



École Marigold Elementary School

Parent Advisory Council

Constitution and Bylaws

February 2008

A COMMUNITY OF LEARNERS

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Constitution

Name, Beliefs and Objectives

1. The name of the organization is the École Marigold Elementary School Parent Advisory Council (the “PAC”).
2. The PAC will:
 - a. Provide an organization where the parents or guardians (hereafter “parents”) of students attending École Marigold Elementary School (the “School”) may consult together and discuss topics related to the educational programs and services, and the well-being of students in the school community.
 - b. Promote and encourage the interest and involvement of parents in school activities, in educational matters and in working together with the staff.
 - c. Provide financial or other assistance and support to the educational and social programs for the School.
 - d. Inform parents on school issues and promote ongoing parent education.
 - e. Provide services and organize activities that will have a positive impact on the academic achievement and social development of all students.
 - f. Organize activities that facilitate social interaction and community building between students, staff and parents.
 - g. Promote the spirit of inclusion and cooperation within the school community.
3. The PAC acknowledges and agrees that all students must be recognized as individuals with unique abilities, interests and needs. All students deserve to be respected and valued for the assets they bring to our school community.
4. The purpose of the PAC is to support and improve the quality of education and the well-being of students.

Dissolution

5. In the event of dissolution or winding up of the PAC and following payments of all outstanding debts and costs of dissolution or winding up, the assets and remaining funds of the PAC shall be distributed to another parent advisory council or councils in School District #61 (Victoria) having purposes and objectives similar to those of the PAC and which meet all requirements of the British Columbia Gaming Commission, as the members of the Council may determine at the time of dissolution or winding up.

6. In the event of dissolution or winding up, all records of the PAC shall be placed under the jurisdiction of the School District #61 in the person of the principal of the School or in the person of the Secretary-Treasurer of School District #61, as circumstances dictate.

Bylaws

Policies

1. The Council shall not endorse any candidate for any political office.
2. No voting delegate or member shall retain his or her position on the Executive if elected as a School Trustee.
3. The council shall not be used as a lobby group for special interest groups. Any lobbying undertaken shall benefit all students at the School. The PAC acknowledges that small groups of students may require steps to be taken to correct conditions resulting from past discrimination or unfair policies or procedures. Redressing these conditions is considered to be a benefit for all students.
4. The Council shall not hold a membership in any organization that is not directly related to education and/or as approved by Greater Victoria School District.

Membership and Voting Privileges

5. All parents of students registered at the School are members of the PAC.
6. Administration and staff of the School shall be non-voting members of the Parents' Advisory Council unless the staff member is also a parent. If the staff member is also a parent, that staff member will vote in accordance with paragraph 8.
7. All members shall uphold the Constitution and comply with these Bylaws.
8. Each family of the PAC shall be entitled to one (1) vote, regardless of the number of students that family has attending the school.
9. Unless otherwise provided, questions arising at any General Meeting shall be determined by a simple majority vote.
10. In the case of a tie vote, the motion is defeated.
11. Members must vote in person on all matters; voting by proxy is not be permitted.
12. Voting shall be done by a show of hands, except as set out below.
13. The election of officers of the PAC may be done by secret ballot at the request of any member present at the Annual General Meeting.

14. A two-thirds (2/3) majority vote of those members present at the meeting will be required to amend the Constitution or Bylaws, or to waive the two-term limitation on holding the same Executive position.

Elections and Terms of Office

15. The Executive members shall be elected from the voting members at the Annual General Meeting held in June of each year.
16. The Past President or the President (if no Past President) shall call for nominations at least twice prior to the Annual General Meeting, by announcement at a General Meeting, by notice in the School Newsletter, or by separate mail or electronic mail out.
17. Notice for nominations should be publicized to all families in the school at least thirty (30) days prior to the Annual General Meeting.
18. Nominations may be received up to and during the Annual General Meeting, until declared closed by the President.
19. The Past President, or the President (if no Past President) shall conduct elections.
20. The term of an executive positions shall commence the first day of school in September following the election at the Annual General Meeting, and shall be for one (1) year (September - August).
21. Retiring officers are eligible for nominations and re-election during the June Election. No person may hold any one executive position for more than two consecutive terms. This clause does not apply to part years.
 - a. This clause may be waived by a 2/3 vote of members at the Annual General Meeting.
22. No person may hold more than one elected Executive position at any one time.
23. An employee of the school district shall not hold the position of President.
24. If an executive position becomes vacant, the members shall elect a new officer at the next General Meeting from among the voting members.
25. Three representatives to the School Planning Council shall be elected by secret ballot annually from the parents of students enrolled in the school, who are not employees of any school district. The representatives must be elected officers of the PAC.
 - a. The term of office for School Planning Council Representatives shall be for one year.

