

École St. Germain Parent Advisory Council Constitution and Bylaws

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École St. Germain Parent Advisory Council Constitution and Bylaws

I - DEFINITIONS

In this Constitution and Bylaws, unless the context otherwise requires:

- (i) "Council" refers to the body of voting members, that is, École St. Germain's Parent Advisory Council;
- (ii) "Members" means all voting members of the Council;
- (iii) "Bylaws" means the rules established under this Constitution;
- (iv) The singular shall include the plural and vice versa, and the male gender shall include the female and neuter gender;
- (v) "School" means École St. Germain;
- (vi) "Parent" includes the guardian, the person legally entitled to custody, or the person who usually has care and control of the École St. Germain student;
- (vii) "Officer" refers to elected Members who hold office, i.e. Chair, Vice-Chair, Secretary and Treasurer; and,
- (viii) "Coordinator" refers to the elected Members who hold positions of Volunteer and French Cultural Coordinator.

II- PURPOSE OF THE COUNCIL

École St. Germain's Parent Advisory Council operates as a non-profit organization to support student success in our School and community, without purpose of gain for its Members, and any profits or other gains to the Council shall be used in promoting its objectives.

The purpose of the Council is to:

- (i) Support and enhance the overall educational experience and the well-being of students in the School;
- (ii) Provide leadership in the School community;
- (iii) Contribute to a sense of community within the School and among the School, home and neighbourhood;
- (iv) Share the Council and Parents' views on matters relating to the School with School administration;
- (v) Contribute to the effectiveness of the School by promoting the involvement of Parents and other individuals within the community;
- (vi) Assist in ensuring that the students have the opportunity to acquire as great a knowledge of the
- (vii) French language and culture as they are willing and able to attain;
- (viii) Establish and maintain effective communication among interested Parents, individuals within the community, and educational authorities responsible for the provision of French Immersion Programs in the Louis Riel School Division (LRSD) and elsewhere; and,
- (ix) Liaise with the Manitoba Association of Parent Councils (MAPC) and the Canadian Parents for
- (x) French (CPF) organizations.

Amended March 25, 2015.

III - BUSINESS OF THE COUNCIL

1. COUNCIL EXISTENCE

A minimum of 10 Members are required to form the Council each year.

2. ADMINISTRATION OF THE COUNCIL

The Council and its Members may do all acts necessary to accomplish any matter authorized by the Council during any meeting, or authorized pursuant to any digital/electronic vote of the Council, or

authorized by the Bylaws, or required by statute.

In particular, the Council shall have the power to:

- (i) elect the Officers of the Council;
- (ii) authorize expenditures on behalf of the Council; and,
- (iii) raise or obtain funds necessary for the operation of the Council and for the accomplishment of matters authorized by the Council.

3. INCLUSIVITY

The business of the Council shall be inclusive, meaning, without discrimination towards any person.

4. PRINCIPAL OFFICE

The principal office of the Council is located at École St. Germain, 77 John Forsyth Road, Winnipeg, Manitoba, Canada. The Council reserves the right to change the location of the principal office from one location to another within Winnipeg.

5. FISCAL YEAR

The fiscal year of the Council shall be determined by the Members at the Annual General Meeting (AGM).

6. BANKING ARRANGEMENTS

The Treasurer will maintain an account(s), in the name of École St. Germain's Parent Advisory Council, at a recognized financial institution and as approved by Council.

In order to open or close an account in the name of the Council, or to change signing authority on an account, written instructions to the financial institution(s) must be signed by both the Chair and Vice-Chair.

7. CHEQUE SIGNING AUTHORITY

Only the Chair, Vice-Chair, Secretary and Treasurer of the Council have cheque signing authority on Council bank accounts.

All cheques written on Council accounts must include two (2) signatures from among the Chair, Vice-Chair, Secretary and Treasurer.

Amended October 7, 2009.

8. SIGNING CONTRACTS

For the purposes of this clause, contracts will not include cheques written on Council accounts.

All contracts must be authorized by the Council and must be signed by the Chair, Vice-Chair, or both. On occasion, the Council may authorize any Member to sign specific contracts on behalf of the Council.

All contracts so signed shall be binding upon the Council without any further authorization or formality.

9. EXPENDITURES

Any expenditure over \$50 must be approved by Council pursuant to Article V-4.

A Member may spend a maximum of \$50 on behalf of the Council without bringing forward a motion. Before this amount is spent, the Member shall discuss its necessity with either the Chair or Vice-Chair, and receive approval.

10. RECEIPTS

Receipts are required for all disbursements or expenditures.

