

**By-Laws of
Dorval Elementary Home and School Association**

Adopted: May 16, 2018

Amended: n/a

1.0 Definitions

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

<i>By-laws</i>	The rules by which Dorval Elementary Home and School Association 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 by-laws have rules for dealing with conflict of interest situations.
<i>Dissolution</i>	The Company 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 Dorval Elementary Home and School Association.
<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" or "opposed." or "abstain"
<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 Dorval Elementary Home and School Association.
<i>Remuneration</i>	Money paid to a person for providing a service (wages or fees).

2.0 Name

The name of the organization is **Dorval Elementary Home and School Association**

3.0 Not-for-Profit Status

Dorval Elementary Home and School Association is a not-for-profit organization.

The work of **Dorval Elementary Home and School Association** is carried on without purpose of gain for its members. Any profits, revenues or other assets shall be used solely to promote and achieve the purposes of the association as stated in the constitution.

4.0 Head Office

The headquarters of **Dorval Elementary Home and School Association** is 1750 Av Carson, Dorval QC H9S 1N3, or at any other place determined by the Executive.

5.0 Membership

5.1 Eligibility

Those who support the purpose and core values of **Dorval Elementary Home and School Association** and who pay an annual membership fee are eligible to be members.

5.2 Types of Membership

5.2.1 A member in **Dorval Elementary Home and School Association** may be:

- a. a regular voting or
- b. an affiliate voting member, as stated in the Constitution.

5.3 Becoming a Member of the Local Association

5.3.1* Voting membership in the local Association shall be granted upon payment of the prescribed fees to the local association and subsequently to the provincial federation.

** Designated administration and staff eligible to vote without payment of the Home & School membership fee, with the exception of proposals initiated by administration and/or staff.*

5.3.2 Membership fees must be paid in full as of the date of the Annual General Meeting in order to have voting privileges at the Annual General Meeting.

5.3.3 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 **Dorval Elementary Home and School Association**:

- a. is entitled to attend all general meetings, special meetings and annual general meetings of **Dorval Elementary Home and School Association**, and
- b. is entitled to vote on all matters of business at **Dorval Elementary Home and School Association** meetings, and
- c. has other privileges and responsibilities described in these by-laws and in related standing rules passed by the membership of **Dorval Elementary Home and School Association**.

5.4.2 An affiliate member of **Dorval Elementary Home and School Association**:

- a. is entitled to attend all general meetings, special meetings and annual general meetings of **Dorval Elementary Home and School Association**, and
- b. is entitled to vote on all matters of business at **Dorval Elementary Home and School Association** meetings, and
- c. has other privileges and responsibilities described in these by-laws and related standing rules passed by the membership of **Dorval Elementary Home and School Association**.

5.5 Membership Responsibilities

A member of **Dorval Elementary Home and School Association** is responsible to:

- a. support the purpose and core values of **Dorval Elementary Home and School Association** and,
- b. pay annual membership fees, and
- c. abide by the by-laws and standing rules of **Dorval Elementary Home and School Association**

5.6 Fees

5.6.1 The base annual fee is established by the Québec Federation of Home and School Associations (QFHSA) at its' Annual General Meeting.

5.6.2 The membership of **Dorval Elementary Home and School 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 Annual General Meeting 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 end their relationship in **Dorval Elementary Home and School 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 articles, by-laws, written policies or standing rules 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 paid up member of **Dorval Elementary Home and School Association**

6.1.1 It is preferable that members of the Executive were a member of **Dorval Elementary Home and School Association** or another Home and School Association for at least one year.

6.2 The minimum number of Executive positions are: President*, Vice-President, Treasurer and Secretary. (*Refer to Constitution*)

* In the event of a Co-Presidency, the Vice-President role becomes obsolete. Co-Presidency must be ratified at (any) home and school meeting and included in the minutes.

6.3 Purpose of the Executive

6.3.1 The purpose of the Executive is to guide the affairs of **Dorval Elementary Home and School Association** through setting policy and over-all direction.

6.3.2 The Executive is responsible for:

- a. **Dorval Elementary Home and School Association** constitution, by-laws and standing rules
- b. Ensuring proper financial management of **Dorval Elementary Home and School Association** and
- c. Carrying out the purpose of the Home and School as outlined in the constitution in collaboration with the school administration.
- d. Assuring that the Association remain 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 **Dorval Elementary Home and School Association**.
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 2 years (*refer to constitution*).

