

OPC DISTRICT 9 CONSTITUTION Draft – v.6 (February 12, 2013)

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Article I: Interpretation

1. In this Constitution and all other by-laws and special resolutions of the organization, unless the context otherwise requires:

"Council" means the GECDSD Administrators' OPC District Council;

"Executive" means the Executive Committee of the GECDSD Administrators' District Council; "Meeting of the Members" includes an annual meeting of members, and a special meeting of members;

"OPC" means the Ontario Principals' Council;

"Member" shall mean a Principal or Vice-principal employed by the Board.

2. Words imputing the singular number include the plural and vice-versa; words imputing the masculine gender include the feminine; and words imputing persons include individuals, corporations, partnerships, trusts and unincorporated organizations.

Article II: Purpose

1. The purpose of the Council is:

i) To serve as an OPC District as described in the Constitution of the OPC, to communicate with the OPC regularly and to facilitate communication between the OPC and its Members in the District, and to cooperate with the OPC in advancing the interests of principals and vice-principals locally and in the province of Ontario;

ii) To unite the principals and vice-principals who are employed by the Board and who are Members of the OPC in a voluntary professional association and to provide a supportive peer network;

iii) To serve as the representative body for principals and vice-principal employed by the Board in all negotiations pertaining to the Terms and Conditions of employment for principals and vice-principals in the Board;

iv) To assist with the ongoing professional growth and development of its members;

v) To promote the participatory role of principals and vice-principals in system decision-making and to bring matters of concern to principals and vice-principals to the attention of senior administration in appropriate forums;

vi) To consider and discuss issues of particular interest and importance to Council principals and vice-principals and to encourage communication and involvement among members;

vii) To maintain a strong organization through ongoing assessment of the efficiency and effectiveness of its activities; and,

viii) To promote the highest standards of professional ethics and competence

Article III: Membership

1. Any member in good standing of the OPC who is employed by the Board is eligible for membership in the Council.
2. The membership year is from Sept. 1 to Aug. 31.
3. Retired Principals and Vice-Principals from the Board who have maintained Associate status with OPC are eligible for Associate membership in the Council upon payment of an annual fee. The annual fee will be set each year at the AGM.
4. Interim vice-principals who are Associate members of OPC are eligible for Associate membership in the council upon payment of an annual fee. The annual fee will be set each year at the AGM. Associate members may attend local meetings in addition to the other benefits of being an Associate member, but are not eligible to vote at the Annual General Meeting or other such events where member voting is necessary.

Article IV: Council Fees and Other Income

1. The Council will apply annually for the fee rebate provided by the OPC to recognized OPC Districts, as determined by the AGM of the OPC. The fee rebates shall not be refunded to individual Members of the OPC but shall accumulate and/or be expended at the direction of the Executive in accordance with the needs of the Council for purposes authorized by the OPC. Principals and vice-principals employed by the Board who are not members in good standing with the OPC, shall pay an additional fee to attend any events, professional development opportunities or other activities funded by rebates from the OPC.
2. An additional local levy may be collected through an authorized payroll deduction. The amount of the local levy for the upcoming year will be determined by the membership at the April AGM with the advice from the Budget Committee and recommended by the Executive.
3. Pro-rated fees shall be collected from new members from the date of appointment.
4. In no case shall a full OPC Member be excluded or prevented from voting at a meeting of the Council.

Article V: Executive Committee

1. The Council shall have an Executive Committee.

2. The term of office for members of the Executive Committee shall be for a minimum of two (2) years and does not preclude holding a position for more than two (2) years.

*3. (a) For the elections of the new executive structure, to be held in April 2013, all **secondary** positions will be for a **one-year term** and all **elementary** positions to a **two-year term**. Secondary executive positions will be up for election again in April, 2014, while elementary positions will not be elected again until April, 2015.*

*3.(b) Additionally, the positions of secretary and treasurer will both be **2-year terms, regardless of panel affiliation**.*

Note: This clause will only remain active for the 2013-2014 school year and will be considered redundant following the AGM in 2014.

4. The Executive Committee members for the upcoming year, with the exception of the Past Chair, shall be elected from the membership at large at the April AGM of the Council; with elementary voting for elementary positions and secondary voting for secondary positions.

