

- SAMPLE -
LOCAL HOME AND SCHOOL ASSOCIATION
CONSTITUTION & BY-LAWS

Please feel free to use this sample adapted to Prince Edward Island from a model developed by the Nova Scotia Federation of Home and School Associations for use by local associations. A general meeting must be held in order to present your Memorandum of Association & By-laws and have them passed by the membership. Any changes that are to be made at future dates should be published six weeks in advance to the membership before a general meeting.

The items in bolded italic print are sample info and should be filled in with the information specific to your school and your local association. Underlined italicized items are notes the provincial Home & School Federation would like to make you aware of. Please remove these areas from the final copy of your constitution.

- SAMPLE -

(Insert School Name) Home and School Association
Memorandum of Association and By-Laws
(date By-laws were passed)
(date of any amendments to the original By-Laws)

MEMORANDUM OF ASSOCIATION

ARTICLE 1. NAME

1. The name of the organization shall be *(e.g Your School Name Home and School Association)*, hereafter to be referred to as "the Association." *[Your school]* Elementary School shall be referred to as "the school."

ARTICLE 2. AIMS AND OBJECTIVES

- * To obtain the best for each child in Prince Edward Island.
- * To promote the welfare of all children and youth in this province.
- * To foster cooperation between parents and teachers, so that every Island child may grow to his or her full potential.
- * To give parents an understanding of the school and its administration.
- * To be informed, constructive partners with educators.
- * To promote high standards of well being in each child's life.
- * To promote the care and protection of children and youth.
- * To promote affiliations with any organizations which concern themselves with the care and development of children and youth, in the home, school and community
- * To obtain the best for each child according to his or her physical, mental, social and spiritual needs.
- * To foster high ideals of citizenship and to promote through educational means, international goodwill and peace

BY-LAWS

ARTICLE 1: POLICIES

- 1.1 The policies of the Association shall be educational.
- 1.2 The policies of the Association shall be non-commercial, non-political, and non-sectarian.

ARTICLE 2: BANKING & CHEQUES

- 2.1 The Association shall open a bank account with a registered financial institution selected by the Association Executive.
- 2.2 Cheques of the Association bank account shall be signed by two (2) of the following three (3) people: the President, the Vice-President, and the Treasurer.

ARTICLE 3: MEMBERSHIP & FEES

- 3.1 Active membership shall be open to all parents/guardians of students attending the school.
- 3.2 Active membership shall be open to all teachers and staff working at the school.
- 3.3 Associate membership (non-voting) shall be open to those members of the community who subscribe to the aims and objectives of the Association and who are not eligible for active membership as defined in sections 3.1 and 3.2 above.
- 3.4 Individual membership dues may be charged at the decision of the Association. If dues are charged, the level should be set at a general meeting of the Association.
[Note: Some schools find that by charging dues for members to attend ie. Single \$5.00, Family \$10.00, they have more members out to meetings. This may possibly be due to a feeling of ownership because people have paid for something and therefore want to be a part of it.]
- 3.5 Membership fees in the provincial Federation shall be submitted annually by November 30 of the school year, as per the following formula: \$100.00 for schools having 200 or more students and \$50.00 for schools having fewer than 200 students.

ARTICLE 4: THE EXECUTIVE COMMITTEE

- 4.1 The Officers of the Association will be comprised of:
 - President (1 vote in the event of a tie)
 - Vice-President (1 vote)
 - Treasurer (1 vote)
 - Secretary (1 vote)
- 4.2 A majority of the Officers of the Association shall be parent members.
- 4.3 The Officers of the Association shall serve as the Executive Committee of the Association.

ARTICLE 5: FUNCTIONS OF THE EXECUTIVE COMMITTEE

The Executive Committee of the Association shall be responsible for:

- 5.1 The management of the Association and its affairs.
- 5.2 The establishment of ad hoc committees as need arises.
- 5.3 In the event of a vacancy occurring on the executive, shall have the power to elect any active member of the Association to fill such vacancy for the remainder of the term of the executive member whose vacancy is being filled.

ARTICLE 6: TERMS OF OFFICE

- 6.1 The term of office for all officers and members of the Executive Committee shall be for one year.
- 6.2 Officers and members of the Executive Committee are eligible for re-election to their position for a second and third successive year but shall not be eligible for re-election to the same position for more than three consecutive years.
- 6.3 The term of office shall be from (*i.e. October 1 to September 30*)
[*Note: Terms of office should coincide with the fiscal year as set out in Section 10 below. Some Associations begin their year in September and others begin in late spring.*]
- 6.4 If an executive member is absent for more than two consecutive, scheduled executive meetings without good cause, and without prior notification to the President or secretary, than that office may be considered vacant by a majority vote of the executive.

ARTICLE 7: ELECTION OF EXECUTIVE

- 7.1 The Executive may appoint a Nomination Committee by May 31 of each year.
- 7.2 The Nomination Committee shall consist of the Past President of the Association (chairperson) and two additional members of the Association.
- 7.3 The Nomination Committee shall present its nomination for the various positions to the membership at the Annual General Meeting.
- 7.4 Nominations shall also be called for and may be made from the floor of the Annual General Meeting. If a person is nominated who is not present at the meeting, his or her consent to be nominated shall be presented to the Chairperson of the Nominations Committee.
- 7.4 Election of officers shall be by secret ballot decided by a simple majority (50% plus 1) of votes cast.

