

Constitution and Bylaws Kootenay Lake District Parents' Advisory Council

CONSTITUTION

SECTION I NAME AND PARAMETERS

1. The **name** of the Association shall be the **Kootenay Lake District Parents' Advisory Council**, School District No. 8, commonly referred to as the **DPAC**.
2. The DPAC will operate as a nonprofit organization with no personal financial benefit to its members.
3. The business of the DPAC shall be unbiased with respect to race, ethnic origin, religion, gender, sexual orientation, or politics.

SECTION II PURPOSE

The **purpose** of the Kootenay Lake District Parents' Advisory Council is to advise the school board of Kootenay Lake School District No. 8 on any matter relating to education and it is the belief of DPAC to support, encourage and improve all schools and school programs in School District No. 8, and to ensure that public education serves the best interests of students.

SECTION III AIMS AND OBJECTIVES

To this end, the **aims and objectives** of the DPAC shall be:

1. to represent collective parental views when advising the board, liaising with partner groups and community organizations;
2. to act, without prejudice, in the best interests of students;
3. to bring forward advice that puts the best interests of students first;
4. to provide a regular forum for the exchange of ideas and information among Parents' Advisory Councils (**PACs**) in S.D. No. 8 through their duly elected representatives;
5. to provide leadership and support as directed by the PACs so they can develop and maintain PACs at the individual school level in S.D. No. 8;
6. to provide parents, both through their DPAC representatives and directly, with information regarding educational and community matters;
7. to assist and support PACs and parents in accessing the school system at any level and in bringing forward any concerns in an appropriate manner;
8. to liaise with the British Columbia Confederation of Parent Advisory Councils (BCCPAC);
9. to model the Code of Ethics.

SECTION IV DISSOLUTION

1. Dissolution or winding up of the DPAC can only take place following a duly called meeting of the DPAC. Written notice of such a meeting must be given to all DPAC representatives, the Superintendent and the Trustee who represents the school Board a minimum of fourteen (14) days prior to the meeting.
2. Upon dissolution or winding up of the DPAC, the assets which remain after payment of all costs, charges and expenses that are properly incurred shall be distributed back to the S.D. No. 8 parents' advisory council as first priority, or to a registered charity or registered charities in British Columbia, having purposes and objectives similar to those of the DPAC, as may be determined by the Council at the time of dissolution. This provision is unalterable.
3. Upon dissolution or winding up of the Council, all records of the organization shall be placed under the jurisdiction of School District No. 8.

BYLAWS

SECTION V INTERPRETATION OF TERMS

1. **BCCPAC** refers to the British Columbia Confederation of Parent Advisory Councils.
2. **Community Organizations** refers to groups that demonstrate an interest in public education, and particularly in the educational operations of School District No. 8, and are not already included in the scope of this constitution and who may request a presence at DPAC meetings with no voting privileges.
3. **Council** refers to the District Parents' Advisory Council, which consists of the group of duly elected DPAC representatives and the elected executive members.
4. **District** refers to School District No. 8 (Kootenay Lake).
5. **DPAC** refers to the Kootenay Lake District Parent's Advisory Council, School District No. 8, which is recognized under the British Columbia school act - Bill 34-2002, Div. 2, Section 8.4.
6. **DPAC Representative(s)** refers to the duly elected representative of the individual school's parents' advisory council who is a member of the DPAC.
7. **Member(s)** refers to a school's parents' advisory council who has submitted the DPAC Membership Form to the DPAC executive or supplied the information personally or through electronic means, indicating the name of the PAC and the name and contact information of the elected DPAC representative.
8. **Parents' Advisory Council (PAC)** refers to any organized group of parents recognized under the British Columbia School Act - Bill 34-2002, Div. 2, Section 8.
9. **Parent(s)** refers to the Parent(s) or Legal Guardian(s) of a child or children enrolled in a public school within School District No. 8 (Kootenay Lake), and who may attend DPAC

meetings but who will not have voting privileges unless they are attending as a PAC's elected DPAC representative.

10. **School(s)** refers to any school(s) recognized by the School Act within School District No. 8 (Kootenay Lake).
11. **School Board** refers to the elected governing board of School District No. 8.
12. **S.D. No. 8** refers to School District No. 8 (Kootenay Lake).
13. **Superintendent** refers to the Superintendent of schools for the S.D. No. 8 (Kootenay Lake).
14. **Trustee** refers to a trustee elected to the S.D. No. 8 (Kootenay Lake).
15. **General Meeting** refers to any meeting in which general business of DPAC is discussed.
16. **Special Meeting** refers to any meeting called to discuss special circumstances.
17. **Annual General Meeting** refers to the meeting at which officers are elected and the financial statement is read.

