

***St. Patrick Elementary School
Home and School Association
Bylaws***

Adopted: December 13th, 2016

Amended: not applicable

1.0 Definitions

Wherever possible, words used in these bylaws have the same definitions as in the *Companies Act*.

<i>Bylaws</i>	The rules by which X conducts its business.
<i>Conflict of interest</i>	A situation in which a board or committee member could benefit personally from a decision made by the board or committee. The conflict of interest is that the person's benefit could be in conflict with the best interest of the organization. The bylaws have rules for dealing with conflicts of interest.
<i>Dissolution</i>	The Association stops operating and is no longer in business.
<i>Executive</i>	Executive committee as defined in the constitution.
<i>Ex-officio</i>	Because of one's role or position. For example, the President is an <i>ex officio</i> member of committees, because of holding the position of President.
<i>Fiscal</i>	Related to money or finance.
<i>Indemnity</i>	Not subject to penalties or liabilities that happened because of work done on behalf of X.
<i>Member</i>	Member of the Home and School Association
<i>Motion</i>	A statement beginning with "I move that..." or "Moved that..." on which members are asked to vote "in favour of" or "opposed to" or "abstain from"
<i>President</i>	Chairperson of the Executive
<i>Quorum</i>	The minimum number of members who must be present to carry on business at a meeting.
<i>Reimbursement</i>	Money paid back to a person who spends his or her own money for expenses related to X.
<i>Remuneration</i>	Money paid to a person for providing a service (i.e. wages or fees).
<i>Contract</i>	A written or spoken spoken agreement especially one concerning sales that is intended to be enforceable by law.

2.0 Name

The name of the organization is St. Patrick Elementary School Home and School (H&S) Association.

3.0 Not-for-Profit Status

The St. Patrick Elementary School H&S Association is a not-for-profit organization. The work of the St. Patrick Elementary School H&S Association is carried on without purpose of gain for its members. Any profits, revenues or other assets will be used solely to promote and achieve the purposes of the association as stated in the constitution.

4.0 Head Office

The headquarters of the St. Patrick Elementary School H&S Association is 261 Shamrock Road, Pincourt, Quebec, J7W 3W5.

5.0 Membership

5.1 Eligibility

Those who support the purpose and core values the St. Patrick Elementary School H&S Association and who pay an annual membership fee are eligible to be members.

5.2 Types of Membership

- 5.2.1 As defined in the Constitution, a member of the St. Patrick Elementary School H&S Association may be:
- a. a full member
 - b. an associate member

5.3 Becoming a Member of the Local Association

- 5.3.1 Voting membership in the local Association will be granted upon payment of the prescribed fees to the local association and subsequently to the provincial federation.
- 5.3.2 Membership fees must be paid in full a week before the AGM in order to have voting privileges at the AGM.
- 5.3.3 Any and all executive members must have membership fees paid in full.
- 5.3.4 Membership fees must be paid in full a week before a person is considered to be a full member and, as such, is allowed to cast a vote for any St. Patrick Elementary School H&S Association issue.
- 5.3.5 Membership will be valid from September 1st of the current school year to September 30th of the following school year.

5.4 Privileges of Membership

- 5.4.1 A full member of St. Patrick Elementary School H&S Association
- a. is entitled to attend all general meetings, special meetings and AGMs of St. Patrick Elementary School H&S Association
 - b. is entitled to vote on all matters of business at St. Patrick Elementary School H&S Association meetings
 - c. has other privileges and responsibilities described in these bylaws and in related standing rules passed by the membership of St. Patrick Elementary School H&S Association
- 5.4.2 An associate member of St. Patrick Elementary School H&S Association:
- a. is entitled to attend all general meetings, special meetings and AGMs of St. Patrick Elementary School H&S Association
 - b. is entitled to vote on all matters of business at St. Patrick Elementary School H&S Association meetings

- c. has other privileges and responsibilities described in these bylaws and related standing rules passed by the membership of St. Patrick Elementary School H&S Association

5.5 Membership Responsibilities

A member of St. Patrick Elementary School H&S Association is responsible to:

- a. support the purpose and core values of St. Patrick Elementary School H&S Association
- b. pay annual membership fees
- c. abide by the constitution, bylaws and standing rules of St. Patrick Elementary School H&S Association

5.6 Fees

- 5.6.1 The base annual fee is established by the Québec Federation of H&S Associations (QFHSA) at its AGM.
- 5.6.2 The membership of St. Patrick Elementary School H&S Association establishes its own annual membership (cannot be lower than the minimum annual fee set by QFHSA) and the fees will be ratified by the Members at the AGM or a general meeting of the members.
- 5.6.3 Membership fee is defined as: one membership per family living at the same address.

5.7 Termination of Membership

Members may have their relationship terminated by St. Patrick Elementary School H&S Association by:

- a. not paying fees and/or notifying the association that they no longer wish to be members
- b. violating any provision of the constitution, bylaws, standing rules or written policies of the association
- c. carrying out any conduct which may be detrimental to the association as determined by the Executive

6.0 Executive

6.1 An Executive member must be a fully paid member of St. Patrick Elementary School H&S Association.

- 6.1.1 Executive members are responsible for their fees and cannot be taken from the Home and School funds.
- 6.1.2 It is preferable but not necessary that members of the Executive were a member of St. Patrick Elementary School H&S Association (or another H&S Association) for at least one year prior to becoming an Executive.

6.2 The minimum number of Executive positions are President, Treasurer and Secretary.

6.3 Purpose of the Executive

- 6.3.1 The purpose of the Executive is to guide the affairs of the St. Patrick Elementary School H&S Association through setting policy and overall direction.
- 6.3.2 The Executive is responsible for:
 - a. writing/maintaining St. Patrick Elementary School H&S Association constitution, bylaws and standing rules
 - b. ensuring proper financial management of the St. Patrick Elementary School H&S Association
 - c. carrying out the purpose of the H&S as outlined in the constitution and in collaboration with the school administration
 - d. assuring that the Association remains in good standing with the QFHSA by submitting the required paperwork and fees as dictated by the QFHSA
 - e. fulfilling the obligations outlined in the local association renewal form
- 6.3.3 To carry out its purpose, the Executive may take any steps it considers necessary on behalf of the St. Patrick Elementary School H&S Association.

Note: The exception is when the Executive has received mandatory directives from the QFHSA.

6.4 Executive Terms

- 6.4.1 The term for an Executive member is two years.
- 6.4.2 An Executive member may serve up to two consecutive terms in the same position.

6.5 Election of Executive Members

- 6.5.1 Members of the St. Patrick Elementary School H&S Association elect the Executive members at the AGM.
- 6.5.2 Nominations:
A call for nominations will be sent out to the membership 30 days before the AGM. The list of nominees will be sent to the membership seven days before the AGM. Other nominations may be taken from the floor at the AGM.
- 6.5.3 Vacant Positions
 - 6.5.3.1 If an Executive position becomes vacant between elections, the Executives may vote amongst themselves to appoint a member to fill the vacant position until a permanent replacement can be appointed.
 - 6.5.3.2 If an Executive position is not filled at the AGM, the Executive may appoint someone during the school year until the permanent replacement can be appointed.

6.6 Duties of Executive Members

- 6.6.1 The duties of the Executive members are outlined in the bylaws and standing rules of the St. Patrick Elementary School H&S Association.
- 6.6.2 Duties of the President

Note: The outgoing President transitions to the role of Past President if stipulated by the Association in the standing rules.