5. Interim appointments may be made by the Executive Committee to fill vacancies which may occur between elections.

6. The officers of the Executive Committee shall consist of the following officers each of whom shall be elected for two (2) year terms on alternate years (definitions of each role are outlined in Article VII);

i) Two (2) Co Chairs (one from each panel);

ii) Past Chair(s) (should be the immediate Past Chairs of the Council, but may be any previous past chair if necessary);

iii) Two (2) Vice-Chairs (one from each panel);

iv) Two (2) OPC Provincial Councilors (one from each panel);

v) Two (2) Terms and Conditions Chairs (one from each panel);

vi) One (1) Secretary (Secretary and Treasurer must be from different panels);

vii) One (1) Treasurer (Secretary and Treasurer must be from different panels);

viii) Two Members –at-Large (one from each panel).

Article VI: Elections

1. Elections to the Executive Committee will take place at the Annual General Meeting, held each April.
2. Only OPC members in good standing are eligible to run for office and to vote in the election. An associate member does not have voting privileges. An associate member may not hold office.
3. All Executive Committee positions representing either the Elementary or Secondary panel shall be available to both Principals and Vice-Principals from within that panel.
4. Should more than one person be nominated for one position, voting shall be by secret ballot. To be elected to a position the candidate must receive a majority of the votes cast.
5. The Past-Chairs and/or Speaker shall conduct elections according to procedures approved by the Council.
6. In the situation of a position remaining vacant after elections have been completed or a position becoming vacant prior to the next election, the Executive may make an interim appointment from the membership at large, representative of the same panel.
7. Elementary and Secondary staffing committee elections will take place at the Annual General Meeting.
 - i) The number of elementary and secondary staffing positions available will be determined each year by senior administration and the number of positions to be filled will be relayed to the elementary and secondary co-chair for elections.
 - ii) Elementary staffing positions will be voted on by elementary members only. Secondary staffing positions will be voted on by secondary members only.

Article VII: Duties and Power of the Executive Committee

1. The Executive shall have the authority and the responsibility to administer the affairs of the Council between meetings of the membership.
2. Members of the Executive Committee shall attend meetings as scheduled by the Chair. In order to maintain a quorum of five (5) voting members for Executive meetings, members shall attempt to stay until the end of each meeting.
3. The Executive Committee shall be responsible for directing the affairs of the Council, including:
 - a) Monitoring and approving expenditures;
 - b) Developing and implementing the priorities and programs and purposes of the Council;
 - c) Establishing and monitoring the decisions and activities of such standing, special or sub-committees which are created as needed;

d) Appointing interim members to the Executive in the event of vacancies;

e) Establishing a Terms and Conditions committee, that will include the 2 provincial councilors, led by the Terms and Conditions Chairs on the Executive; assessing the priorities of the membership; and pursuing improvements to the terms and conditions of employment for principals and vice-principals accordingly.

4. The Co-chairs, the vice- chairs and the treasurer shall be the signing officers for the Council.

5. The **Co-Chairs** shall attend all meetings of the Executive and Council unless unable to do so by reason of personal illness or other emergency. In the absence of the Co-Chairs, one of the Vice-Chairs shall chair the meetings.

Additional duties of the co-chairs include:

i) Act as the public spokesperson for OPC District 9 when for situations dealing with senior administration, trustees or other.

ii) Act as the liaisons with senior administration, attend Admin. Council, President's Breakfast's or other system level meetings requiring attendance by OPC District 9.

iii) Report back to the members on business that has occurred in the time between meetings.

iv) Set executive meetings and chair said meetings (or assign to vice -chair when absent).

v) Set times for Annual General Meeting, other full-member meetings, retirement/recognition night meetings and chair those meetings.

vi) As chair of the AGM, the co-chairs will not have voting rights on business issues or constitutional issues arising at the meeting. They will have voting privileges during the elections portion of the meeting.

vii) Work with the treasurer to prepare the budget in time for the Annual General Meeting and assist in the application for the annual OPC Members Rebate.

viii) Consult with Provincial Councillors on matters of provincial interest which may impact the local members.

ix) To receive calls from local members over local issues and/or concerns.

6. The **Vice-Chairs** shall fill in for the Co-Chairs as required and perform such duties as are delegated to one or both of them by the Chair(s).

Additional duties will include:

i) Act as the panel chair on the OPC Professional Development Committee.

ii) Track and publish all system level committees that maintain OPC participation on a yearly, or as needed basis.

iii) Take back all requests for OPC representation on system level committees to the executive for determination of who the representatives shall be and to publish those results via email.

iv) Responsible for co-ordinating necessary panel Ad-Hoc or Sub-Committees.

