are those elected or appointed to director positions
  - c) “executive” consists of the officers and directors
  - d) “DPAC” means District Parents’ Advisory Council
  - e) “SPEAC” means the Sooke Parents’ Education Advisory Council
  - f) “PAC” means Parents’ Advisory Council
  - g) “parent” means the parent or guardian of a child(ren) currently enrolled in a SD 62 school
  - h) “member” means SD 62 school PAC
  - i) “delegate” means parent appointed by the school PAC
  - j) “non-voting delegates” are the delegates other than the delegate that will carry the vote
  - k) “district” means School District #62 (Sooke) SD 62
  - l) “school” means any elementary, middle, secondary or distance learning school within SD 62.
  - m) “assets” refers to any money in our bank account
  - n) “gaming funds” refers to the money applied for and granted by the BC Gaming Policy and Enforcement Branch

## **PART 2 – MEMBERSHIP**

- 2) To be a voting member of SPEAC, a PAC:
  - a) must elect or appoint a parent of the school at which his/her child currently attends;
  - b) must complete and submit a SPEAC membership form;
  - c) may elect or appoint multiple parent representatives, these names must all be on the membership form;
  - d) if a delegate changes during the year an updated registration form is required.
- 3) Every member’s delegate shall uphold the constitution and comply with these bylaws and any rules of the SPEAC.
  - a) A delegate may be expelled from a meeting for violating the constitution, bylaws or rules of the SPEAC, by a resolution of the delegates present.
  - b) The SPEAC president, or designate, will follow up with the member PAC President in writing within 14 days.

## **PART 3 – MEETINGS OF DELEGATES**

- 4) General meetings of SPEAC will be held monthly except during the months of July and August, when no meetings take place. Every meeting, including the Annual General Meeting (AGM), is a general meeting.
- 5) The executive may, when necessary, convene an extraordinary general meeting in addition to those meetings specified in Bylaw 4.
  - a) The executive shall convene an extraordinary general meeting in addition to those specified in Bylaw 4, upon written request of not less than 10% of the voting members, provided the request for the meeting includes the purpose of the meeting.
- 6) Notice of a general meeting shall specify the place, date and hour of meeting, and the general nature of the business.
  - a) The accidental omission to give notice of a meeting or the non-receipt of a notice by any of the members entitled to receive notice does not invalidate proceedings at the meeting.
- 7) The SPEAC AGM shall be held once in every calendar year in May and in any event not more than 15 months after the holding of the last annual general meeting.

## **PART 4 – PROCEEDINGS AT GENERAL MEETINGS**

- 8) The most current version of “Robert’s Rules of Order” in effect shall govern the proceedings at all meetings of SPEAC.
- 9) A quorum shall be 30% of the registered member delegates present in person or attending electronically, provided this shall never be less than 3 voting delegates.
  - a) No business, shall be conducted at a general meeting at a time when a quorum is not present.

If within 30 minutes from the time appointed for a general meeting a quorum is not present, the meeting shall be canceled or rescheduled.

- 10) Chairperson:
  - a) The president of SPEAC shall chair or appoint a chair, for all general meetings.
  - b) If at a general meeting the president is absent, and the president has not appointed a chair at the time appointed for holding the meeting an executive member may volunteer and upon approval of the majority of those present the meeting will proceed.
  - c) If no executive member is willing to act as chair the meeting will be cancelled.
- 11) All resolutions must be proposed and seconded before discussion and voting.
  - a) In the case of a tie vote the motion is defeated.

- 12) A delegate present in person or attending electronically at a meeting is entitled to one vote.
- Voting is by show of hands.
  - Voting for the election of directors and officers which shall be by secret ballot, therefore you must be present in person.
  - Only one delegate per member PAC may vote or make motions at any given meeting.
  - Non-voting delegates are welcome to attend and participate at all meetings. These members are however not able to vote or propose motions.
- 13) Proxy voting is not permitted.

## **PART 5 – EXECUTIVE; OFFICERS AND DIRECTORS**

- 14) The executive may exercise all the powers and do all the acts and things that SPEAC may exercise and do, and which are not by these bylaws or by statute or otherwise lawfully directed or required to be exercised or done by SPEAC in a general meeting, but nevertheless, subject to:
- all laws affecting SPEAC;
  - these bylaws;
  - rules, not being inconsistent with these bylaws, which are made from time to time by the SPEAC in general meeting;
  - no rule, made by SPEAC in general meeting, invalidates a prior act of the executive that would have been valid if that rule had not been made.
- 15) An executive member may be employed by the district, but employees may not exceed 40% of the current executive members.
- 16) The executive must retire from office May 31<sup>st</sup> after the Annual General Meeting when their successors will have been elected.
- The retired executive will be eligible for re-election, provided that, no director shall hold the same officer position for more than 3 consecutive years.
- 17) Term of office shall be for one year, commencing June 1<sup>st</sup>.
- 18) Elections of executive shall be in the following order:
- President
  - First vice-president
  - Communications vice-president
  - Treasurer
  - Secretary
  - BCCPAC Representative
  - any Directors to be elected
  - A past president is automatically a director by virtue of having served as the president the preceding year.