 - 6.6.2.1 Leadership:
 - a. facilitate an atmosphere of common purpose and cooperation to create a cohesive group from many individual talents and interests
 - b. welcome new members, and encourage innovation and participation
 - c. share responsibility and delegate duties
 - d. instruct new officers and committee chairmen of their duties and be aware of the importance of planning continuity in office
 - 6.6.2.2 Organization:
 - a. chair all meetings, prepare meeting agendas, etc.
 - b. become familiar with the fundamentals of parliamentary procedure and recognize impartially the rights of all members to participate in discussion
 - c. ensure that the H&S Association follows its constitution, bylaws and standing rules
 - d. present the President's year-end (activity) report to membership at the AGM
 - e. submit the President's year-end (activity) report to the QFHSA by June 30th
 - f. ensure that the re-affirmation of membership form is duly signed and submitted to the QFHSA office before September 30th
 - g. prepare meeting agendas in consultation with school administration
 - h. maintain own personal files and records
 - i. other duties, as required.
 - 6.6.2.3 Liaison:
 - a. invite school administrators, staff and other organizations to exchange liaison representatives
 - b. is a member of all committees (ex-officio)

- c. act as a liaison between the H&S Association and school administration
- d. distribute to the officers, chairmen and members the information and material intended for their use from the QFHSA
- e. ensure representation at the QFHSA AGM
- f. organize representation at the QFHSA Fall Conference
- g. forward the names and addresses of newly elected Executive Committee to the QFHSA in a timely fashion

Note: This list is sent to the QFHSA yearly in September, regardless of whether any names/addresses have changed.

6.6.3 Duties of the Vice-President:

- a. assist the President
- b. carry out the President's duties when the President is not able to do so, or when the President requests the Vice-President to do so
- c. other duties, as required

6.6.4 Duties of the Treasurer:

- a. oversee the finances and maintain the financial records of St. Patrick Elementary School H&S Association, including (but not limited to):
 - i. presenting a financial report at each executive and regular H&S meeting, as well as providing a copy to all attendees and to the Secretary so that it may be included in that meeting's minutes

Note: This report typically includes receipts, disbursements, outstanding/unpaid items, previous balance and current balance.
 - ii. after each fundraising event, submitting a report to the President of how much money was collected, as well as what was accomplished with the money (as applicable)
 - iii. after the close of each financial year, compiling and submitting to the Executive and membership a report for the financial year and arranging for the financial audit/review as stipulated in the Constitution
 - iv. compiling and submitting a report to the QFHSA by July 1st or one month after year-end

Note: This report is signed by both the President and Treasurer.
- v. ensuring the safe keeping of all financial records for a period of seven years in a secure location designated by the Executive
- vi. acting as liaison between the H&S and the bank
- vii. keeping an accurate record of all receipts and expenditures, as well as receiving all monies, paying all invoices and doing the banking

Note: If the Treasurer is unable to do the banking another Executive member may be designated.
- viii. keeping a record of items all purchases and assets

Note: Purchases can be labelled "Donated by...Home & School". This would give H&S some control over the use of the items, in the event of teachers leaving the school and taking items with them. Items purchased should stay in the classroom or in the school, not with the teachers if they are changing schools.
- ix. conferring closely with the President and Executive and participating in all financial decisions
- x. forwarding per capita fees and administration fee to the QFHSA when designated in a timely manner
- xi. submitting the annual budget (also known as allocation) for approval to the H&S Association
- xii. other duties, as required

6.6.5 Duties of the Secretary:

- a. record an accurate, brief and impartial account of all business transacted at the St. Patrick Elementary School H&S Association meetings, including (but not limited to):
 - i. place, date, time and presiding Executive
 - ii. attendance
 - iii. acceptance of previous minutes
 - iv. reports received
 - v. total receipts, disbursements and balance on hand per Treasurer's report

- vi. correspondence and action taken
 - vii. results of discussions regarding unfinished or new business
 - viii. exact wording of all motions, as well as names of mover and seconder of all motions, whether carried or lost
 - ix. time of adjournment
 - b. record the minutes of Executive meetings
 - c. count members when a vote is necessary
 - d. deal with external and social correspondence as mandated by the President and/or Executive
 - e. maintain any other books and records related to St. Patrick Elementary School H&S Association meetings
 - f. once completed for corrections, send the draft minutes to the Executive
 - g. once approved by the Executive, sends minutes of the previous meeting to the members (minimum one week prior to next scheduled meeting)
- Note: This is done via blind carbon copy (BCC) email.
- h. send out meeting notice and agenda to members (minimum one week prior to meeting)
 - i. present the minutes for approval at the next H&S meeting
 - j. file committee reports and correspondence, together with a copy of the replies
 - k. ensure that meeting minutes are kept in perpetuity as an official record of all business transacted and an accurate historical document
 - l. ensure electronic copies of all minutes and correspondence are retained in a secure location designated by the Executive
 - m. assist the President and Vice-President in preparing the year-end (activity) report
 - n. other duties, as required

