



Niverville Elementary School (NES) Parent Advisory Council (PAC)

Constitution and By-laws

Name: The official name of the association shall be NIVERVILLE ELEMENTARY SCHOOL (NES) PARENT ADVISORY COUNCIL (PAC) hereafter referred to as the Council.

Mission: The Council will work in cooperation with students, school staff, trustees, parents and members of the Hanover School Division and community in the following ways:

As a liaison between the school, parents, community and other school support organizations for the purposes of information sharing and cooperation.

As a means of circulating information about the school and about parental priorities and of promoting community understanding and involvement in the school.

Objectives: The objectives of the Council shall be:

To work in cooperation with the parents, school staff, trustees, and members of the community to support and enhance the learning experiences of the students of Niverville Elementary School (NES).

To consult and liaise with school administration to determine student and school needs.

To establish ongoing communication with all parents of the students enrolled in the school and with community members.

To promote community interest, understanding and involvement in the school.

To establish a means of regular accountability to the school and community for involvement, activities Council expenditures and recommendations.

To provide students of Niverville Elementary School and the community of Niverville with a fun and accessible playground and play structure as well as to provide the school with equipment and supplies.



Dissolution:

The Minister of Education may dissolve the advisory council if the minister is of the opinion, after ensuring that a review has been conducted, that the council is not functioning in accordance with Regulation 54/96 of the Education Administration Act, or in the best interests of the school.

http://www.edu.gov.mb.ca/k12/docs/support/school_partnerships/appendix_d.pdf

If the Council should dissolve, all its remaining funds, resources and assets will be given to a qualified donee described in subsection 149.1 (1) of the Income Tax Act. <http://laws-lois.justice.gc.ca/eng/acts/l-3.3/section-149.1.html>



CODE OF CONDUCT

- a) The Council is not a forum for the discussion of individual school personnel, students, parents or other individual members of the school community.
- b) Council is not a problem solving process for individuals; problems should be addressed via the proper channel and as per school division policies in place.

INTERPRETATIONS AND DEFINITIONS

In these By-laws and Constitution, unless the context otherwise requires:

- a) "Advisory Council", "Advisory Council for School Leadership (ACSL)", "School Committee (SC)", "School Partnership Council (SPC)", "PAC", "Parent Council" or "Council" means the Niverville Elementary School Parent Council.
- b) "Member" means anyone, parent or guardian, with a student enrolled in Niverville Elementary.
- c) "Community Member" means a person who lives, works or owns property in the catchment area of Niverville Elementary and who is not a parent of a child attending the school.
- d) "School Committee (SC)" - Typically volunteer committees may be formed through nominations and elections. SCs are guided by school and board policies and procedures. Winterfest would be an example of a School Committee.
- e) "School Partnership Council (SPC)" - For the purpose of this document, the term 'School Partnership Council (SPC)' refers to any parent group operating within a school community. This would include but is not limited to ACSLs, PACs, SCs and/or any variation of names which may be used.

GENERAL MEMBERSHIP AND ELIGIBILITY:

- a) All parents or legal guardians of students attending Niverville Elementary School shall be members of the Council.
 - Executive Members and Committee Coordinators in attendance during a voting process will hold voting rights.
 - Any additional parents in attendance and identified as members in good standing will hold voting rights.
 - Voting eligibility is defined and maintained in the *Executive Committee Policy*.
 - Principal of NES and one or more Teacher Representative(s) present will not hold voting rights.
- b) Executive Members for the next school year are nominated and elected at a nominations meeting held in May (held no later than September) with acclamation of their positions ratified at the first annual general meeting held in September. PACs /ACSLs hold regular open, public meetings and are guided by school and board policies and procedures.
- c) PACs / ACLS must adhere to the legislation as set out in THE EDUCATION ADMINISTRATION ACT (C.C.S.M. c. E10). <https://web2.gov.mb.ca/laws/statutes/ccsm/e010e.php>

Members of the PAC / ACSL represent the parents within the school community and **may**:

- Advise the principal about school policies, activities, and organizations including:
 - Department and locally develop curricula
 - Cultural and extra-curricular activities
 - Student discipline and behavior management policies
 - Community access to school facilities
 - Advise the principal about fund-raising and participate in fund-raising activities
 - Advise the school board about the process of hiring and assigning principals
 - Advise the school board about an annual budget for the school
 - Participate in developing an annual school plan
 - Participate in any review of the school that the minister or the school board has directed to be carried out.
- d) The role of the Manitoba Association of Parent Councils (MAPC), with a paid membership is to provide resources and services to member parent councils such as:
 - book/video library loans, workshops, conferences, help with writing a constitution, information on the roles and responsibilities of PAC members, and the services of the Advocacy Project to assist in resolving issues
 - represent parents on Department of Education committees such as: curriculum steering committees and document development
 - keep parents updated on current events using a published newsletter several times each year
 - participate in consultations for new provincial initiatives



EXECUTIVE COMMITTEE:

- a) An Executive Committee shall administer the affairs of the Council for the members of the Council.
- b) The Executive Committee shall appoint (nominate and motion for approval) from its members the officers of the Council: President, Past President (optional) in addition to a Vice President, Secretary, and Treasurer.
- c) The Executive Committee shall have the power to co-opt members to fill any vacancies (except Past-Chair, Chair and Vice-Chair) which occur on the committee; may affect the number of voting volunteer members. Exceptions must be approved by a two-thirds passing vote.
- d) The Executive Committee duties are detailed in *the Executive Policy and Executive Handbook*. At a summary level, the Executive position responsibilities include:

Chair/President

- Convene and preside at all membership, special and executive meetings.
- Shall appoint committees where authorized to do so by Council.
- Shall take such actions or ensure that such actions taken by the Council to achieve the objectives and purpose of the organizations

Vice-Chair/Vice-President

- The Vice Chair will assume the responsibilities of the Chair in the Chair's absence. Accept extra duties as required.

Treasurer

- The Treasurer will assume the responsibilities for all financial transactions on behalf of the Council.

Secretary

- The Secretary will assume the responsibilities for recording all minutes of regularly scheduled meetings of the Council and ensure a file is kept of the council's ongoing meetings.

SUB-COMMITTEES:

- a) The Executive Committee shall have the power to appoint sub-committees (and their leads) to assist it from time to time. Sub-Committees may consist of members or community members (that could add an expertise needed by that committee) of the Council and shall report to the Executive Committee.
- b) Sub-Committee leads will be responsible for monthly reports to the Executive Committee. Sub-Committee leads shall have a copy of the constitution for reference and adherence.



ELECTIONS:

- a) The Council will be elected at a nominations meeting held annually in May and not to be held later than September. The annual meeting shall be organized and advertised by the Council Chair with assistance from the school. Terms of office shall be determined by Council.
 - Annual General Meeting will be held in September
 - Annual Voting Meeting to fill Executive and Sub-Committee Chair vacancies will be held in May for start-up the following September.

MEETINGS:

- a) The Executive Committee shall meet eight (8) times per year.
 - The Executive Committee and Members shall meet each month from September to November, from January to March, and in May and June, and on other such occasions as it is deemed necessary by the Executive Committee. The quorum for such meetings shall be 50% of the members of the Executive Committee.
- b) The Executive Committee may invite to general meetings or to committee meetings such persons as the Committee decides.
- c) Child care is not provided for parents attending meetings.
- d) Executive Members and/or sub-committees may be required to meet outside regularly scheduled Council meetings to facilitate further planning and work in order to report and complete tasks for the next Council meeting.
- e) Members may be required to complete assignments during holidays or school breaks in order to meet mandates and deadlines (i.e. when school is not in session).

QUORUM

- a) The quorum for such meetings shall consist of more than half of the voting members of council. Example – seven voting members = four for a quorum, eight voting members = five for a quorum.
- b) 50 per cent of Executive Committee members (Past-Chair, Chair, Vice, Secretary and Treasurer) must be in attendance to put forth a motion for vote.