SECTION VI MEMBERSHIP

1. **The members of the DPAC are Parents' Advisory Councils who** have filled out the DPAC Membership Form indicating the name of the PAC and the name and contact information of the DPAC representative, by the call to order of the AGM each year, and the PAC is not in good standing so long as the membership form remains outstanding.
2. Each member PAC is represented by a duly elected DPAC Representative who will be the contact person for the PAC and who will vote on behalf of the PAC, with one vote per PAC.
3. A PAC may apply to the DPAC Executive for membership and on acceptance by the executive is a member.
4. Every member must uphold the constitution and bylaws.
5. A PAC ceases to be a member of the DPAC:
 - a. by delivering a letter of resignation in writing to the secretary of the DPAC or by mailing or delivery it to the address of the DPAC or;
 - b. on dissolution.

SECTION VII MEETINGS

1. General meetings to conduct the business of the DPAC shall be held not less than three (3) times a year, one of those being the AGM.
2. The Annual General Meeting shall be held once per school year and it is recommended that it be held in October, for the purpose of the election of officers and reading of the financial statement.

3. Additional meetings (General, Special or Executive) may be held at the discretion of the Executive, or upon receipt of a petition representing not less than one-half (50%) of the voting members.
4. The most recent book edition of "Robert's Rules of Order" shall govern all proceedings of any meetings held within the DPAC.
5. Meetings will be conducted efficiently, fairly, and with respect for all participants.
6. Five (5) DPAC representatives present at any duly called meeting shall constitute a quorum.

SECTION VIII NOTICE OF MEETINGS

1. The Executive shall give not less than fourteen (14) days notice for a General or Special Meeting and not less than thirty (30) days notice for an Annual General Meeting, to the DPAC representatives; but those DPAC representatives may waive or reduce the period of notice for a particular meeting by unanimous consent in writing or by a unanimous vote if all of the DPAC representatives are present when the date for the General, Special or Annual General Meeting is decided.
2. Notice of General, Special and the Annual General meetings shall be given to every DPAC representative, the Executive members, superintendent of schools, and the School Board Chairperson.
3. The Executive may give notice to such other persons, as they shall determine from time to time.
4. Notice of Meeting shall specify the place, the day and the hour of the meeting, and the general nature of that business.
5. Notice of Meeting shall be deemed to be:
 - a. a statement in the minutes of a General Meeting in the case of calling the next General Meeting;
 - b. a statement in a letter with supporting documentation for the resolutions and/or business to be discussed in the case of calling a General Meeting to discuss changes to the Constitution and Bylaws;
 - c. a statement in a letter of the special business to be discussed in the case of calling a Special Meeting;
 - d. a statement in a letter indicating those nominated for executive positions, a copy of any resolutions being brought forward for consideration and a copy of the financial statement in the case of calling an Annual General Meeting.
6. Notice of Meeting shall be deemed given to the DPAC representatives in the following ways:
 - a. personally or
 - b. by the S.D. No. 8 inter-school mail system to the school PAC mail box. A notice given in this manner shall be deemed to have been given on the second day following that on which the notice is put in the inter-school mail, and in proving that notice is given, it is sufficient to prove the notice was properly addressed and put in the S.D. No. 8 inter-school mail or
 - c. by email to the email address noted for the DPAC representative. A notice given in this manner shall be deemed to have been given on the second day following

that on which the notice is emailed, and in proving that notice is given, it is sufficient to prove the notice was properly addressed and sent.

7. Notice of meeting shall be deemed to be given to the Superintendent and the Trustee by sending the notice and any supporting documentation to the School Board office.
8. The accidental omission to give notice to a DPAC representative, or the non receipt of notice by any DPAC representative entitled to receive notice, does not invalidate proceedings at the meeting.
9. In the case of an Executive meeting(s), all executive members shall be notified of the meeting. The Chairperson will consult with the executive members to determine how much notice will need to be given to call an executive meeting and how notice of meeting will be given. This will be done each year.