6.6.6 Duties of the Membership Chair:

- a. promote an annual membership drive to encourage new membership
- b. collect all information on members and give membership fees to the Treasurer in a timely manner
- c. ensure the QFHSA and local executives have the information required to maintain correspondences with the local members
- d. report membership status to the Officers and Executive
- e. maintain a list of members in good standing which will be used for voting purposes at all meetings
- f. supply updated membership lists to the QFHSA office regularly and a final complete membership list to the QFHSA office before February 1
- g. other duties, as required

6.6.7. Duties of the Volunteer Coordinator:

- a. Works hand in hand with all committee leaders for every Home and School event.
- b. Recruit volunteers for Home and School events.
- c. Maintain an up to date volunteer contact list.
- d. Organize and manage the volunteer schedule at each Home and School event.
- e. Support and train volunteers to ensure they understand what their task is at each event.
- f. Communicate with all volunteers in person or by email, phone, text or by newsletter before and after each event, making sure to thank them for their participation.
- g. Keep all volunteers up to date with current and future events.
- h. Other duties, as required.

7.0 Duties of Committee Chairs

- a. Organise specific Home and School events throughout the year
- b. Work hand in hand with the volunteer coordinator
- c. Committee chairs must attend all meetings where the agenda pertains to their event
- d. Must be a Home & School member to head an event

8.0 Removal of Executive Members and Committee Chairs

8.0.1 An Executive member or Committee Chair can be removed from the Executive or committee if the Executive feels the member is not acting in the best interests of St. Patrick Elementary School H&S Association.

8.0.2 An Executive member or Committee Chair may be removed from the Executive if:

8.2.1 a two-thirds majority of Executive members request in writing to the President the removal of that Executive member or Committee Chair from the Executive or committee

8.2.2 a majority of the members vote to remove the Executive Member or Committee Chair at a special meeting

8.0.3 The President, or such other officer, will provide 20 days' notice of the removal to the Executive or Committee Chair, provide reasons in writing for the proposed removal and send copies to the QFHSA office.

9.1 Appeal Process

9.1.1 The Executive member or Committee Chair may make written submissions to the President, or other such officer designated by the Executive, in response to the notice received in the 20 day period.

9.1.2 If a written submission is received, upon consultation with the Executive, the President or designate will consider the submission and respond with a final decision within a further 20 days.

9.1.3 Copies of all documents are to be sent to the QFHSA at the same time as they are being sent to the Executive Member, Committee Chair, President or designate.

10.0 Meetings

10.1 Regular Meetings

10.1.1 Notice of a regular meeting will be sent out electronically and posted seven days prior to the meeting.

10.1.2 At the first meeting of the year meeting dates for the school year are scheduled.

10.1.3 If both the President and Vice President are absent, another member of the Executive can be designated by the President to conduct the meeting.

10.1.4 A quorum for a regular meeting is one quarter of all members in good standing as stated in section 5.3.

10.1.5 Even if one or more members do not receive a meeting notice, resolutions or any other business conducted at the meeting will be valid.

10.2 Special Meetings

10.2.1 A special meeting may be called at any time by:

- a. the President
- b. the Vice President
- c. a majority vote of the Executive
- d. the Secretary, if at least three of the members have submitted a signed, written request for a meeting

10.2.2 A member's request for a special meeting must be done in writing and must stipulate the reason for the meeting.

10.2.3 A special meeting must be held within 20 days after a member of the Executive receives the written request as stipulated in 8.2.2.

10.2.4 Notice of a special meeting will be sent out electronically and posted seven days prior to the meeting.

10.2.5 The special meeting will only deal with agenda items listed in the notice that was sent out to members.

10.2.6 Even if one of the members does not receive a meeting notice, resolutions or any other business conducted at the meeting will be valid.