7. The **Provincial Councilors** shall perform the duties of a Provincial Councilor as defined by the OPC in the OPC Constitution, OPC Policies and the Provincial Councilor Handbook, as they may be from time to time. The Provincial Councilors shall serve as the liaison between the OPC and the Council and shall bring forward any District resolutions, issues or concerns to the notice of the OPC as they may be authorized and directed to do by the membership of the Council from time to time.

Additional duties will include:

i) Be a representative on the Terms and Conditions committee.

ii) Be a table-team member when Terms and Conditions 'negotiations' are necessary.

iii) To keep the executive and general members up-to-date on provincial issues.

iv) Complete and monitor local membership and report back to OPC provincial.

8. The **Secretary** shall provide notice to the Executive Committee and the membership of all meetings and shall record the Minutes and Motions at all Executive and Council meetings and shall provide a copy of all Minutes, except those of in-camera sessions, to the membership on a timely basis.

9. The **Treasurer** duties will include:

i) To review the current year's budget and prepare a projected budget for the following year. This is to be presented for discussion and approval of Council at the Annual General Meeting.

ii) To act as Chair of the Budget Committee and to organize the Budget Committee Meeting prior to the AGM.

iii) Will monitor the financial status of the Council and report regularly to the Executive and to the Council during general meetings, about the financial status of the Council.

iv) Report any lack of compliance with the Constitution or the financial management policies of Council promptly to the Executive.

v) If necessary, the Treasurer shall arrange for the change of signing authority for banking purposes following each election.

vi) Present to the Council at the Annual General Meeting, a motion identifying the local membership levy, if any, for the next fiscal year. Once approved by a majority vote, the Treasurer shall

forward that motion to the Board's Payroll department, and it shall serve as the required authorization for the automatic deduction of fees.

vi) Shall be responsible annually, with necessary support from the Co-Chairs, for providing all information necessary to qualify for the annual membership rebate from OPC. That information shall include a copy of the Council's Constitution that is compatible with the OPC Constitution and OPC District Recognition Policy, evidence of a duly elected Executive Committee, and an accepted financial statement.

10. The **Terms and Conditions Chairs** duties will include:

i) Acting as the Co-Chairs of the Terms and Conditions Committee, and report to the Executive Committee at each of its meetings on the activities of the Terms and Conditions Committee.

ii) Being responsible for ensuring members are adequately consulted on their priorities for negotiations.

iii) Consulting/liasing with the OPC on matters of Provincial interest and shall communicate OPC policies and information to the local OPC Members as recommended by the OPC.

iv) Attending any OPC meeting to which Terms and Conditions Representatives are expressly invited.

11. The **Past Chairs** duties will include:

i) Responsible for the elections process at the Annual General Meeting

ii) To ensure that the business of the organization is conducted in accordance with the constitution.

iii) Other duties as assigned by the chair.

Article VIII: Committees

1. There shall be a **Terms and Conditions Committee**, co-Chaired by the two Terms and Conditions Chairs, with equal representation of OPC members from each panel including the two Provincial Councillors.

i) The composition of the Terms and Conditions Committee shall be subject to the approval of the Executive Committee.

ii) For the purposes of negotiations with the board, the negotiating team/ reps will be made up of the T & C Co-Chairs and the Provincial Councillors.

iii) The Terms and Conditions Committee shall take steps to ascertain the priorities and concerns of the membership as they relate to their terms and conditions of employment and shall represent their interests and negotiate on their behalf with the Board.

iv) The Terms and Conditions Committee shall receive the advice, direction and support of the OPC about contract language to improve the terms and conditions of employment for principals and vice-principals in the Board, and in the province, so long as any direction provided by the OPC is pursuant to a provincial strategy approved by OPC Provincial Council.

2. A Budget Committee will be organized annually to review the budget for the current year and to look ahead to the budget for the following school year.

i) The Budget Committee will be chaired by the Treasurer.

ii) The Budget Committee will meet at least once per school year and must meet prior to the Annual General Meeting to review the budget.

lii) All members of the Executive may be members of the Budget Committee. Additionally, up to 2 non-executive members from each panel will be asked to sit on the Budget Committee.