Executive Officers

26. The Executive Officers are:
 - a. President
 - b. Vice-President
 - c. Secretary
 - d. Treasurer
 - e. Past President
 - f. Members at Large (up to 4)
 - g. Three (3) School Planning Council (SPC) Representatives

Meetings

27. All general, executive and committee meetings are open to all parents and staff.
28. Meetings will be conducted efficiently and with fairness to the members present.
29. A PAC meeting shall not be a forum for the discussion of individual school personnel, students, parents or other individual members of the school community.
30. Representation from the school administration and school board shall be encouraged at meetings.
31. ***Annual General Meeting***
 - a. There will be an Annual General Meeting for the purpose of election of officers held in June of each year.
32. ***Executive Meetings***
 - a. Executive meetings may precede any general meeting.
 - b. The President shall determine the time and place of these meetings.
 - c. The purpose of Executive Meetings is to implement decisions of the General Meetings and to plan for future meetings.
33. ***General Meetings***
 - a. General Meetings shall be conducted once each month during the school year, except the month of June, which shall be an Annual General Meeting.

- b. The dates of the meetings for the next school year are to be determined by the current executive at the end of the preceding school year and posted in the school calendar. Under extraordinary circumstances this meeting may be cancelled providing 14 days notice is given in the school newsletter.
- c. The minutes of the general meetings shall be posted on the PAC bulletin board and within the PAC records maintained by the secretary.

34. ***Extraordinary Meetings***

- a. Extraordinary meetings may be called by the Executive with a minimum of seven (7) days notice.

35. ***Meetings with the Principal***

- a. The PAC President shall meet with the school principal once each month for the purpose of reviewing school and educational issues, and planning PAC meetings.

36. ***Procedure at Meetings.***

- a. Meetings will be conducted efficiently and with fairness to the members present.
- b. If procedural problems should arise, Roberts Rules of Order will be used to resolve the situation. If Roberts Rules of Order are in conflict with these Bylaws, these Bylaws will govern.

Quorum

- 37. The voting members present at any duly called General Meeting shall constitute a quorum.
- 38. A quorum for Executive meetings shall be a majority of Executive members.

Finances

- 39. A budget including a tentative plan of expenditures with consideration given to PAC activities, school activities and the school growth plan, shall be drafted by the Executive and presented for approval at the Annual General Meeting.
- 40. Each Executive must leave 'start-up' funds for the following year's Executive of at least two thousand (\$2,000.00) dollars.
- 41. Unless previously identified and approved in the budget all monies to be expended in excess of \$100 must first be presented to and voted on at a General Meeting of the Council, at least one of which must be a signing authority.
- 42. All funds of the organization will be on deposit in a financial institution registered under the *Bank Act*.

43. The Executive shall name three (3) signing officers from the Executive for banking and legal documents. The Treasurer and the President will be two of the three signing officers. Two (2) signatures will be required for these documents.
44. A Treasurer's Report shall be presented at each General Meeting.
45. A Treasurer's Report shall be posted and made available in the school prior to the end of each school year and presented at the Annual General Meeting.
46. The need for audits will be agreed upon by the members at any General Meeting. If required, an independent auditor will be appointed.
47. In a fund raising activity, parents must declare or disclose to the PAC if they will be making any personal financial gain from the activity. If there is a vote on the activity, the parent who will be providing the service or goods will not be given a vote.

Constitutional Amendments

48. Amendments to the Constitution and Bylaws of the PAC may be made at any General Meeting at which business is conducted, providing:
 - a. Written notice of the meeting has been given to all members fourteen (14) days in advance of the meeting.
 - b. The notice of the meeting will include intent of the specific amendments proposed.
 - c. A two-thirds (2/3) majority vote of the voting members present at the meeting will be required to pass the amendments.