11. YEARLY FINANCIAL REVIEW

An independent, financial review of the Council books shall take place every year, at year-end. A review of cash receipts and cash disbursements shall take place in the presence of the Council Treasurer, two other Members and, ideally, one person who is not a Member.

12. RECORDS

All records, such as minutes, and correspondence relating to a Committee's operation, shall be deemed to be the property of the Council, and shall be maintained by the Committee Chair or designate. Once the Committee Chair ceases to fulfill his role, the records shall be turned over to the incoming Committee Chair or the Council Chair as appropriate.

13. DISSOLUTION

If the School permanently closes, the Chair or principal may dissolve the Council. In that event, any remaining funds after payment of all debts and costs of dissolution shall be apportioned to the various parent organizations of the educational institutions to which the students of École St. Germain transfer.

The Chair and Vice-Chair may also dissolve Council if it is unable to conduct business for a significant period of time. In that event, any remaining funds after payment of all debts and costs of dissolution shall be held in trust by the School until another parent organization is established at the School. After three years, if no other parent organization is established, the funds will be donated to the School.

IV - MEMBERSHIP

1. VOTING MEMBERS

All Parents are eligible to attend all Council meetings and to provide input.

Prior to submitting his name for membership, a Parent must attend at least one Council meeting, and is entitled to receive a copy of the Constitution and Bylaws. To become a voting Member, a Parent must submit his name for membership and be voted in as a Member at a subsequent Council meeting.

Past Members shall normally be voted in during the AGM, but Parents may become Members of the Council throughout the year upon meeting the requirements of membership.

It is expected that Members will:

- (i) Uphold the Constitution and Bylaws, and policies and procedures of the Council;
- (ii) Perform their duties with honesty and integrity;
- (iii) Work to ensure that the well-being of the students is the primary focus of all decisions;
- (iv) Make financial decisions based on the best interest of all or at least the majority of students;
- (v) Respect the rights of all individuals;
- (vi) Encourage and support Parents and students with individual concerns to act on their own behalf and provide information on the process for taking forward concerns;
- (vii) Strive to be informed and only pass information that is reliable;
- (viii) Respect all confidential information and privacy concerns; and,
- (ix) Support public education.

2. SCHOOL REPRESENTATION

The principal, vice-principal and an appointed teacher representative shall be encouraged to attend Council meetings.

3. STUDENT REPRESENTATION

Student representatives of any student leadership programs shall be encouraged to attend Council meetings.

4. COMMUNITY REPRESENTATION

Individuals in the School catchment area who are not Parents may attend Council meetings.

5. RESIGNATION

Any Member may resign from Council, in writing, to the Chair or Vice-Chair.

6. OFFICERS

The Officers of the Council shall be:

- (i) Chair;
- (ii) Vice- Chair;
- (iii) Treasurer; and,
- (iv) Secretary.

No Person may hold more than one elected Officer position at any one time.

The Past-Chair shall be an honorary, non-elected Officer unless he is no longer a Parent within the School.

7. COORDINATORS

The Coordinators of the Council shall be:

- (i) Volunteer Coordinator; and
- (ii) French Cultural Coordinator.

8. TERMS OF OFFICERS AND COORDINATORS

Each elected Officer and Coordinator shall serve for a term of one (1) year, with the exception of the Chair and Vice-Chair who serve a two (2) year staggered term.

Any Officer or Coordinator may serve his position for as many years as he is elected to a position.

9. OFFICER AND COORDINATOR VACANCIES

The position of an Officer or Coordinator shall be automatically vacated:

- (i) if he resigns his position by delivering a written resignation to an Officer;
- (ii) if he is unable for any reason to meet the ordinary demands of the position; or,
- (iii) if, at a special general meeting of the Council, a resolution is passed by 75% of the Members present at the meeting that he be removed from his position.

If an Officer or Coordinator is absent from two (2) consecutive meetings without valid reason, that fact alone may be considered by the Council as a resignation.

Where for any reason a vacancy occurs in any of the Officer or Coordinator positions, the Council shall choose, if deemed necessary, another Member to hold that position until the AGM is held.

10. OFFICER AND COORDINATOR DUTIES

The Chair shall:

- (i) be responsible for attending all Council meetings;
- (ii) oversee all the operations of the Standing Committees;
- (iii) conduct and lead all Council meetings and oversee voting;
- (iv) exercise signing authority when required;
- (v) coordinate an annual review of the Constitution and Bylaws;
- (vi) be the spokesperson for the Council;
- (vii) maintain relevant Council correspondence that is not maintained by Standing or Ad-hoc

- Committees;
- (viii) coordinate a newsletter;
 - (ix) monitor Member attendance patterns and address non-attendance with individual Members;
 - (x) endeavour to liaise with Manitoba Association of Parent Councils (MAPC); and
 - (xi) create and distribute the Annual Report.

