**Updating Sherwood Park Parent Advisory Council Constitution and Bylaws**

**BACKGROUND**

Section 8 of The *British Columbia School Act* requires that every PAC has bylaws that specify how meetings are run, how business is conducted, how dissolution is to be handled, and how members of the executive are elected:

#### “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 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.

(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, and

(b)[Repealed 2015-24-6.]

 (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) (c) must be by secret ballot.”

The Sherwood Park PAC Constitution and Bylaws were updated in October, 2020 based on a model provided by BC Confederation of Parent Advisory Councils (BCCPAC), and approved by the membership. Prior to that, they had not been updated for a considerable time.

BCCPAC recommends that PACs review their Bylaws annually, and the Executive has done so. As a result of that review, and some practical experience operating under the updated Constitution and Bylaws over the past year, the Executive is proposing some revisions for the membership’s consideration.

Details of the proposed revisions are set out below: they mainly ideal with the composition of the executive, provide for virtual or hybrid meetings, and provide greater clarity over the mission, roles and accountabilities of the PAC.

**PROCESS**

Draft proposed modifications are being provided in advance or by the April 7, 2021 PAC meeting, and will be posted on the website.

Comments are invited by email to SherwoodParkPAC@gmail.com prior to April 30, 2021. Please use the subject line: “Comments on Constitution and Bylaws”.

A summary of comments received and their disposition by the Executive (whether accepted, rejected, or modified) will be posted to the website on or about May 14, 2021 for a final comment period ending May 21, 2021. During these periods, as required by the *BC Schools Act*, the Principal will be consulted on the drafts.

Shortly after May 21, 2021, a final draft version will be posted on the website and circulated in advance of a vote to adopt the changes at the PAC meeting scheduled for June 9, 2021.