PROCEDURES:

- a) Recommendations will be determined by the consensus wherever possible. If procedural problems should arise, "ROBERTS RULES OF ORDER" will be used to resolve the situation unless they are in conflict with the guidelines in this Constitution.



CONSTITUTION AND CONSTITUTIONAL AMENDMENTS:

- a) SPCs that maintain any financial accounts must have an approved constitution in place.
- b) Constitution must include financial procedures including:
 - *Fiscal year*
 - *Budget*
 - *Contracts, cheques, deposits, and funds (signing officers)*
 - *Accounting and auditing procedures*
 - *Policy for handling unexpected expenses*
- c) Each school year, no later than October 31, SPCs must supply a copy of their current constitution to the school. Council is responsible for posting a secured and approved copy of the constitution on the school website (Parent/PAC page).
- d) This constitution may be amended from time to time at an Executive Annual General Meeting (held in September). A two-thirds majority of the executive members present shall be required to carry an amendment to the Constitution.
 - Written notice of the AGM has been given to all Council members with fourteen (14) days (minimum) advance notice.
 - The notice of the meeting included notice of the specific constitutional amendments proposed.

VACANCIES ON COUNCIL:

- e) In the event of a vacancy on the Council, the Chair shall, at the direction of the Council will:
 - a. Call a by-election to fill the vacancy. In the event of the Chair or Vice-Chair coming vacant, the position shall be filled by election within the Council. A member of Chair or Vice Chair may be deemed to have resigned from the Council or office if a specific number of meetings have been missed and unaccounted for.
 - b. Or, will fill the open position by consensus of the Council as an acting position until the next Nomination Meeting and Annual General Meeting (AGM).
 - c. A member may resign from the Council, Chair, or Vice-Chair by tendering a letter of resignation as outlined in the *Executive Committee Policy* to the Chair and/or Principal.



SCHOOL DIVISION POLICIES & PROCEDURES

- a) SPCs are to follow all of the same policies and procedures that our schools follow with regards to financial transactions as outlined in the *Financial Controls Policy*.
- b) NES PAC will be responsible for the development and maintenance of PAC Policies, Committee Handbooks, Planning documents and related Parent materials as outlined in the *Communication Policy*.
- c) If a SPC is unsure of the policy or guideline to follow, they shall consult with their school principal or the school division finance department prior to completing any transaction.

FUNDRAISING

- a) SPCs can fundraise for specific projects, events or use.
- b) SPCs are not to be a revenue generating group for the purpose of creating a financial surplus.
- c) SPCs need to establish their fundraising purpose prior to engaging in a fundraising activity. All funds collected during that activity need to be spent as originally planned.
- d) During a fundraising event, it should be clear to the donors what the end cause is.
- e) SPCs that do their own fundraising need to expend the funds for their specific project within the same school year that the funds are accumulated.
- f) Longer term fundraising events, such as a playground structure, need to be coordinated, funded and accounted through their school's financial account.
- g) Fundraising policies and guidelines are outlined in the schedule – *Fundraising & Gifting Policy*.

GIFT CARDS

- a) Gift cards are not to be purchased for prizes, student or staff recognition, as purchase cards or for any other reason. Exceptions for consideration are outlined in the *Fundraising & Gifting Policy*.



OFFICIAL STATEMENTS AND REPRESENTATIVES (MEDIA)

- a) No member of the Council other than the President, or member nominated either by the President or by the Executive Committee, shall make any official or public statement or representation on behalf of the Council unless otherwise outlined in the *Communication Policy*.

COMMUNICATION & LIAISON WITH SCHOOL AUTHORITIES

- a) Policies are outlined in the *Communication Policy*
- b) Parent Inquiries shall be directed to one of two general inquiries email addresses.
- c) NES Logo should be used on all PAC communication where possible.
- d) Sub-Committee leads should ensure all communication created for distribution is presented to Executive and Administration Council members for approval prior to dissemination or production.
- e) Sub-Committee leads will be required to coordinate with Council Secretary and President for Newsletter updates, parent email distributions, etc.
- f) Liaison with the School shall normally be maintained through correspondence by the Secretary, or by deputation nominated by the President or the Executive Committee, with the Principal or the school and/or its nominees.
- g) The Executive Committee may, however, should it consider it desirable and appropriate, correspond with the school, in writing, or seek a meeting with the Principal.
- h) The Council recognizes that the examination and resolution of problems relating to individual pupils or parents will be for determination between the individual pupil and/or (his/ her) parents and the School Authorities.
- i) The Council also recognises that matters concerning the School Curriculum and its implementations are the function of the School Authorities.