6.4.2 An Executive member may serve up to 4 terms in a position (*refer to constitution*).

6.5 Election of Executive Members

6.5.1 Members of **Dorval Elementary Home and School Association** elect the Executive members at the Annual General Meeting.

6.5.2 Nominations:

A call for nominations will be sent out to the membership **4 weeks** before the Annual General Meeting. The slate of nominees will be reviewed at the Annual General Meeting. Nominations may also be taken from the floor at the Annual General Meeting.

6.5.3 Vacant Positions

6.5.3.1 If an Executive position becomes vacant between elections, the Executive may appoint a member to fill the vacant position until the next election. *(refer to constitution)*

6.5.3.2 If an Executive position is not filled at the Annual General Meeting the Executive may appoint someone during the school year until the next election. *(refer to constitution)*

6.6 Duties of Executive Members

6.6.1 The duties of the Executive members will be outlined in the by-laws and standing rules of Dorval Elementary Home and School Association

6.6.1.1 The outgoing President may assume the duties of the Past President if stipulated by the association in the standing rules.

6.6.2 Duties of the President

Leadership:

- Facilitates an atmosphere of common purpose and cooperation, creating a cohesive group from many individual talents and interests.
- Welcomes new members, encourages participation and innovation.
- Shares responsibility and delegates duties.
- Instructs new officers and committee chairs of their duties, and is aware of the importance of planning continuity in office.

Organization:

- Presides at meetings.
- Creates the meeting agenda in consultation with other members of the Executive Committee and calls the meeting at the time appointed.
- Recognizes the rights of all members to participate in discussion.
- Maintains own personal files and records.
- Signs cheques and documents with 2 other members of the Executive Committee.
- Presents President's Year-end Report at AGM to members.
- Submits President's Year-end Report to the QFHSA office on or before June 30.
- Ensures that the Re-affirmation of Membership form is duly signed and submitted to the QFHSA office before September 30th.
- Forwards the names and addresses of the newly elected Executive Committee to the Federation (QFHSA) in a timely manner.
- Is responsible for ensuring representation at the AGM of the Federation.
- Organizes representation at the QFHSA Fall Conference.
- Invites school administrators, staff, and other organizations to exchange liaison representatives.

6.6.3 Duties of the Vice-President

- Acts as aide to the President.
- Presides at meetings in the absence of the President.

- Assumes responsibility for the administrative details delegated by the President.
- Assumes the duties of the President, in case of resignation or until the position is filled.

6.6.4 The Treasurer is responsible for overseeing the finances and maintaining the financial records of **Dorval Elementary Home and School Association** which includes the following duties:

- Receives all monies, pays all bills, and does the banking; keeping an accurate record of all receipts and expenditures and an inventory of purchases and assets.
- Presents a written report at monthly meetings and hands out a copy to all members at general meeting.
- Submits an annual budget to all members at first meeting of the school year.
- Arranges for an audit of the financial books when agreed upon by the Executive Committee.
- Forwards fees and administration fee to the federation (QFHSA).
- Keeps all cancelled cheques, invoices, receipts, and other financial records for a minimum of six years.
- Confers with the President and the Executive Committee and participates in all financial decisions.
- After each fundraising event submits a report to the president on how much was revenue, expense and profit.
- Prepares the annual Treasurer's Financial Report to be presented at the AGM to the members.
- Submits Year-end Treasurer's Financial Report to the QFHSA office on or before June 30th.

6.6.5 Duties of the Secretary

- Records the minutes of all meetings both monthly and executive.
- Counts the members when vote is necessary.
- Sends a copy of the minutes to the executives as soon as they are completed for corrections.
- Files committee reports and correspondence.
- Ensures that the book of records (Agenda, Minutes of the meeting and Financial report) are filled and kept accordingly.

6.6.6 Duties of the Membership Chair

- Promotes an annual membership drive to encourage and increase membership each year.
- Collects all information on members and gives membership fees to treasurer in a timely manner.
- Ensures the Head office and local executives have information required to maintain correspondence with the local members.
- Reports membership status to the Officers and Executive.
- Maintains a list of members in good standing which will be used for voting purposes at all meetings.
- Supplies updated membership lists to the QFHSA office regularly and a final complete membership list to the QFHSA office before February 1.
- Sends out meeting minutes and agendas to all paid members.

6.6.7 Duties of the Volunteer Coordinator

- Coordinates with the administrations and class parent(s) when volunteers are requested.
- Recruits volunteers for all school events/function when needed.
- Organizes a volunteer sheet and schedule for particular event(s) like Fall Fair.
- Ensures that volunteers are notified with their respective schedule(s) and assignment(s).