**SUMMARY OF KEY CHANGES/DIFFERENCES**

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| **Subject** | **Existing**  | **Proposed change** | **Explanation** |
| Purpose  | To advise and participate in the activities of the Sherwood Park Elementary PAC and the BC Confederation of Parent Advisory Councils | To advise and participate in the activities of the Sherwood Park Elementary PAC, District PAC, and the BC Confederation of Parent Advisory Councils | Include provision for participation in District PAC for North Vancouver SD44. |
| Members | All parents and guardians of students registered in Sherwood Park Elementary are voting members of the Council. (The PAC members are currently non voting) | All parents and guardians of students registered in Sherwood Park Elementary are voting members of the Council. | The parenthetical comment is ambiguous. All members may vote, including the Executive. |
| Meetings of Members (location) | No existing provision | General meetings may be conducted in-person in the areas commonly known as East of Seymour, North Vancouver; virtually; or using a hybrid approach. Virtual meetings will be deemed to be held in North Vancouver for the purposes of complying with BC laws and regulations.  | To provide clarity on location of general meetings, and make provision for virtual meetings, and to align with Section 76 of the *BC Societies Act.* |
| Meetings of Members (frequency) | General meetings will be held not less than five times during the school year. One of those meetings will be the annual general meeting. | General meetings will be held not less than four times during the school year. One of those meetings will be the annual general meeting. | Aims to balance the maintenance of Executive accountability to the membership with a reduced burden on staff, volunteers and parents so as to promote greater quality of engagement; aligns with approach at Dorothy Lynas; establishes a minimum but not a maximum. |
| Conduct(limits on activities) | The Council will refrain from partisan political action or other activities that do not serve the interests of the school or the public school system. The Council will remain neutral. | The Council will refrain from partisan political action and other activities that do not serve the interests of the school or the public school system.  | Change “or” to “and” to clarify the focus of the PAC’s activities.Delete the comment on neutrality, as it is redundant in the context of prohibited activities, and potentially confusing with respect to allowed activities (e.g., promoting the interests of Sherwood Park School) |
| Notice of Meetings | Members will be given reasonable notice of general meetings. | Members will be given reasonable notice (seven days when possible) of general meetings. | Provide greater clarity of “reasonable” |
| Voting | Except as provided elsewhere in these bylaws, voting is by a show of hands, by message (online meetings) to the secretary or, where requested by two voting members present, by secret ballot.. | Except as provided elsewhere in these bylaws, voting is by a show of hands, by message (online meetings) to the secretary or, where requested by two voting members present, by secret ballot or available digital alternative. | To make provision for a digital alternative to voting by physical secret ballot, aligning with other provisions allowing for virtual meetings. |
| Definition of Executive | The executive will include the chair or 2 co-chairs, secretary, treasurer, immediate past chair, and such other members of the Council as the membership decides. | The executive will include the president (chair), vice-president (vice-chair), secretary, treasurer, and such other members of the Council as the membership decides. At a minimum, the executive should be comprised of president, secretary and treasurer if possible. Positions such as member at large, fundraising, or volunteer coordinator may be members of the Executive or not, so long as there is a clear decision by the members of the Council. | To provide greater clarity on composition and roles. Consequential amendments have been made elsewhere, notably in Section VII, including to remove reference to “co-chair”, to create the role of vice-chair, and to provide greater precision on the composition of the membership.The position of Immediate Past Chair has been removed from the Executive and effectively been made optional, given the impracticalities that arise in many circumstances (e.g., has moved away, is unable or unwilling to serve). |
| Executive Meetings (frequency) | Executive meetings will be held at the call of the chair. At least one meeting will be held before each general meeting. | Executive meetings will be held at the call of the chair, and may be virtual or business may be transacted secretarially. At least one meeting will be held before each general meeting, where possible. | Greater flexibility to reflect digital and virtual methods of collaborating and meeting. |
| Non-budgetary items | No expenditure authorization exists without returning to PAC membership | The executive may authorize non-budgeted expenditures of up to and including $1000 by ordinary resolution, and non-budgeted expenditures in excess of $1000, but not more than $1,500, by unanimous vote at a duly convened meeting of the Executive. | Introduce limited authority for the executive to disburse funds for unanticipated items in advance of a general meeting, but with a requirement to report out. |
| Property in Documents | Covers paper | Added reference to “electronic accounts” | Add provision for electronic accounts as the PAC operated Facebook, gmail, mailchimp and other digitial accounts. |
| Dissolution | In the event of winding up or dissolution of the Council, and after payment of all debts and costs of winding up or dissolution, the assets and remaining funds of the Council shall be held in the Sherwood Park PAC Bank Account until such time as a new Sherwood Park PAC is established. | In the event of winding up or dissolution of the Council, and after payment of all debts and costs of winding up or dissolution, the assets and remaining funds of the Council shall be held in the Sherwood Park PAC Bank Account until such time as a new Sherwood Park PAC is established, or disbursed as decided upon by majority vote of the membership at the final general meeting. | Allow PAC membership to decide on disposition of funds and assets in the event of dissolution. Such a provision is required by the *School Act*, Part 2, Division 2, Section 8 (4). |
| Role of Secretary | b) record and file minutes of all meetingse) issue and receive correspondence on behalf of the Council. | b) record and file minutes of all general meetings, and keep a record of decisions of the executive committee related to expenditures or policye) issue and receive correspondence on behalf of the Council, and ensure its privacy by restricting digital account access to only one other member of the executive, such that duties can be discharged in the Secretary’s absence. | Clarify expectations of record keeping with respect to actions of executive committee, and introduce obligation to protect privacy of digital records / correspondence as well as to control account access. |
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**DRAFT ADJUSTMENTS: Constitution of Sherwood Park PAC**

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**Section I – NAME**

**The name of this Council is the Sherwood Park Elementary School PAC**

The Council will operate as a non-profit organization with no personal financial benefit accruing to members.

The business of the Council will be unbiased in respect of race, religion, gender, politics, sexual orientation, and physical or mental ability.