The Vice-Chair shall:

- (i) assist the Chair in performing Council duties;
- (ii) be vested with all powers and perform all the duties of the Chair in his absence or as a result of his inability or refusal to act as Chair; and
- (iii) exercise signing authority when required.

The Past-Chair shall:

- (i) assist and advise the Officers;
- (ii) assist a smooth transition between Chairs; and
- (iii) chair a Nominating Committee if such an Ad-hoc Committee is formed.

The Treasurer shall:

- (i) conduct all financial matters pertaining to the Council in an organized and orderly fashion;
- (ii) oversee all banking transactions;
- (iii) be responsible for seeing all accounts are paid on time;
- (iv) exercise signing authority when required;
- (v) present the Council with a current financial report at each meeting of the Council;
- (vi) participate in a yearly financial review; and,
- (vii) prepare and present the annual financial statement at the AGM.

The Secretary shall:

- (i) record and publish proceedings of all meetings;
- (ii) maintain a hardcopy record of all minutes to be filed in the School annually;
- (iii) maintain an up-to-date membership list;
- (iv) maintain an accurate copy of the Constitution and Bylaws and other procedural documentation;
- (v) exercise signing authority when required; and
- (vi) provide a copy of the Constitution and Bylaws to prospective new Members.

The Volunteer Coordinator shall:

- (i) coordinate an annual volunteer drive;
- (ii) be responsible for recruiting and maintaining a list of volunteers to meet the needs of Council; and
- (iii) assist various Committees in contacting volunteers.

The French Cultural Coordinator shall:

- (i) endeavor to liaise with the Canadian Parents for French (CPF); and
- (ii) research, collect, promote, and communicate about various French cultural resources and activities.

Amended October 7, 2009.

11. COMPENSATION

Council Members receive no compensation for their services as Members, Officers or Coordinators.

12. COMMITTEES - STANDING AND AD HOC

Each Committee shall be chaired by a Member who shall be responsible for reporting Committee activities to the Council and prepare a written year-end report. The Committee Chair shall be appointed when the Committee first meets. Each Committee Chair shall continue in that position until his successor is appointed. Committees may include individuals who are not Members. There shall be the following Standing Committees:

- (i) Education Committee;
- (ii) Environment Committee; and
- (iii) Fundraising Committee

Ad hoc Committees may be created by the Council when necessary.

Amended April 8, 2009.

13. LIMITATION OF LIABILITY

No Council Member shall be liable:

- (i) for the acts, receipts, neglects or defaults of any other Council Member, or for joining in any receipt or other act of conformity;
- (ii) for any loss, damage or expense happening to the Council through the insufficiency or deficiency of title to any property acquired for or on behalf of the Council, or through the insufficiency or deficiency of any security in or upon which any of the moneys of the Council shall be invested;
- (iii) for any loss or damage arising from the bankruptcy, insolvency or tortious acts of any person with whom any of the moneys, securities or effects of the Council shall be deposited;
- (iv) for any loss occasioned by any error of judgment or oversight on his part; or
- (v) for any other loss, damage or misfortune whatsoever may occur in the execution of his position, or in relation thereto, unless occasioned by his own willful neglect or default.

V - MEETINGS

1. MEETINGS OF MEMBERS OF THE COUNCIL

- (i) Council meetings shall be held once a month during the school year, unless the majority of the Members vote to make an exception.
- (ii) All meetings of the Council shall be open to the public, but only the Members may vote on issues being raised.
- (iii) If requested by a majority of the Members, the Chair/Vice-Chair shall call a special general meeting of the Council.
- (iv) Special general meetings of the Council shall be called at such time and place in the City of Winnipeg as may be determined by the Chair and/or Vice Chair.
- (v) An AGM of the Council shall be held in June each year. At the AGM, in addition to any other business that may be transacted, the Annual Report of the Council, the financial statement and the yearly financial review shall be presented. The Members, Officers, and Coordinators shall be elected, and a fiscal year shall be determined. Additionally, Committees shall be formed, Annual Financial Commitments voted upon, and two Members will be appointed to perform the next yearly financial review.
- (vi) "Roberts Rules of Order" shall be used to guide the conduct at meetings.

2. NOTICE OF MEETING AND AGENDA

The time and place of Council meetings shall be agreed upon at the end of the previous meeting and recorded in the meeting minutes. If there is a requirement to change a meeting's time and/or place, this information shall be sent to each Member by digital/electronic means, to the address on record, not less than seven (7) days before the holding of such meeting.