- 19) An election may be by acclamation; otherwise it shall be by secret ballot.
- 20) If no successor is elected, the person previously elected or appointed continues to hold office.
- 21) The call for nominations for directors and officers shall be made at the general meeting in April of each year. Nominations from the floor at the Annual General Meeting in May will also be accepted, provided the candidate for office consents to his/her appointment.
- 22) The executive may at any time appoint a delegate to fill a vacancy in the executive.
- a) A director so appointed holds office only until the conclusion of the next AGM of SPEAC, but is eligible for re-election at the meeting.
- 23) No executive member shall be remunerated for being or acting as an executive but an executive may:
- a) be reimbursed for approved SPEAC expenses;
- b) be compensated for their time when representing SPEAC on District or Provincial Committees. (This is any committee meeting that a group outside of SPEAC invites us to send our delegates to represent SPEAC. Examples would be the Standing Education Committee or Calendar Committee. E.C.O.W. and Board meetings do not qualify);
- The Rate for this compensation is based on the scheduled meeting time:
- less than 2 hours – \$25.00
  - less than 4 hours – \$50.00
  - greater than 4 hours – \$75.00
  - more than 8 hours is to be discussed and approved by the executive.
- These funds must be preapproved by the executive and must be applied for with the appropriate form filled out and presented to the treasurer in a timely manner. These rates must be reviewed annually, and amended to reflect current costs and funds available.

## **PART 6 – PROCEEDINGS OF EXECUTIVE**

- 24) The executive may meet at an agreed upon place, including electronic to transact business, adjourn and otherwise regulate their meetings and proceedings, provided that, the executive are expected to represent fairly, the views of the majority of the voting members and are not to act solely on their own behalf.
- a) The quorum necessary to transact business at an executive meeting shall be 50% of the executive currently in office.
- b) The president shall chair all executive meetings, but if at a meeting the president is not present within 15 minutes after the appointed time for holding the meeting, the first vice-president, or the second vice-president, shall act as chair. But if none are present the executive present may choose one of their members to chair that meeting.

- c) The executive shall meet at least five (5) times per year. The first executive meeting shall be held before the start of the school year.
- 25) Motions By Electronic Method:
- The Executive may transact business between general meetings by use of email or other electronic methods, when necessary.
  - As in section 24 a) 50% of executive members responding, will constitute the motion having been considered.
  - The item must be put in the form of a motion and seconded.
  - The chair will call the question once it has been seconded, executive members will have 24 hours to respond, unless otherwise stated by the chair.
  - When all have voted or the time has elapsed the chair will communicate if the motion has passed or defeated.
  - The results of all motions that are passed or defeated will be recorded at the next general meeting, for the record.
- 26) Committees:
- The executive may delegate any, but not all, of their powers to committees consisting of executive or delegates, as they see fit.
  - The executive will appoint a chair of any committees formed.
  - Once formed, a committee shall conform to any rules imposed on it by the executive.
  - Shall report at the subsequent general meeting.
  - Shall set and publish a meeting schedule with the intention of reaching and including as many parents as possible.
  - Committees are open to all district parents.
- 27) The nominating committee shall be a standing committee and will:
- consist of 3 voting delegates, one of whom shall be the first vice president who shall be the chairperson of the committee;
  - publicize positions to be filled and advise of the duties associated with that position;
  - solicit voting members to run for office; and
  - conduct all required elections including distributing and counting ballots;
  - The main functions of the nominating committee shall commence two (2) months prior to the annual general meeting but the committee may meet throughout the year as the circumstances require.
- 28) All resolutions proposed at executive or committee meetings must be seconded.
- 29) Resolutions arising at executive and committee meetings shall be decided by a majority of votes.
- 30) A resolution circulated by email to the executive, with a minimum of 24 hours allowed for replies, is considered a carried motion of the executive, if more than 50% of those who responded are in favour.