**Section II – PURPOSES OF THE COUNCIL**

The purposes of the Council will be:

1. To promote the education and welfare of students in the school

2. To encourage parent involvement in the school, and to support programs that promote parent involvement

3. To advise the school board, principal, and staff on any matter relating to the school, other than matters assigned to the school planning council

4. To participate in the work of the school planning council through the Council’s elected representatives

5. To promote the interests of public education and, in particular, the interests of Sherwood Park Elementary

6. To provide leadership in the school community

7. To contribute to a sense of community within the school and between the school, home, and neighbourhood

8. To provide parent education and professional development, and a forum for discussion of educational issues

9. To assist parents in obtaining information and communicating with the principal and staff about their child’s progress or other concerns

10. To assist the principal and staff in ensuring the highest safety standards are maintained in the school and neighbourhood

11. To organize and support activities for students and parents

12. To provide financial support for the goals of the Council, as determined by the membership

13. To advise and participate in the activities of the Sherwood Park Elementary PAC, District PAC, and the BC Confederation of Parent Advisory Councils

**Section III -- INTERPRETATION OF TERMS**

**“community organizations”** means groups that demonstrate an interest in education and are not already included in the scope of the Council’s constitution and bylaws

**district** means School District No. 44

**DPAC or district parent advisory council** means the parent advisory councils organized according to the School Act and operating as a district parent advisory council in School District No. 44

**PAC or parent advisory council** means the parents organized according to the School Act and operating as a parent advisory council in Sherwood Park Elementary

**“parent”** is as defined in the School Act and means

* 1. the guardian of the person of the student or child,
	2. the person legally entitled to custody of the student or child, or
	3. the person who usually has the care and control of the student or child

and, for the purposes of these bylaws, means the parent or guardian of a child or children enrolled in School District No. 44

**school** means any public elementary or secondary educational institution as defined in the School Act operating within School District No. 44

**SPC** means the school planning council created for Sherwood Park Elementary according to the School Act

**Bylaws for the Sherwood Park Elementary PAC**

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**Section I – MEMBERSHIP**

**Voting members**

1. All parents and guardians of students registered in Sherwood Park Elementary are voting members of the Council. (The PAC members are currently non voting)

**Non-voting members**

1. Administrators and staff (teaching and non-teaching) of Sherwood Park Elementary may be invited to become non-voting members of the Council.
2. Members of the school community who are not parents of students registered in the public school system may be invited to become non-voting members of the Council.
3. At no time will the Council have more non-voting than voting members.

**Compliance with bylaws**

5. Every member will uphold the constitution and comply with these bylaws.

**Section II –MEETINGS OF MEMBERS**

**General meetings**

1. General meetings will be conducted with fairness to all members.

1. General meetings will be held not less than four times during the school year. One of those meetings will be the annual general meeting.

 **Location of meetings**

1. General meetings may be conducted in-person in the areas commonly known as East of Seymour, North Vancouver; virtually; or using a hybrid approach. Virtual meetings will be deemed to be held in North Vancouver for the purposes of complying with BC laws and regulations.

**Conduct**

1. At general meetings, members will not discuss individual school personnel, students, parents, or other members of the school community.
2. The Council will refrain from partisan political action and other activities that do not serve the interests of the school or the public school system.

**Notice of meetings**

1. Members will be given reasonable notice (seven days when possible) of general meetings.

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| Notice of meetings can be sent in various ways—by flyer, newsletter, e-mail, or website. A calendar of meetings for the year satisfies the requirement for reasonable notice. |

**Section III – PROCEEDINGS AT GENERAL MEETINGS**

**Quorum**

1. A quorum for general meetings will be five\* voting members (\*the minimum number of voting members that can reasonably be expected to attend).

2. If at any time during a general meeting a quorum ceases to be present, business then in progress must be suspended until there is a quorum present or until the meeting is adjourned or terminated.

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| A quorum is the minimum number of voting members that need to be present at a meeting to make decisions. The requirement for a quorum ensures that a representative number of voting members are present in the room when decisions are made. The quorum cannot be waived or suspended, even by unanimous consent. |

**Voting**

1. Except as provided elsewhere in these bylaws, all matters requiring a vote will be decided by a simple majority of the votes cast (50% plus 1).
2. In the case of a tie vote, the chair does not have a second or casting vote and the motion is defeated.
3. Members must vote in person or virtually in person on all matters. Voting by proxy will not be permitted.
4. Except as provided elsewhere in these bylaws, voting is by a show of hands, by message (online meetings) to the secretary or, where requested by two voting members present, by secret ballot or available digital alternative.