SECTION IX VOTING

1. Each PAC is entitled to one vote that is cast on the PAC's behalf by their duly elected DPAC representative.
2. Unless otherwise provided, motions arising at any meeting shall be decided by a simple majority vote.
3. In the case of a tie vote, the motion will be defeated.
4. Voting of DPAC representatives on all matters must be given personally or through electronic means.
5. Voting shall be done by a method determined at the beginning of the meeting, which is appropriate for the medium used to hold the meeting.
6. Election of officers may be done by secret vote.
7. If ballots are used, a vote shall be taken to destroy the ballots after the election.
8. Executive positions are nonvoting positions unless the Executive officer is also a duly elected DPAC representative.

SECTION X EXECUTIVE OFFICERS

1. The affairs of the Council shall be managed by a board of elected officers and the immediate past Chairperson.
2. The Executive officers may be as follows:
 - A. Chairperson
 - B. Vice-Chairperson
 - C. Secretary(ies) - may be divided into Recording and Correspondence
 - D. Treasurer
 - E. Past Chairperson (ex officio)

SECTION XI DUTIES OF THE EXECUTIVE OFFICERS

A. CHAIRPERSON

1. shall convene and preside at all General, Special, and Executive meetings;
2. shall ensure that an agenda is prepared and presented at all Council meetings;
3. shall appoint committees where authorized to do so by the Executive or Council;
4. shall be an ex officio member of all committees except the Nominating Committee;
5. shall take such actions or ensure that appropriate actions are taken by others to achieve the objectives and purposes of the Council;
6. shall be the official spokesperson for the Council, and as an official spokesperson of the Council shall represent only the wishes of the Council and never themselves as an individual person;
7. shall be one of the signing officers;
8. shall ensure that the Vice-Chairperson is current with pertinent Council business;
9. shall submit an annual report at the AGM;
10. shall ensure that the DPAC Executive Committee has discussed and consented to actions regarding DPAC interactions with partner groups and the school board.

B. VICE-CHAIRPERSON

1. shall assume the responsibilities of the Chairperson in their absence;
2. shall be current with all Council business;
3. shall accept extra duties as required;
4. may be one of the signing officers.

C. SECRETARY(IES)

1. shall record accurate and official minutes of all Council meetings;
2. shall distribute minutes to DPAC representatives, executive members, the Superintendent and the Trustee who attended as soon as possible after the last meeting;
3. shall keep an accurate and up-to-date copy of the Constitution and Bylaws;
4. shall make available on request, to any member of the Council, a copy of the Constitution and Bylaws;
5. shall keep and distribute to DPAC representatives an up-to-date record of the DPAC Executive and the record of DPAC representatives and their contact information;
6. shall issue and receive correspondence on behalf of the Council;
7. shall assist the Chairperson in providing information to the news media;
8. may be one of the signing officers;
9. shall safely keep all records of the Council.

D. TREASURER

1. shall maintain an accurate record of all receipts and expenditures of the Council;
2. shall receive all monies for the Council;
3. shall disburse funds as authorized by the Executive or the Council;
4. shall give a report of all receipts and expenditures and bank statements at all general Council meetings;
5. shall work with the Chairperson to prepare a budget at the beginning of each school year;
6. shall be one of the signing officers;

7. shall deposit all funds collected on behalf of the Council in an account at a recognized financial institution approved by the Executive;
8. shall have the books ready for inspection/audit annually;
9. shall submit an annual financial statement at the AGM;
10. shall ensure that another signing officer has access to the books in the event of their absence.

E. PAST CHAIRPERSON

1. shall foster a smooth transition between Chairpersons;
2. shall assist and advise the Council and its Executive in all matters pertaining to the Council;
3. shall act as a consultant for the Chairperson;
4. may chair the Nominating Committee.

SECTION XII ELECTION OF EXECUTIVE OFFICERS

1. The Executive officers shall be elected by the DPAC representatives at the Annual General Meeting each year.
2. A Nominating Committee consisting of a past DPAC Executive member or Committee Chair as Chairperson and two (2) additional PAC members selected by the Council shall be formed prior to the Annual General Meeting for the purpose of finding PAC members to fill Executive positions.
3. Call for nominations shall be made by the Nominating Committee Chairperson at the General Meeting immediately preceding the Annual General Meeting. Nominations for the positions of Executive officers are open to all parents in S.D. No. 8.
4. Nominations may be made up to the close of nominations during the Annual General Meeting.
5. Elections may be conducted by the Nominating Committee Chairperson.
6. In the event of a vacancy in the Executive during the year, the Executive may appoint the new officer from among the DPAC representatives or those parents recommended by their PACs, and the new officer shall hold office until the next election.
7. Tellers, who will be in charge of conducting a secret ballot, shall be appointed when deemed necessary by the Nominating Committee Chairperson at the time of the elections.
8. In the event a vote is taken by secret ballot, a vote shall be taken to destroy the ballots.
9. All Executive officers shall be required to sign the BCCPAC Code of Ethics (attached).