Code of Conduct

49. A parent who accepts a position as a PAC Executive Member agrees to:
 - a. Respect and support the integrity and interests of **all** members of the school community.
 - b. Uphold the Constitution and Bylaws, policies and procedures of the electing body.
 - c. Perform his or her duties with honesty and integrity.
 - d. Ensure that the well-being of the students is the primary focus of all decisions.
50. 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 as confidential.

51. An Executive member is encouraged to support parents and students with individual concerns to act on their own behalf and provide information on accessing the system. The Executive member is further encouraged to follow up to ensure the concern has been resolved.
52. Discussion of school concerns shall be based on accurate and first hand information.
53. No individual Executive Member shall make unauthorized representations to outside bodies in the name of the PAC.
54. All PAC representatives observe strict confidentiality when appropriate to the area of participation.

Executive Responsibilities

55. The Executive officers and the immediate Past President shall manage the affairs of the PAC.
56. While all tasks listed in each position description are the responsibility of the executive member holding that position, these tasks may be delegated at the discretion of the President.
57. The responsibilities of the Executive Officers shall be as follows:
 - a. Abide by the Constitution and Bylaws, and Position Statements of the PAC.
 - b. Carry out the Policies and Programs adopted by the membership at General Meetings, set up committees as required, and monitor and facilitate the undertakings of the PAC.
 - c. Know the source of available funding for school education, organized sports and social activities, and ensure monies granted or raised are used as intended.
 - d. Transact the business of the Council between meetings.
 - e. Keep members of the PAC informed of PAC activities.
 - f. Keep up-to-date lists of committees and a record of its transactions on behalf of the PAC.
 - g. Attend all regularly scheduled meetings.
 - h. Advise the President or Secretary if unable to attend meetings.
 - i. Serve on additional committees or represent the Council in other capacities as requested by the President.

58. Any Executive member not fulfilling the prescribed duties or responsibilities of the position will be asked to resign by a two thirds (2/3) majority vote of the Executive.
- a. An appeal may be made to the Members at the next General Meeting.

Entitlement of the Executive Officers

59. No Executive member shall be entitled to any salary remuneration.
60. Executive members shall be reimbursed for expenses incurred while carrying out PAC business.
61. No Executive member may use any Executive office for personal profit or gain.

President

62. The President will:
- a. Initiate the development of annual goals and guide the membership toward fulfilling the purposes of the PAC.
- b. Enhance communication among parents, staff, students and administration.
- c. Be the official spokesperson for the PAC.
- d. Be a signing authority for the PAC.
- e. Stay informed of the progress of all PAC Committees
- f. Prioritize and take appropriate action with all incoming correspondence.
- g. Ensure all necessary dues, licenses and reports are in place, e.g. VCPAC, BCPAC, Annual Report, etc.
- h. Ensure the PAC is represented at all School and School District activities.
- i. Contribute PAC information for the School Newsletter.
- j. Preside at all General, Special and Executive Meetings.
- k. Ensure that an Agenda is prepared and presented at all meetings of the PAC.
- l. Liaise with the Secretary to prepare and review the PAC Newsletter for publication with the School Newsletter.
- m. Be aware of the Constitution, Bylaws and meeting rules.
- n. Appoint committees where authorized to do so by the executive or members of the PAC.

- o. Ensure that PAC activities are aimed at achieving the objectives and purposes of the PAC.

Vice-President

63. The Vice-President will:
- a. Act as assistant to the President.
 - b. Perform the duties of the President during the President's absence, upon request of the President, or upon the resignation of the President, until such time the position can be filled by a vote of the membership.
 - c. Assist the President in the performance of the President's duties.
 - d. Assist on committees where needed.
 - e. Be a signing officer if requested by the members.

Secretary

64. The Secretary will:
- a. Record and keep minutes of the proceedings of Annual General Meetings, General Meetings and Executive Meetings. Such minutes should include:
 - i. all persons present,
 - ii. issues raised and overview of discussion,
 - iii. motions set down, including the person making the motion and the person seconding the motion, and whether the motion is carried or refused.
 - b. Arrange a replacement if unable to attend any meeting.
 - c. Maintain list of all standing and ad hoc committees including the chair, members and mandate.
 - d. Distribute copies of the minutes to the Executive, Principal, Vice-Principal and all members who request a copy. Post minutes on the PAC bulletin board or distribute them by electronic mail.
 - e. Ensure one hard copy of the passed minutes is kept on file.
 - f. Be responsible, in consultation with the President to prepare the PAC Newsletter, including where appropriate highlights of the previous General Meeting and the agenda for the next meeting, for provision to the School Secretary.