**Section IV -- EXECUTIVE**

**Role of executive**

1. The executive will manage the Council’s affairs between general meetings.

**Executive defined**

2. The executive will include the president (chair), vice-president (vice-chair), secretary, treasurer, and such other members of the Council as the membership decides. At a minimum, the executive should be comprised of president, secretary and treasurer if possible. Positions such as member at large, fundraising, or volunteer coordinator may be members of the executive or not, so long as there is a clear decision by the members of the Council.

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**Eligibility**

1. Any voting member of the Council is eligible to serve on the executive, except employees or elected officials of School District No. 44 or the Ministry of Education.

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| Perception of Bias – Councils need to appear to be representing the voice of parents and protecting the integrity of their membership. Members who are school board or Ministry of Education employees or elected officials may be seen as having a bias and not speaking or acting solely on behalf of parents. |

**Election of executive**

1. The executive will be elected at each annual general meeting. This may only be altered in extenuating circumstances.
2. Elections will be conducted by the Chair.

**Term of office**

1. The executive will hold office for a term of one year beginning immediately following the election.
2. No person may hold the same executive position for more than four years.

**Vacancy**

1. If an executive member resigns or ceases to hold office for any other reason, the remaining executive members may appoint an eligible member of the Council to fill the vacancy until the next annual general meeting.

**Removal of executive**

9. The members may with reasonable cause, by a majority of not less than 75% of the votes cast, remove an executive member before the expiration of his or her term of office, and may elect an eligible member to complete the term.

10. Written notice specifying the intention to make a motion to remove the executive member must be given to all members not less than 14 days before the meeting.

**Remuneration of executive**

11. No executive member may be remunerated for serving on the executive, but may be reimbursed for expenses reasonably and necessarily incurred while engaged in the Council’s affairs.

**Section V – EXECUTIVE MEETINGS**

**Meetings**

1. Executive meetings will be held at the call of the chair, and may be virtual or business may be transacted secretarially. At least one meeting will be held before each general meeting, where possible.

**Quorum**

2. A quorum for executive meetings will be a majority (50% plus 1) of the members of the executive.

**Notice**

3. Executive members will be given reasonable notice of executive meetings.

**Voting**

4. All matters requiring a vote at executive meetings will be decided by a simple majority of the votes cast (50% plus 1).

1. In the case of a tie vote, the chair does not have a second or casting vote and the motion is defeated.

**Section VI - SCHOOL PLANNING COUNCIL, DISTRICT PARENT ADVISORY COUNCIL, AND EXTERNAL COMMITTEE REPRESENTATIVES**

**School Planning Council representatives**

1. Three representatives to the school planning council (SPC) must be elected annually from among the voting members who are not employees or elected officials of any school board or the Ministry of Education. One of these representatives must be an elected member of the Council executive.

**District Parent Advisory Council representative**

1. One representative to the (name of your DPAC) may be elected annually from among the voting members who are not employees or elected officials of School District No. 44 or the Ministry of Education.

**Election of SPC and DPAC representatives**

1. The election of representatives to the SPC and DPAC must be by secret ballot.

**Term of office**

1. SPC and DPAC representatives will hold office for a term of one year.

**Vacancy**

1. If an SPC or DPAC representative resigns or ceases to hold office for any other reason, the membership may elect an eligible member of the Council to fill the vacancy for the remainder of the term. Such election must be by secret ballot.

**External committees**

1. The membership or executive may elect or appoint a member who is not an employee or elected official of School District No. 44 or the Ministry of Education to represent the Council on an external committee or to an external organization.
2. The representative will report to the membership or executive as required.