SECTION XIII LENGTH OF TERM OF OFFICE

1. The term of office shall be for one year commencing immediately following the Annual General Meeting or until the executive officer ceases to be a parent in S. D. No. 8.
2. Any person elected to the Executive may serve on the Executive for as many years as they are elected to a position, but it is recommended that no person hold any one position for more than two consecutive years.

3. No person may hold more than one elected Executive position at any one time.
4. The Past Chairperson shall hold that office for only one year.

SECTION XIV COMMITTEES

1. Standing and ad-hoc committees shall be formed by the Council when necessary.
2. Committees, members and other individuals representing DPAC are responsible to the Council and its Executive.
3. PAC Members may be appointed annually to committees by the Council or they may be appointed annually to committees by the Chairperson, when the Chairperson is authorized to do so by the Council.
4. Parent representatives to S.D. No. 8 committees shall be selected by the Council from DPAC representatives or from a list of interested PAC members submitted by PACs.

SECTION XV FINANCES

1. An annual financial statement shall be presented by the Treasurer at the Annual General Meeting.
2. All funds of the Council shall be on deposit at a recognized financial institution approved by the Executive.
3. The Executive shall name at least three (3) signing officers, one of whom shall be the Treasurer and one of whom shall be the Chairperson, for signing banking and legal documents. Two signatures will be required for these documents.
4. The DPAC representatives agreeing upon a need for an audit at any General Meeting will then appoint an independent audit.
5. Expenditures of over \$100 require the prior approval of the Council.
6. The sale of any property or assets belonging to the Council requires prior approval by the Council at a general meeting.

SECTION XVI CHANGING THE CONSTITUTION AND BYLAWS

Amendments to the Constitution and Bylaws of the Kootenay Lake District Parents' Advisory Council may be made only at a general meeting of the DPAC, providing that:

1. Written notice of the meeting has been given to all DPAC representatives a minimum of two (2) weeks prior to the meeting.
2. The notice of meeting includes notice of the specific amendment(s) proposed.
3. A two-thirds (2/3) majority vote of those members present at the meeting will be required to amend the Constitution and Bylaws.

Any amendments will be marked with the date of enactment in the revised Constitution and Bylaws.

SECTION XVII CODE OF CONDUCT AND ETHICS

1. The Kootenay Lake District Parents' Advisory Council is not a forum for the discussion of individual school personnel, students, parents, or any 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. If an Executive member is found to be in conflict with the Code of Conduct and Ethics by a two-thirds (2/3) majority vote of the Council, they will be removed from office. Administration of the Code of Conduct and Ethics will follow BCCPAC's "Administration of Code of Ethics" as set out in the BCCPAC Leadership Manual.

Adopted by the Kootenay Lake School District No. 8 District Parents' Advisory Council

On _____, 20_____

Chairperson

Secretary

CODE OF ETHICS

A parent who accepts a position as a DPAC Executive Member:

1. Upholds the constitution and bylaws, policies, and procedures of the Kootenay Lake District Parents' Advisory Council;
2. Performs their duties with honesty and integrity;
3. Works to ensure that the well being of students is the primary focus of all decisions;
4. Respects the rights of all individuals;
5. Takes direction from the members, ensuring representation processes are in place;
6. Encourages and supports parents and students with individual concerns to act on their own behalf, and provides information on the appropriate process for taking concerns forward;
7. Works to ensure that issues are resolved through due process;
8. Strives to be informed and passes on only reliable information;
9. Respects all confidential information;
10. Supports public education.

Statement of Understanding

I, the undersigned, in accepting the position of _____ on the Kootenay Lake District Parents' Advisory Council Executive, have read, understood, and agree to abide by the Code of Ethics set out in this document. I also agree to participate in the dispute resolution process that has been agreed to by the Council and refer to the BCCPAC leadership manual, should there be any concerns about my work.

Name of Executive Member: _____

Signature: _____

Date: _____ Phone Number: _____

PLEASE NOTE: Members may be liable if:

1. they exceed their authority as defined by the constitution and bylaws or;
2. the organization is involved in any criminal or other illegal activity that was approved by the DPAC or;
3. the organization suffers any losses caused by breach of duty; and for payment of the organization's debts.