- g. Keep an accurate copy of the current Constitution and Bylaws on removable storage disc and hardcopy, and provide a copy for members upon request.
- h. Be a signing officer if requested by the members.

Treasurer

65. The Treasurer will:

- a. Receive and record all funds for the PAC, and issue receipts as required. Deposit all funds collected on behalf of the PAC in an account at a recognized financial institution.
- b. Disburse funds for the payment of authorized expenditures.
- c. Be a signing authority for the PAC.
- d. Ensure that another signing officer has access to the books in the event of the Treasurer's absence.
- e. Report at each Executive Meeting and General Meeting the state of the PAC finances, including a report of all receipts and expenditures.
- f. Maintain proper books of account, which shall be audited or reviewed annually before the Annual General Meeting.
- g. Make financial books available for viewing by members upon request.
- h. Prepare an Annual Report for the Annual General Meeting.
- i. Reconcile the cheque book with the monthly bank statements.
- j. Keep on file copies of all invoices and monies receipted and all requests for reimbursements for a period of (7) years.
- k. With the assistance of the Executive, annually draft a budget including a tentative plan of expenditures.

Past President (where available)

66. The Past President shall hold the office for one year.

67. The Past President shall:

- a. Aid in the smooth transition from one executive to the next.
- b. Serve in an advisory capacity.
- c. Call for nominations and conduct the election for executive positions.

- d. Provide information about resources, contacts and other essential information to the PAC.

Members at Large

- 68. Encouraged to chair, co-chair or otherwise participate on committees.
- 69. Attend General Meetings.

SPC Rep

- 70. The SPC Representatives will:
 - a. Represent and speak on behalf of the PAC at SPC meetings.
 - b. Take direction from the general PAC membership.
 - c. Report back to the PAC at General Meetings.

Revised at March 2003 PAC Meeting
Passed at May 2003 PAC Meeting
Passed at February 2008 PAC Meeting

Amended on 21 February 2008.

_____ Hollis Hodson, Vice-President
_____ Jeannine Nottenberg – Secretary
_____ Yvonne Blair - Treasurer

School Act, RSBC 1996 (excerpts)

Part 2 — Students and Parents

Division 1 — Students

Access to educational program

- 2 (1) Subject to section 74.1, a person is entitled to enrol in an educational program provided by the board of a school district if the person
- (a) is of school age, and
 - (b) is resident in that school district.
- (2) Subject to section 74.1, a person may enrol in an educational program provided by a board of a school district and attend any school in British Columbia if
- (a) the person is of school age,
 - (b) the person is resident in British Columbia, and
 - (c) the board providing the educational program determines that space and facilities are available for the person at the school in which the educational program is made available.

Entry to educational program

- 3 (1) Subject to subsections (2) and (3), a person who is resident in British Columbia must
- (a) enrol in an educational program
 - (i) provided by a board,
 - (ii) in the case of an eligible child, provided by a board or a francophone education authority, and
 - (iii) in the case of an immigrant child, provided by a board or, if the child is permitted to enrol with a francophone education authority under section 166.24, provided by that francophone education authority,on the first school day of a school year if, on or before June 31 of that school year, the person will have reached the age of 5 years, and
 - (b) participate in an educational program provided by a board or, in the case of an eligible child or an immigrant child, by a board or a francophone education authority until he or she reaches the age of 16 years.
- (2) A parent of a child referred to in subsection (1) (a) may defer the enrolment of his or her child until the first school day of the next school year.
- (3) This section does not apply if the person
- (a) is attending an independent school, a Provincial school or an educational institution operated by the government of Canada or by a band as defined in the *Indian Act* (Canada), or
 - (b) is registered under section 13.