FINANCES

The *Financial Controls Policy* outlines detailed requirements of financial protocol, record keeping, budgeting, reporting and audits.

The fiscal year shall begin September 1st and end August 31st in each and every year.

- a) All cheques will require two signing officer signatures.
- b) All funds raised by the Council will be deposited into the Niverville Credit Union Chequing account.
- c) Parent Council shall have the power to:
 - Initiate specific fund-raising projects
 - Seek grants that may be available from government, charitable foundations and similar sources.

RECORD KEEPING, BUDGETING, REPORTING & AUDITS

- a) SPCs that have a financial responsibility must comply with school division financial policies, guidelines and procedures as it relates to record keeping, budgeting, reporting and audits.
- b) Separate ledger accounts should be maintained for each program or fundraising activity (such as lunch program, playground improvement, library books fundraiser, etc.).
- c) SPCs must provide a written and adopted financial statement to the school at each meeting of the organization (or a minimum of 3 times per year, whichever occurs more often)
- d) Hanover School Division may request to audit any SPCs financials.
- e) All financial documentation must be kept for a minimum of seven (7) years.

TAX RECEIPTS

- a) Hanover School Division is a qualified donee under Canada Revenue Agency. As part of this, the school division can issue tax receipts for donations to the school based on certain criteria as found in Hanover School Division Policy DB.



EXPENDITURES

- a) Expenditures shall be made through issuing cheques or money transfers (i.e. PayPal).
- b) Two signing officers shall be required for all expenditures.
- c) No expenditure shall be made to any signatory of a cheque.
- d) Adequate documentation must be provided and kept on file prior to any expenditure.
- e) No blank cheques (where the vendor and/or the amount are not filled in) shall be signed.
- f) If the SPC has chosen to fund a non-consumable purchase (equipment, furniture, books, etc.) they will issue the funds to the school. The school will make the purchase directly with the vendor.
- g) If the SPC has chosen to fund a consumable (food, school supplies, etc.) purchase over \$500.00 they will issue the funds to the school. The school will make the purchase directly with the vendor unless otherwise outlined in the *Financial Controls Policy* or specific Committee Policies.

REVENUE

- a) All revenue shall be receipted for accounting and auditing purposes.
- b) All revenue shall be deposited directly into the SPC financial account. At no time shall revenue collected be turned around and used to pay for expenditures. All expenditures must be made through the issuing of cheques or money transfers.

TRANSFER OF FUNDS & ACCOUNT BALANCES

- a) Schools are not allowed to transfer funds or issue cheques to SPC groups.
- b) SPCs may transfer funds to schools.
- c) 3 times per year on November 30, February 28 and May 31, SPCs will review their account balances and transfer excess funds to their school.
- d) Excess funds transferred to the school will be held on behalf of the SPC and spent in accordance with the original fundraising purpose as set out by the SPC. Unless a preapproved long term fundraising plan is in effect, the school will ensure the funds are spent in the same year they were accumulated.
- e) NES Parent Council Treasurer will keep record of the funds transferred (and spent) to the school in-year at the specified dates.



CONSTITUTION AND BYLAWS

A copy of the Constitution and Bylaws, Policies and Handbooks will be provided to:

- a. New Elected Council members
- b. Any member, upon request
- c. School Administration for website posting under Parent Web pages as appropriate.

Amendments to the Constitution and Bylaws:

- a. Must be approved by a majority of members by special motion or after notification of intent to do so is provided on the notice (agenda) of the Annual General Meeting.
- b. The approved constitution will be signed by the President and Secretary and recorded as outlined in ***Record Keeping***.

Enacted this 26th day of September, 2016

President

Secretary