Notice of Council meetings shall be provided to Members in an Agenda sent to each Member by digital/electronic means, to the address on record, not less than seven (7) days before the meeting. The Agenda shall also be posted on the Council bulletin board. Additionally, Council may provide notice by taking advantage of other general appropriate communication media (such as posting Council minutes to the School website and bulletin board, inclusion in the School newsletter or a newsletter created by Council, etc.).

The Agenda shall include, whenever possible, items to be discussed or reported. Changes to the Agenda shall be made at the beginning of the meeting.

3. VALIDITY OF MEETINGS

No proceedings, decisions, or other business of Council shall be invalid solely due to a failure to follow the provisions of Article V-2 (Notice of Meeting and Agenda).

4. VOTING PROCEDURE

A quorum for the transaction of business shall consist of 25% of the membership or 5 Members, whichever is greater. The Officers shall determine if quorum exists at the beginning of each meeting.

At all meetings of the Council, every question shall be decided by a majority of the votes of the Members present, unless otherwise required by the Constitution and By-laws. Every question shall be decided in the first instance by a show of hands unless a poll is demanded by any Member. Unless a poll is demanded, a declaration by the Chair that a resolution has been carried or not carried and an entry to that effect in the minutes shall be sufficient evidence of the fact without proof of the number of the proportion of the votes recorded in favour of or against such resolutions. A poll would result in a recording of votes for and against the motion, and those that abstained.

The Chair shall have no voting authority during initial voting on all matters. In the case of a tie vote, the Chair shall provide the tie-breaking vote.

The Chair may postpone a vote for one meeting to allow additional participation by Members. Voting by proxy is prohibited for any matter before Council.

If the Chair/Vice-Chair determine, at his/their discretion, that a matter must be voted upon between meetings, and determine that a special meeting is not feasible, a digital or electronic vote upon the matter shall be taken. All Members who have provided a digital/electronic address to the Council must be sent the question to be voted upon and a reasonable time period for responses must be given. Any Member who does not respond within the given time period shall be deemed to have abstained. Members who have not provided a digital/electronic address must be telephoned. Quorum is required. The responses shall be received and tallied by at least two of the Chair, Vice-Chair and Secretary. The result of the vote shall be communicated to all Members upon determination, and shall be entered into the minutes of the next Council meeting.

VI – FINANCIAL COMMITMENTS AND EXPENDITURES

The purpose of fundraising money is not to provide funding for basic needs, but to provide financial support for the extras that are not provided for in LRSD budgets.

1. ANNUAL FINANCIAL COMMITMENTS

Annual Financial Commitments are limited to supporting:

- (i) Student Leadership programs (e.g. Peer tutoring, Patrols) to a maximum of \$2,000.00;
- (ii) Staff Appreciation Week to a maximum of \$400.00;
- (iii) Bourse École St. Germain (\$500.00);
- (iv) Babysitting for Council meetings up to a maximum of \$200.00; and
- (v) Costs associated with the running of the Council up to a maximum of \$250.00.

Each June, the Treasurer shall ensure there are sufficient funds in reserve to meet the Annual Financial Commitments for the next school year.

Amended February 6, 2019

2. ADDITIONAL COMMITMENTS

Additional commitments shall be decided upon as a result of projects or suggestions initiated by Council, and requests made from others within the School.

Council

- (i) Additional commitments will be considered as presented throughout the year and voted on by the Members.
- (ii) The donation of a book for the School library shall be given in the event of a staff member retiring or passing away. Other circumstances of staff leaving the School will also be considered.

School

- (i) The Council will consider financially supporting any extra-curricular clubs and groups in the School. No monies will be given in support of an individual student.
- (ii) Staff members may request funds for programs or articles that meet the Council's general purposes.
- (iii) Students may request, through their student leaders or staff member, funds for programs or articles that meet the Council's general purposes.

Requests for funds must be given in writing to the Council. A detailed budget must be presented for approval and receipts must be provided to Council prior to disbursement of funds.

VII – CONSTITUTION AND BYLAW

This Constitution and Bylaw shall only be amended or replaced if agreed to by at least 75% of the Members present at a special meeting of the Council duly called for that purpose.

This Constitution and Bylaw takes effect immediately upon adoption.

This document replaces the previous By-Law dated June 2, 1999 as amended.

ADOPTED at the City of Winnipeg, in the Province of Manitoba, this 4th day of April, A.D. 2007.

Amended:

April 8, 2009; October 7, 2009; May 8, 2013; January 7, 2015; March 25, 2015; April 5, 2017 and February 6, 2019.