Students in grades 10 to 12

- 3.1 A student in any of grades 10 to 12 who receives instruction through distributed learning may
- (a) enrol in one or more educational programs under section 3, and
 - (b) in addition to enrolling in one or more educational programs under section 3, enrol in an educational program offered by an authority under the *Independent School Act*.

Consultation

- 4 A student is entitled to consult with a teacher, principal, vice principal or director of instruction with regard to that student's educational program.

Language of instruction

- 5 (1) Every student is entitled to receive an educational program that is provided in the English language.
- (2) Students whose parents have the right under section 23 of the *Canadian Charter of Rights and Freedoms* to have their children receive instruction in a language other than English are entitled to receive that instruction.
- (3) Subject to the approval of the minister, a board may permit an educational program to be provided in a language other than as provided under subsections (1) and (2).
- (4) The Lieutenant Governor in Council may make regulations
- (a) respecting the provision of educational programs in languages other than English,
 - (b) to give effect to section 23 of the *Canadian Charter of Rights and Freedoms*, and
 - (c) determining the manner in which a power, duty or function of a board may be performed or exercised under this Act with respect to students referred to in subsection (2).

(5) For the purposes of subsection (4), the Lieutenant Governor in Council may make different regulations for different circumstances.

Duties of students

- 6** (1) A student must comply
- (a) with the school rules authorized by the principal of the school or Provincial school attended by the student, and
 - (b) with the code of conduct and other rules and policies of the board or the Provincial school.
- (2) A student attending a school or a Provincial school must participate in an educational program as directed by the board or by the principal of the Provincial school.

Division 2 — Parents

Parents' entitlements and responsibilities

- 7** (1) A parent of a student of school age attending a school is entitled
- (a) to be informed, in accordance with the orders of the minister, of the student's attendance, behaviour and progress in school,
 - (b) on request, to the school plan for the school and the achievement contract for the school district, and
 - (c) to belong to a parents' advisory council established under section 8.
- (2) A parent of a student of school age attending a school may, and at the request of a teacher, principal, vice principal or director of instruction must, consult with the teacher, principal, vice principal or director of instruction with respect to the student's educational program.

Parent volunteers

7.1 Subject to this Act, the regulations and any rules of a board, a parent of a student may provide volunteer services at or for a school.

Parents' advisory council

- 8** (1) Parents of students of school age attending a school or a Provincial school may apply to the board or to the minister, as the case may be, to establish a parents' advisory council for that school.
- (2) On receipt of an application under subsection (1), the board or minister must establish a parents' advisory council for the school or the Provincial school.
- (3) There must be only one parents' advisory council for each school or Provincial school.
- (4) A parents' advisory council, through its elected officers, may
- (a) advise the board and the principal and staff of the school or the Provincial school respecting any matter relating to the school or the Provincial school, other than matters assigned to the school planning council, and
 - (b) at the request of the school planning council, assist the school planning council in carrying out its functions under this Act.
- (5) A parents' advisory council, in consultation with the principal, must make bylaws governing its meetings and the business and conduct of its affairs, including bylaws governing
- (a) the dissolution of the parents' advisory council,
 - (b) the election of members to represent the parents' advisory council on the school planning council, and
 - (c) the election of a member to represent the parents' advisory council on the district parents' advisory council.
- (6) Voting at an election referred to in subsection (5) (b) and (c) must be by secret ballot.

School planning council

- 8.1** (1) A board must establish a school planning council for each school, except a Provincial resource program, in its school district.
- (2) At the request of 3 parents of students attending a Provincial resource program, a board may establish a school planning council for the Provincial resource program.
- (3) A school planning council for a school consists of the following persons:
- (a) the principal of the school;
 - (b) one of the teachers at the school, elected annually by secret ballot by the teachers who teach at the school;
 - (c) 3 representatives of the parents' advisory council who are
 - (i) parents of students enrolled in the school, and
 - (ii) elected annually by the parents' advisory council;

- (d) if the school enrolls students in grade 10, 11 or 12, one student of school age enrolled in one of those grades at the school, appointed annually by the principal of the school after consulting with the students enrolled in those grades at the school.
- (4) One of the representatives elected under subsection (3) (c) must be an elected officer of the parents' advisory council.
- (5) A board may appoint a person to fill a vacancy on a school planning council if
 - (a) there is no parents' advisory council for the school,
 - (b) the parents' advisory council for the school does not elect 3 representatives under subsection (3) (c),
 - (c) the teachers at the school do not elect a representative under subsection (3) (b), or
 - (d) the principal of the school does not appoint a student under subsection (3) (d).
- (6) The term of office of a person appointed or elected under this section to the school planning council must not be more than one year.
- (7) An employee of any board is not eligible for election under subsection (3) (c) or an appointment in the circumstances referred to in subsection (5) (a) or (b).