**Section VII – CONDUCT OF EXECUTIVE AND REPRESENTATIVES**

**Code of ethics**

1. On election or appointment, every executive member and representative must sign and agree to abide by a code of ethics acceptable to the membership.

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| Code of Ethics appears at the end of these bylaws. |

 **Representing the Council**

1. Every executive member and representative must act solely in the interests of the parent membership of the Council.

**Privilege**

1. Any information received in confidence by an executive member or representative from school personnel, a student, parent, or other member of the school community is privileged and must not be divulged without permission of the person giving the information.

**Disclosure of interest**

1. An executive member or representative who is interested, either directly or indirectly, in a proposed contract or transaction with the Council must disclose fully and promptly the nature and extent of his or her interest to the membership and executive.
2. Such an executive member or representative must avoid using his or her position on the Council for personal gain.

**Section VIII – DUTIES OF EXECUTIVE AND REPRESENTATIVES**

1. **The Chair will be a member of the executive and will**
	1. speak on behalf of the Council
	2. consult with Council members
	3. preside at membership and executive meetings
	4. ensure that an agenda is prepared
	5. appoint committees where authorized by the membership or executive
	6. ensure that the Council is represented in school and district activities
	7. ensure that Council activities are aimed at achieving the purposes set out in the constitution
	8. be a signing officer

**B The Vice-Chair will be a member of the executive and will**

a. support the chair

b. assume the duties of the chair in the chair’s absence or on request

c. assist the chair in the performance of their duties

d. accept extra duties as required

e. be a signing officerd

**C. The Secretary will be a member of the executive and will**

1. ensure that members are notified of meetings
2. record and file minutes of all general meetings, and keep a record of decisions of the executive committee related to expenditures or policy
3. keep an accurate copy of the constitution and bylaws, and make copies available to members upon request
4. prepare and maintain other documentation as requested by the membership or executive
5. issue and receive correspondence on behalf of the Council, and ensure its privacy by restricting digital account access to only one other member of the executive, such that duties can be discharged in the Secretary’s absence.
6. ensure safekeeping of all records of the Council
7. may be a signing officer

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| If changes are made to the constitution and bylaws, they should be dated and initialed and a copy placed in the school office for safekeeping.Financial records should be kept for seven years. Other documents may be kept according to their value or precedent-setting nature. Minutes can be a valuable history of the council. |

**D. The Treasurer will be a member of the executive and will**

* 1. be a signing officer
	2. ensure all funds of the Council are properly accounted for
	3. disburse funds as authorized by the membership or executive
	4. ensure that proper financial records and books of account are maintained
	5. report on all receipts and disbursements at general and executive meetings
	6. make financial records and books of account available to members upon request
	7. have the financial records and books of account ready for inspection or audit annually
	8. with the assistance of the executive, draft an annual budget
	9. ensure that another signing officer has access to the financial records and books of account in the treasurer’s absence
	10. submit an annual financial statement at the annual general meeting

**E. The DPAC Representative may fulfill another executive role or be a stand-alone position on or not on the executive, and will**

* 1. attend all meetings of North Vancouver PAC (DPAC) and represent, speak, and vote on behalf of the Council
	2. maintain current registration of the Council
	3. report regularly to the membership and executive on all matters relating to the DPAC
	4. seek and give input to the DPAC on behalf of the Council
	5. receive, circulate, and post DPAC newsletters, brochures, and announcements
	6. receive and act on all other communications from the DPAC
	7. liaise with other parents and DPAC representatives

**F. Members-at-Large may be on the executive and will**

* 1. serve in a capacity to be determined by the Council at the time of election, and at other times as the Council requires

**F. The immediate Past Chair will not be a member of the executive but will**

* 1. advise and support the membership and executive
	2. provide information about resources, contacts, and other matters

**G. The School Planning Council (SPC) representatives will**

* 1. attend all meetings of the school planning council (SPC)
	2. represent, speak, and vote on behalf of the Council at SPC meetings
	3. request and take direction from the membership and executive
	4. be strong advocates for meaningful parent involvement in the school and school planning
	5. provide a written report to all general and executive meetings
	6. attend general and executive meetings as directed by the membership or executive

**Section IX – COMMITTEES**

1. The membership and executive may appoint committees to further the Council’s purposes and carry on its affairs.

1. The terms of reference of each committee will be specified by the membership or executive at the time the committee is established, or by the committee at its first meeting, as the membership or executive decide.
2. Committees will report to the membership and executive as required.