10.3 Executive Meetings

10.3.1 A notice of an Executive meeting will be sent out electronically five days prior to the meeting.

10.3.2 A simple majority of Executive members (i.e. 51%) is a quorum.¹

10.3.3 If agreed to by all the executive members, an executive meeting may be held by video or telephone conferencing.

10.3.4 Even if one or more members do not receive a meeting notice, resolutions or any other business conducted at the meeting will be valid.

10.4 Annual General Meeting

10.4.1 Notice of the AGM will be sent electronically and posted two weeks prior to the meeting.

10.4.2 Quorum of the AGM is three quarters of all fully paid members.

10.4.3 The AGM will take place at the end of school year, before June 30th.

10.4.4 AGM must include:

a. minutes from the last AGM

b. the President's annual year-end (activity) report

c. the financial report of the past fiscal year²

d. appointment of an independent qualified accountant to conduct the financial audit/review, per the timeline stipulated in the constitution

e. an election of Executive members (if required)

f. ratification of the membership fee for the next school year

10.4.5 Even if one or more members do not receive a meeting notice, resolutions or any other business conducted at the meeting will be valid.

10.5 Parliamentary Rules at Meetings

Robert's Rules of Order will be the generally accepted form of parliamentary procedure at regular meetings, special meetings, executive meetings and AGMs of St. Patrick Elementary School H&S Association.

10.6 Voting

10.6.1 There is one vote per family (living at the same address).

10.6.2 Voting must be by a member in good standing of the association.

10.6.3 Voting privileges are extended to cover the first official H&S meeting of the following school year.

10.6.4 Voting may be by show of hands, secret ballot, mail-in ballot, fax, email or other method determined by the executive and stated in the standing rules.

¹ 8.3.2 "quorum" = in this clause, quorum is the minimum number of executive members who must be present in order to carry on business at an executive meeting.

² 8.4.4 "past fiscal year" = financial reports about the last 12-month period of time July 1 to June 30th.

10.6.5 A motion is passed if a simple majority (i.e. 51%) of those who vote are in favour of the motion, with the exception of votes requiring a different amount to pass.

10.6.6 If the vote is equally for and against, the motion is considered defeated.

10.7 Executive Members Absence(s) from Meetings

10.7.1 Executive members are expected to attend at least 70% of meetings.

10.7.2 If an Executive member finds it impossible to attend a meeting, the Executive member must notify the President.

10.7.3 Executive members may lose their positions on the Executive if absent from three consecutive meetings, without having provided notice of a valid reason (e.g. medical, family responsibilities).

8.7.4 The Executive may excuse an Executive member's absence(s) if the absence(s) are due to circumstances the other members of the Executive find acceptable.

11.0 Signing authority and Expenditures

11.1 Any of the following may have signing authority for St. Patrick Elementary School H&S Association

- a. President
- b. Vice-President
- c. Treasurer
- d. Secretary
- e. Membership
- f. Volunteer Coordinator

Note: The exception is when the Executive has received mandatory directives from the QFHSA.

11.2 Any two of the following may sign cheques of St. Patrick Elementary School H&S Association

- a. President
- b. Vice-President
- c. Treasurer
- d. Secretary
- e. Membership
- f. Volunteer Coordinator

11.3 With the Treasurer's consent, the executive may authorize expenditures of \$50.00 for incidental items. The expenditures will be documented and presented to the members at the next H&S meeting.

12.0 Payment to Executive and Regular Members

12.1 Executive members are not paid for their services as Executive members.

12.2 All H&S members can be reimbursed for expenses incurred for H&S activities.

13.0 Contracts to Home and School Members

13.1 A H&S member can be contracted to perform a special service for St. Patrick Elementary School H&S Association, providing that the position was advertised to all H&S members and the hiring committee was composed of at least three people (i.e. two from H&S and one independent).

13.2 If an Executive member receives a contract from the H&S he/she must resign his/her position on the Executive for the duration of the contract.