6.6.8 Duties of the Fundraising Coordinator

- Organizes and Coordinates all fundraising activities (past activities include: Pizza lunch service, fall/spring fair, Mabels labels, raffles, etc.)
- Suggests different fundraising activities to support needs of revenue for Home and School Endeavours (year-end carnival, welcome back BBQ, subsidised transport for field trips)
- Submits all fundraising requests to the Governing Board for approval.
- Coordinates with the volunteer coordinator to request for volunteers for a fundraising activity.
- Delegates committee heads for different departments/sections during fundraising events.
- Coordinates with the Treasurer after all fundraising events to count monies.
- Stays informed of possible fundraising activities (ex. MList card, entertainment book/app, chocolate sales, school supply sales)

6.6.9 Duties of the Publicity Officer

- Coordinates all activities related to publicity of the H & S including:
 - Updating the H&S page of the DES Fusion portal and DES website
 - Assisting with layout and production of the Membership brochure
 - Coordination of printed materials; membership brochures, raffle tickets, posters, flyers, etc.
 - Assists with promotion of major fundraisers or other designated activities through various channels of media: print ads, radio, local listings, etc.
 - Assists with promotional items for:
 - Volunteers (aprons, tshirts, etc...)
 - Kindergarten orientation (promo material and flyers)
 - Other designated activity
 - Produces copy and flyers for promotional events such as the BBQ, Fair, etc.
 - Prepares copy for the DES newsletter and QFHSA newsletter

7.0 Removal of Executive Members and Committee Chairs

7.1 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 **Dorval Elementary Home and School Association**. See also 8.7.3

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

7.2.1 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 or

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

7.3 The President, or such other officer shall 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.

7.4 Appeal Process

- 7.4.1 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 twenty (20) day period.
- 7.4.2 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 twenty (20) days.
- 7.4.3 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.

8.0 Meetings

8.1 Regular Meetings

- 8.1.1 Notice of a regular meeting will be sent out electronically 7 days prior to the meeting by way of agenda to all members .
- 8.1.2 At the first meeting of the year meeting dates for the school year are scheduled.
- 8.1.3 If both the President and Vice President are absent, another member of the Executive can be designated by the President to conduct the meeting.
- 8.1.4 A quorum for a regular meeting is **20%** of members that have fully paid their fees including 51% of Executives.
- 8.1.5 Even if one or more members do not receive a meeting notice, resolutions or any other business conducted at the meeting will be valid.
- 8.1.6. Meeting minutes will be sent 7 days after each meeting

8.2 Special Meetings

- 8.2.1 A special meeting may be called at any time by:
 - a. the President, or
 - b. the Vice President, or
 - c. a majority vote of the Executive, or
 - d. the Secretary, if at least 3 members have submitted a signed, written request for a meeting (***refer to Constitution***).
- 8.2.2 A members' request for a special meeting must be done in writing and must stipulate the reason for the meeting.

8.2.3 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.

8.2.4 Notice of a special meeting will be sent out 7 days prior to the meeting by way of agenda to all members .

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

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

8.2.7 Meeting minutes will be sent 7 days after each meeting

8.3 Executive Meetings

8.3.1 A notice of an Executive meeting will be sent out electronically 7 days prior to the meeting to the executives.

8.3.2 A simple majority of Executive members (51%) is a quorum.¹

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

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

8.3.5 Meeting minutes will be sent 7 days after each meeting

8.4 Annual General Meeting

8.4.1 Notice of the Annual General Meeting shall be sent electronically to all members and posted 4 weeks prior to the meeting (**refer to constitution**).

8.4.2 Quorum of the Annual General Meeting is 25% of fully paid members (**refer to constitution**).

8.4.3 The Annual General Meeting will take place after May 15 and before June 30 of each year (**refer to constitution**)

8.4.4 The Annual General Meeting must include:

- a. minutes from the last Annual General Meeting, and
- b. the President's annual activity report, and
- c. the financial report of the past fiscal year,² and
- d. appointment of an independent qualified accountant to conduct the financial audit/review as per the timeline stipulated in the constitution.

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 or to the date of AGM, if earlier.

- e. an election of Executive members if required.
- f. ratification of the family membership fee for the next school year
- g. amendment of Constitution by-laws.

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

8.4.6 Meeting minutes will be sent 7 days after each meeting

8.5 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 annual general meetings of **Dorval Elementary Home and School Association**.