## **PART 7 – DUTIES OF OFFICERS**

- 31) The president shall:
- a) preside or delegate an executive member to preside at all meetings of SPEAC and of the executive;
  - b) supervise the executive in the execution of their duties;
  - c) be the spokesperson for SPEAC;
  - d) be a member of all committees;
  - e) be one of the signing officers;
  - f) compile the agenda items with executive input, and make copies available at the meeting.
  - g) by way of the communications vice president issue notice of meetings of SPEAC and executive;
- 32) The past president may:
- a) be a resource person;
  - b) be the elections officer;
  - c) be a signing officer.
- 33) The first vice-president shall:
- a) act as president in absence of the president;
  - b) be one of the signing officers;
  - c) take on other duties as deemed necessary;
  - d) chair the nominating committee.
- 34) The communications vice-president shall:
- a) act as president in absence of president and the first vice-president;
  - b) act as the first vice-president in the absence of the first vice-president;
  - c) be one of the signing officers;
  - d) receive, write and send the correspondence of SPEAC;
  - e) issue notice of meeting of SPEAC and executive;
  - f) maintain any SPEAC social media;
  - g) maintain the SPEAC webpage;
  - h) gather input from executive members for the monthly circular.
- 35) The secretary shall:
- a) keep minutes of all meetings of SPEAC and the executive and shall distribute those minutes to all voting members and delegates within 14 days of any meeting;
  - b) retain custody of all records and documents of SPEAC except those required to be kept by the treasurer;
  - c) maintain a current register of members, delegates and partner group representatives, including contact information;
  - d) bring the current register of members and delegates to all meetings.

- 36) The treasurer shall:
- keep the financial records;
  - generate financial statements for the executive, delegates and others when required;
  - report on current financial situation of SPEAC at all general and executive meetings;
  - bring copies of current bank statements to all general meetings;
  - apply for gaming funds annually in May before leaving office or annually by the deadline issued by The Gaming Policy and Enforcement Branch, as the deadline may change from time to time, and file all documents required to comply with gaming requirements;
  - be one of the signing officers.
- 37) In the absence of the secretary from a meeting, the executive shall appoint another person to act as secretary at the meeting.
- 38) Directors shall:
- serve in a capacity to be determined by SPEAC at the time of election, or at other times throughout their term. This may include, but not be limited to, serving on committees, assisting in organizing events or initiatives, and filling vacancies in the Executive which may arise between elections.

## **PART 8 – FINANCIAL AND BORROWING**

- 39) In connection with the financial affairs of SPEAC, the following shall apply:
- The executive shall present a draft budget no later than the October general meeting each year.
  - Non-budgeted expenditures over \$100.00 must first be approved by a resolution of the delegates.
  - All disbursements of funds of SPEAC must be by cheque or other auditable document.
  - The SPEAC's fiscal year shall be July 1<sup>st</sup> to June 30<sup>th</sup>.
  - A review of the SPEAC's books shall be done upon request by resolution of the members or executive.
- 40) The signing authority for the SPEAC shall be any two (2) of the signing officers.
- 41) In order to carry out the purposes of the SPEAC, the executive may, on behalf of and in the name of SPEAC, raise or secure the payment or repayment of funds in the manner of which is decided upon.

## **PART 9 – AUDITOR**

- 42) SPEAC shall not be required to have an auditor unless the delegates resolve to appoint an auditor.

## **PART 10 – NOTICE TO MEMBERS AND DELEGATES**

- 43) A notice may be given to a member, either personally, by email or by regular mail, at the member's last known address or school.
- 44) Notice sent by regular mail shall be deemed served on the third business day following the day notice is posted in a Canadian Post Office receptacle. A copy of the properly addressed envelope, with the sufficient postage may be retained for future reference, if deemed necessary.
- 45) Notice of a general meeting shall be given to:
- a) every member and delegate shown on the register of members (on the day notice is given); and
  - b) SD 62 education partners, including the superintendent
  - c) the auditor, if one has been appointed;
  - d) No other person is entitled to receive a notice of general meeting.

## **PART 11 – BYLAWS – COPIES AND CHANGES**

- 45) Upon being admitted to membership each member is entitled to receive, without charge, a copy of the constitution and bylaws of the SPEAC. Copies may also be provided to a member upon SPEAC receiving a request.
- 46) The constitution and bylaws shall only be altered by resolution after not less than 30 days notice being given to members and delegates.

## **PART 12 – DISSOLUTION**

- 47) If the SPEAC is dissolved the assets of the SPEAC will be distributed among appropriate charitable organizations with no assets being retained by delegates or executives of the SPEAC.
- 48) Gaming funds shall be dealt with in the manner that Gaming Policy and Enforcement Branch deems correct.

## **PART 13 – INVITED LIAISONS (NON-VOTING)**

- 49) The executive shall invite the following organizations annually, to appoint liaisons who shall each receive, organize and report information at each general meeting:
- a) Sooke Teachers Association (STA);
  - b) SD 62 Board of Education;
  - c) Sooke Principals and Vice Principals Association (SPVPA);
  - d) Canadian Union of Public Employees Local #459 (CUPE);
  - e) SD 62 Staff Liaison; and
  - f) Students

These groups, along with SPEAC are currently referred to as [SD 62 Education Partners](#).

Signed by 3 SPEAC Executive and a witness;

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FULL NAME	FULL NAME
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POSITION	POSITION
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Executive's signature	Executive's signature
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FULL NAME	WITNESS FULL NAME
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POSITION	Position/title
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Executive's signature	Witness's signature
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Signed and dated at Langford, British Columbia, this 20 day of May, 2015.

The amendments to this document were approved at the Annual General meeting May 2015.