3. The Executive may establish other Standing, Special and/or Ad Hoc committees to serve the interests of the Council.

4. The Executive may appoint and set the terms and duration of any Standing, Special Committee or Sub-committee that it deems necessary.

5. Meetings of any Committee shall be at the call of the Chair of such committee or at the request of the Executive.

6. An Executive member shall sit on every Committee.

7. All Committees shall report in writing or orally to the Executive at its monthly meetings through the Executive representative all activities and recommendations of the Committee.

8. All system committee requests for representatives will be forwarded to the Vice -Chairs of the respective panel. These requests will then be sent out to all panel members for an Expression of Interest, which will last for a minimum of three days. Criteria for selection to these committees will include: rationale, interest, nature of committee and the number and names of the committees currently serving on. Additional relevant factors and/or information will also be included in the final decision.

Article IX: Meetings

1. The time and place of all meetings shall be determined by the Executive Committee.

2. General:

a) The general membership shall meet at least three times a year. Dates for the following year's meetings shall be determined by the Executive after the AGM in April. Dates may be changed by the Executive Committee upon a minimum of three week notice to the membership.

b) Additional meetings may be called by the Chair as needed, with a minimum of three week notice to the membership.

c) Elections of the members of the Executive shall take place at the Annual General Meeting.

d) Presentation of the financial statement and other relevant business will take place at the Annual General Meeting.

e) Written financial statements will be available a minimum of three times in a year.

f) The Executive Committee shall meet regularly to conduct the business of the organization.

4. OPC Provincial Council:

a) Provincial Councilors shall attend meetings as called by Ontario Principals' Council and report to the membership.

5. Annual General Meeting:

a) There shall be an Annual General Meeting, the date and place of which shall be set by the Executive Committee and communicated to the membership with a minimum of one month notice;

b) The Annual General Meeting shall be used for:

i) Changes to the Constitution;

ii) Election of executive members

iii) Resolutions brought forward by the Executive Committee or the general membership;

iv) Approval of a preliminary balanced budget for the next fiscal year;

v) Receiving the latest reviewed financial statements;

vi) Setting the local levy, if any, for the following year;

vii) Receiving reports from the Executive Committee and other Standing, Special or Ad-hoc committees;

viii) Receiving comments from members attending the AGM;

ix) Approval of the selection of an auditor, if an audit is determined to be appropriate and/or necessary for the following fiscal year.

c) The Co-Chairs or Designates shall preside at the AGM.

d) A Speaker may be selected at the onset of the AGM to co-ordinate the running of the elections process.

Article X: Rules of Order

1. All meetings of the Executive and Council shall be conducted in accordance with accepted parliamentary procedure. (Reference: "Roberts' Rules of Order – most current edition")

Article XI: Budget

1. It is the responsibility of the Treasurer to maintain the financial records of the Council. For the reimbursement of PD funds or other monies to members, the Treasurer shall require the presentation of original receipts from the member.

2. The Treasurer shall prepare written financial statements for the Executive Committee and shall report to the membership at all General Meetings, but a minimum of three times per year.

3. All financial transactions require the signature of two (2) of the Treasurer and the Co-Chairs of the Council. Where the Treasurer or Chair is unavailable, one signature may be that of one of the Co-Vice-Chairs.

4. An auditor is to be appointed by the Council at the Annual General Meeting, no less than once every 2 years, to audit or provide a review engagement of all financial records at the year's end.

5. In a year where an auditor has been selected and retained, the auditor's report shall be presented at the first meeting of the membership in the following school year.

Article XII: Constitutional Amendments

1. Any member may move to amend the Constitution.

2. Notice of motion to amend must be received by the Executive committee one (1) month prior to the Annual General Meeting, which is to meet no later than the end of April.

3. The Membership must be notified of the motion to amend at least two (2) weeks prior to the General Meeting which is to meet no later than the end of April.

Article XIII: Conflict Resolution

1. Where a member of the Executive Committee fails to fulfill his constitutional obligations, misses more than 3 meetings in a year for which reasonable notice had been given, or where the member's presence on the Executive committee is disruptive and/or detrimental to the effective functioning of the Committee, he may be removed from the Executive Committee, upon a motion by a member of the Executive Committee, requiring approval of a 2/3 majority of the full Executive Committee.
2. Where the members of the Executive Committee agree, by way of a simple majority vote, that it requires assistance in resolving conflict among its members, it may authorize, at the expense of the Council, the intervention of a neutral third party to assist in mediating the dispute.