ARTICLE 8: MEETINGS/VOTING

- 8.1 The Annual General Meeting of the Association shall be held in the *first* month of the school academic term.
- 8.2 There shall be a minimum of *three (3)* General Meetings of the membership conducted per year including the Annual General Meeting.
- 8.3 The Executive may call Special General Meetings of the Association at any time.
- 8.4 A quorum of *ten (10)* shall be required at a General Meeting to pass any motions.
[Note: *The number for your quorum will have to be based on average numbers out to your meetings. Ideally, the quorum should be large enough that the members present outnumber the executive.*]
- 8.5 Decisions shall be based on a simple majority (50 % plus 1) vote of the membership.

ARTICLE 9 DUTIES OF OFFICERS

- 9.1 The President shall:
1. Chair all meetings of the Association and Executive.
 2. Decide on all questions of procedure and order not covered by the Constitution & By-laws.
 3. Supervise the general management of the affairs of the Association.
 4. Perform duties incidental to the office.
 5. Serve as "Ex-Officio" member of all committees except the Nomination Committee.
 6. Be the official spokesperson for the Association.
- 9.2 The Vice-President shall:
1. In the absence of the President, preside as chairperson at all meetings of the Association and Executive.
 2. Perform the duties of the President during his/her absence.
 3. Be responsible for developing and distributing monthly newsletter.
 4. Perform duties assigned by the President or by the Executive.
 5. Assume the office of President should the President be unable to complete his or her term of office.
- 9.3 The Treasurer shall:
1. Receive and hold all monies of the Association.
 2. Keep an accurate record of all receipts and disbursements.
 3. Pay out such monies as voted upon in the budget at the Annual General Meeting.
 4. Have the books of account balanced as of *September 30th* of each year.
 5. Prepare statements of disbursements for the Executive Committee.
 6. Prepare for approval at the Annual General Meeting a complete statement of receipts and disbursements during the fiscal year of the Association.
 7. Prepare with the assistance of the Executive Committee a budget to be approved at the Annual General Meeting.
 8. Arrange for the financial records to be audited by a person agreed upon by the Executive.

- 9.4 The Secretary shall:
1. Keep a written record of the proceedings and attendance at all meetings of the Association and process said records for distribution or presentation.
 2. Perform duties assigned by the President or by the Executive.

ARTICLE 10 FINANCES

- 10.1 The fiscal year of the Association shall be (i.e. October 1 to September 30)
- 10.2 Funds over and above the Association expenses shall go toward carrying out the aims and objectives of the Association.
- 10.3 The Executive shall have the power to expend the funds of the Association in accordance with the objectives of the Association and the agreement (i.e. proposed budget, and motions recorded in minutes) of the general membership.
- 10.4 The Treasurer and one of the other two signing officers shall sign all cheques.
- 10.5 The Executive shall have the authority to approve up to **\$500.00** per item on a non-recurring basis for requests that occur outside of the approved budget and throughout the fiscal year.
- [Note: Some schools find it difficult to try and organize a general meeting should funds be required quickly. If the above item is passed in your By-laws then it allows the Executive to deal with these emergency non-planned requests. i.e. shortage of money for a bus trip.]*
- 10.6 Receipts must be provided for all expenses incurred.
- 10.7 The Treasurer shall arrange to have the financial records audited annually. A formal auditor is not necessary but someone who the Executive Committee agrees upon.

ARTICLE 11 ANNUAL GENERAL MEETING

- 11.1 The business to be transacted at the Annual General Meeting shall be the consideration of committee reports, the election of officers, budget, appointment of auditors and other such business that may arise.
- 11.2 At least six (6) weeks notice shall be given in writing to members of all Annual General Meetings, such notice to state the subjects to be considered including the registration fee if any.
- 11.3 All members of the Association are entitled to attend the Annual General Meeting and to speak to any motion or address the chair, present or second motions and vote.

ARTICLE 12 PARLIAMENTARY PROCEDURE

- 12.1 Roberts Rules of Order shall govern all points respecting the holding and conduct of meetings of the Association not covered otherwise in these By-laws.

ARTICLE 13 AMENDING THE MEMORANDUM OF ASSOCIATION & BY-LAWS

13.1 The Memorandum of Association and By-laws may be amended at an Annual General Meeting or Special Meeting of the Association, provided that due notice of the proposed amendment has been circulated to members at least six (6) weeks prior to the meeting.

ARTICLE 14 PEIHSF or PROVINCIAL MEETINGS

14.1 As a member of the Prince Edward Island Home and School Federation, the Association is eligible to send five voting delegates to two provincial meetings, Semi-Annual and Annual. Associations may pay registration and travel expenses for these delegates.

ARTICLE 15 DISSOLUTION

15.1 If this Association desires to disband, it shall notify the Prince Edward Island Home and School Federation by letter, addressed to the President, giving reasons, at least sixty days before taking further action.

15.2 Upon disbanding, the books of the Association shall become the property of the Prince Edward Island Home and School Federation.

15.3 Any funds held by the Association at the time of disbanding will be given to the Association's school or to another charity as determined by the Association's membership.

These By-Laws were adopted by a meeting of the (_____)

Home and School Association on the (____) day of (_____), (_____).
Day Month Year

President Secretary