8.6 Voting

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

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

8.6.3 Voting privileges can be extended to cover the first Home and School meeting of the following school year.

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

8.6.5 A motion is passed if a simple majority (51%) of those who vote are in favour of the motion.

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

8.7 Executive Members Absence(s) from Meetings:

8.7.1 Executive members are expected to attend all meetings.

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

8.7.3 Executive members may lose their positions on the Executive if absent from three consecutive meetings.

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.

9.0 Signing authority and Expenditures

9.1 Any of the following may have signing authority for **Dorval Elementary Home and School Association**

- a. President, and/or
- b. Vice-President and/or
- c. Treasurer and/or
- d. Secretary

9.2 Any two (*recommended/refer to constitution*) of the following may sign cheques of **Dorval Elementary Home and School Association**

- a. President, and/or
- b. Vice-President, and/or
- c. Treasurer, and/or
- d. Secretary

9.3 With the Treasurer's consent, the executive may authorize expenditures of **\$250** for incidental items. The expenditures will be documented and presented to the members at the next Home and School meeting.

10.0 Payment to Executive and Regular Members

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

10.2 All Home and School members can be reimbursed for expenses incurred for Home and School activities.

11.0 Contracts to Home and School Members

11.1 A Home and School member can be contracted to perform a special service for **Dorval Elementary Home and School Association** providing that it was reviewed and approved by a hiring or sub committee of the Home and School.

11.2 If an Executive member receives a contract from the Home and School, it must be voted upon by the membership whether it is a perceived conflict of interest or not.

11.3 A Home and School member applying or fulfilling a contract shall abstain from any vote relating to the contract.

12.0 Conflict of Interest

12.1 Executive and Regular members are in a conflict of interest if they or a member of their family can benefit financially or materially from **Dorval Elementary Home and School Association**.

- 12.2** If a Home and School member is in a possible conflict of interest, the member must:
- a. disclose to the Association the nature and extent of their interest and,
 - b. refrain from influencing the Association's decisions on the issue, and
 - c. if the Association requests, provide relevant information, and
 - d. if necessary leave the meeting when discussion on the issue occurs.
 - e. refrain from voting on the issue

13.0 Fundraising Powers

- 13.1 Dorval Elementary Home and School Association** may fundraise to carry out the business of **Dorval Elementary Home and School Association**
- 13.2** All fundraising activities must be approved by the school administration and the governing board.

14.0 Review of Accounts

- 14.1** A financial audit/review of **Dorval Elementary Home and School Association** will be done (*refer to Constitution*)
- 14.2** The financial audit/review for the previous year is presented to the membership at the Annual General Meeting.
- 14.3** For purposes of financial accounting and record keeping, the fiscal year of **Dorval Elementary Home and School Association** will be from **July 1st to June 30th**

15.0 Minutes, Books and Records

- 15.1** The Secretary is responsible for preparing and keeping:
- a. minutes of **Dorval Elementary Home and School Association** meetings, and
 - b. minutes of Executive meetings, and
 - c. any other books and records related to **Dorval Elementary Home and School Association**.
- 15.2 Dorval Elementary Home and School Association** books and records are kept at a designated Home and School space at the school.
- 15.3 Dorval Elementary Home and School Association** books, accounts and records must be available for inspection upon request of members.
- 15.3.1 Dorval Elementary Home and School 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.

16.0 Authority for Contracts

- 16.1 All contracts entered into by **Dorval Elementary Home and School Association** must be in writing and be signed by the President, Vice-President, or other person(s) authorized by the Executive.
- 16.2 Programs must be approved by the membership present at the meeting and upon approval contracts may be signed by the Executive.
- 16.3 **Dorval Elementary Home and School Association** may obtain an outside or legal opinion on a proposed contract if the Executive or other person(s) authorized by the Executive recommends it.

17.0 By-law and Policy Amendments

- 17.1 **Dorval Elementary Home and School Association** by-laws may be changed by the members at a special meeting or at the annual general meeting. Any changes must be ratified by the members at the annual general meeting.
- 17.2 Approval by a minimum of **51%** of the members in attendance who vote is needed to pass the resolution to ratify the by-laws.
- 17.3 The membership may change **Dorval Elementary Home and School Association** policies and standing rules at a regular meeting.

18.0 Legal Responsibility and Indemnity³

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

19.0 Dissolution (*see Constitution*)

- 19.1 All debts of the Association shall be paid before the monetary assets are transferred to the QFHSA to be held in trust.

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