Role of a school planning council

8.2 A board must consult with a school planning council in respect of the following:

- (a) the allocation of staff and resources in the school;
- (b) matters contained in the board's achievement contract relating to the school;
- (c) educational services and educational programs in the school.

School plan

- 8.3** (1) In each school year, a board must approve a school plan for every school in the school district.
- (2) By a date set by the board, a school planning council must prepare and submit to the board a school plan for the school in respect of improving student achievement and other matters contained in the board's achievement contract relating to that school.
- (3) A school planning council must consult with the parents' advisory council during the preparation of the school plan.
- (4) The board may approve, approve with modifications or reject a school plan submitted under subsection (2) or (6).
- (5) Before approving a school plan, the board may
 - (a) consult with the school planning council about modifications to the school plan, or
 - (b) direct the school planning council to modify all or part of the school plan by a specified date.
- (6) The board may direct the principal of a school to prepare and submit to the board a school plan for the school by a specified date if
 - (a) the school planning council does not submit a school plan under subsection (2),
 - (b) the school planning council does not comply with a direction of the board under subsection (5) (b), or
 - (c) the board rejects the school plan submitted under subsection (2).
- (7) A board must make a school plan approved under subsection (4) available to the parents of students attending that school.

District parents' advisory council

- 8.4** (1) A parents' advisory council, through its elected officers, may apply to the board for the establishment of a district parents' advisory council.
- (2) On receipt of an application under subsection (1), the board must establish a district parents' advisory council for the school district consisting of representatives elected to the council under subsection (3).
- (3) Each parents' advisory council in a school district may elect annually one of its members to be its representative on the district parents' advisory council for a term of not more than one year.
- (4) There must be only one district parents' advisory council for each school district.

Purpose and operation of district parents' advisory council

- 8.5** (1) Subject to section 67 (5.1), the district parents' advisory council may advise the board on any matter relating to education in the school district.
- (2) A district parents' advisory council must make bylaws governing its meetings and the business and conduct of its affairs, including bylaws governing the dissolution of the council.
- (3) A superintendent of schools for the school district, a designate of the superintendent or a trustee of the school district may attend any meeting of the district parents' advisory council.

Examination of student records

- 9** (1) A student and the parents of a student of school age are entitled,
- (a) on request and while accompanied by the principal or a person designated by the principal to interpret the records, to examine all student records kept by a board pertaining to that student, and
 - (b) on request and on payment of the fee, if any, charged under subsection (2), to receive a copy of any student record that they are entitled to examine under paragraph (a).
- (2) A board may, for any copies of student records provided under subsection (1) (b), charge a fee that does not exceed the cost to the board of providing the copies.

Liability for damage to property

- 10** If property of a board or a francophone education authority is destroyed, damaged, lost or converted by the intentional or negligent act of a student or a francophone student, that student and that student's parents are jointly and severally liable to the board or francophone education authority in respect of the act of that student.

Appeals

- 11** (1) In subsections (2) and (4), "**decision**" includes the failure of an employee to make a decision.
- (2) If a decision of an employee of a board significantly affects the education, health or safety of a student, the parent of the student or the student may, within a reasonable time from the date that the parent or student was informed of the decision, appeal that decision to the board.
- (3) For the purposes of hearing appeals under this section, a board must, by bylaw, establish an appeal procedure.
- (4) A board may refuse to hear an appeal under this section unless the appellant discusses the decision under appeal with one or more persons as directed by the board.
- (5) A board may establish one or more committees for the purpose of investigating appeals under this section.
- (6) A board may make any decision that it considers appropriate in respect of the matter that is appealed to it under this section, and the decision of the board is final.
- (7) A board must
- (a) make a decision under this section as soon as practicable after receiving an appeal, and
 - (b) promptly report that decision to the person making the appeal.