13.3 A H&S member applying for (or fulfilling) a contract will abstain from any vote relating to the contract.

14.0 Conflict of Interest

14.1 Executive and voting members are in a conflict of interest if they (or a member of their family) can benefit financially or materially from the St. Patrick Elementary School H&S Association.

14.2 If a H&S member is in a possible conflict of interest, the member must:

- a. disclose to the Association the nature and extent of the interest
- b. refrain from influencing the Association's decisions on the issue
- c. if the Association requests, provide relevant information
- d. if necessary leave the meeting when discussion on the issue occurs
- e. refrain from voting on the issue

15.0 Fundraising Powers

15.1 St. Patrick Elementary School H&S Association may fundraise to carry out the business of St. Patrick Elementary School H&S Association.

15.2 All fundraising activities must be approved by the school administration.

16.0 Review of Accounts

16.1 A financial audit/review of St. Patrick Elementary School H&S Association will be done.

16.2 The financial audit/review for the previous year is presented to the membership at the AGM.

16.3 For purposes of financial accounting and record keeping, the fiscal year of St. Patrick Elementary School H&S Association will be from July 1st to June 30th.

17.0 Minutes, Books and Records

17.1 The Secretary is responsible for preparing and keeping electronic versions of:

- a. minutes of St. Patrick Elementary School H&S Association meetings
- b. minutes of Executive meetings
- c. any other books and records related to St. Patrick Elementary School H&S Association

17.2 St. Patrick Elementary School H&S Association books and records are kept at a location designated by the Executive.

17.3 St. Patrick Elementary School H&S Association books, accounts and records must be available for inspection upon request of members.

15.3.1 St. Patrick Elementary School H&S Association members may inspect the books, accounts and records as long as they give reasonable notice to those responsible for keeping the books, accounts and records.

18.0 Authority for Contracts

- 18.1** All contracts entered into by St. Patrick Elementary School H&S Association must be in writing and be signed by, at minimum, the President, Vice-President and Treasurer; other person(s) may be designated by the Executive.
- 18.2** Programs must be approved by the membership and, upon approval, contracts be signed by the Executive (as applicable).
- 18.3** St. Patrick Elementary School H&S Association may obtain an outside (or legal) opinion on a proposed contract, if recommended by the Executive or other person(s) authorized by the Executive.

19.0 Bylaw and Policy Amendments

- 19.1** St. Patrick Elementary School H&S Association bylaws may be changed by the members at a special meeting or at the AGM. Any changes must be ratified by the members at the AGM.
- 19.2** Approval by a minimum of three quarters of all members is needed to pass the resolution to ratify the bylaws. Ratification of bylaws will be done by email or other electronic means.
- 19.3** The membership may change St. Patrick Elementary School H&S Association policies and standing rules at a regular meeting.

20.0 Legal Responsibility and Indemnity³

- 20.1** No St. Patrick Elementary School H&S Association member is personally responsible for St. Patrick Elementary School H&S Association debt or liability, as long as they fall within the guidelines established by the QFHSA and its insurers.
- 20.2** When Executive members (or others) are authorized to act on behalf of St. Patrick Elementary School H&S Association and a legal or administrative action results in costs or expenses, St. Patrick Elementary School H&S Association will not require Executive members (or other authorized persons) to pay any penalties, liabilities, costs or expenses, if the authorized persons:
- a. acted honestly and in good faith with a view to the best interests St. Patrick Elementary School H&S Association
 - b. in cases involving criminal or administrative action enforced by monetary penalty, had reasonable grounds to believe their conduct was lawful
 - c. immediately notified St. Patrick Elementary School H&S Association of any action or proceeding
 - d. cooperated with St. Patrick Elementary School H&S Association in its defence in a manner that was reasonable in the circumstances

21.0 Dissolution (see *Constitution*)

- 21.1** All debts of the Association will paid before the monetary assets are transferred to the QFHSA to be held in trust.

(Adopted: 2016-XX-XX)

(Amended: not applicable)

³ Article 18 "indemnity" = not subject to penalties or liabilities that happened because of work done on behalf of the Association