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| A standing committee exists every year. Examples are budget, nominating, programs, hot lunch, special events, and fundraising.An ad hoc committee is created to do a specific task within a certain time period. |

**Section X – FINANCIAL MATTERS**

**Financial year**

1. The financial year of the Council will be September 1 to August 31.

**Power to raise money**

1. The Council may raise and spend money to further its purposes.

**Bank accounts**

1. All funds of the Council must be kept on deposit in the name of the Council in a bank or financial institution registered under the Bank Act.

**Signing authority**

1. The executive will name at least three signing officers for banking and legal documents. Two signatures will be required on all of these documents.

**Annual budget**

1. The executive will prepare a budget and present it to the membership for approval before the current budget expires.

**Non-budgeted expenditures**

1. The executive may authorize non-budgeted expenditures of up to and including $1,000 by ordinary resolution, and non-budgeted expenditures in excess of $1,000, but not more than $1,500, by unanimous vote at a duly convened meeting of the Executive.
2. The executive will present all proposed expenditures beyond the current budget for approval at the next general meeting.

**Treasurer’s report**

1. A treasurer’s report will be presented at each general meeting.

**Auditor**

1. Members at a general meeting may appoint an auditor.

**Section XI – CONSTITUTION AND BYLAW AMENDMENTS**

1. The members may, by a majority of not less than 75% of the votes cast, amend the Council’s constitution and bylaws at the AGM.

1. Written notice specifying the proposed amendments must be given to the members not less than 14 days before the meeting.
2. Where the proposed amendments exceed one page, they need not be given to every member, but must be posted in a conspicuous place in the school or website or made accessible to all members.

**Section XII – PROPERTY IN DOCUMENTS AND ELECTRONIC ACCOUNTS**

All documents, records, minutes, correspondence, or other papers or control of digital accounts kept by a member, executive member, representative, or committee member in connection with the Council shall be deemed to be property of the Council and shall be turned over to the president when the member, executive member, representative, or committee member ceases to perform the task to which the papers relate.

**Section XIII DISSOLUTION**

1. In the event of winding up or dissolution of the Council, and after payment of all debts and costs of winding up or dissolution, the assets and remaining funds of the Council shall be held in the Sherwood Park PAC Bank Account until such time as a new Sherwood Park PAC is established, or disbursed as decided upon by majority vote of the membership at the final general meeting.

1. In the event of winding up or dissolution, all records of the Council shall be given to the principal of Sherwood Park Elementary until such time as a new Sherwood Park PAC is established.

**Adopted by Sherwood Park PAC at North Vancouver, British Columbia, on XXXXXXX.**

**Signatures of Chair(s) and one other executive member to be added on adoption**

**CODE OF ETHICS**

A parent who accepts a position as a Council executive member, committee member, or representative

* 1. upholds the constitution and bylaws, policies, and procedures of the electing body
	2. performs his or her duties with honesty and integrity and in the interests of the Council

* 1. works to ensure that the well-being of students is the primary focus of all decisions
	2. respects the rights of all individuals
	3. takes direction from the membership and executive
	4. encourages and supports parents and students with individual concerns to act on their own behalf, and provides information on the process for taking concerns forward
	5. works to ensure that issues are resolved through due process
	6. strives to be informed and only passes on information that is reliable
	7. respects all confidential information
	8. supports public education

**Statement of Understanding**

I, the undersigned, in accepting the position of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ of Sherwood Park Elementary PAC have read, understood, and agreed to abide by this Code of Ethics. I also agree to participate in the dispute resolution process that has been agreed to by the electing body, should there be any concerns about my work.

Name of Executive Member, Committee Member, or Representative

Signature \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_   Phone number\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_