

HAMILTON-WENTWORTH PRINCIPALS COUNCIL

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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:
 - "HWPC" means the Hamilton-Wentworth Principals Council;
 - "Executive" means the Executive Committee of the Hamilton-Wentworth Administrators' District Council;
 - "Meeting of the Members" includes an annual meeting of members and also a special meeting of members;
 - "AGM" means annual general meeting
 - "OPC" means the Ontario Principals' Council;
 - "HWDSB" and "Board" mean the Hamilton-Wentworth District School Board;
 - "Member" shall mean a Principal or Vice-principal employed by the Hamilton-Wentworth District School Board.
 - "VP" means Vice-Principal
 - "Cabinet" means Co-Chairs, Vice-Chairs, Past Chairs and OPC Councilors.
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 HWPC is:

- a) 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;
- b) 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;
- c) To provide professional and personal council and assistance to the members upon request and to support members in the discharge of their responsibilities;
- d) 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;
- e) To encourage communication and involvement among members and to liaise and provide a common voice in communication with Trustees, the Director, Senior Management, O.P.C., unions and the community;
- f) To serve as the representative body for principals and vice-principals employed by the Board in all negotiations pertaining to the Terms and Conditions of employment for principals and vice-principals in the Board;
- g) To assist with the ongoing professional growth and development of its members;
- h) To consider and discuss issues of particular interest and importance to principals and vice-principals and to establish positions, practices and adopt resolutions as required;
- i) To provide an opportunity for social interaction and to support members in times of celebration and crisis;
- j) To promote the highest standards of professional ethics and competence;
- k) To promote and advocate for public education.

Article III: Membership

1. Any member in good standing of the Ontario Provincial Council who is employed by the Hamilton-Wentworth District School Board is eligible for membership in the Council.
2. The membership year is from Sept. 1 to Aug. 31.
3. Any member while on long term disability is entitled to the rights and benefits of membership without paying the HWPC levy.
4. Retired, acting or interim Principals and Vice-Principals from the Board who have maintained Associate status with OPC are eligible for Associate membership in HWPC upon payment of the local levy.

Article IV: Council Fees and Other Income

1. HWPC 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 Branch 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 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 May AGM with the recommendation from the Branch Executive.
3. Pro-rated fees shall be collected from new members from the date of appointment.
4. A failure to pay the local levy may result in the exclusion of a Member from professional development opportunities, social events and/or other activities that are funded by the local levy. If an activity such as those described above is partially funded through the OPC fee rebate and partially through the local levy, a Member who refuses to pay the local levy may be admitted to the event only upon payment of the proportionate cost of his/her attendance, relative to the portion of the activity funded by the local levy.
5. In no case shall an 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 HWPC Executive Committee, save and except for Provincial Councilors, shall be for a minimum of one (1) year and does not preclude holding the position for more than one (1) year. The term of office for Provincial Councilors shall be for a minimum of two (2) years and does not preclude holding the position for more than two (2) years.
3. The term of office for each position on the Executive Committee will run from July 1st of one calendar year to June 30th of the subsequent calendar year. (Provincial Councillors are excluded.)
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 May AGM of the Council;
5. The HWPC Executive Committee shall consist of the following officers:
 - i) Two Co-Chairs (one elected from the elementary panel and one from the secondary panel);
 - ii) Two Past Chairs (one from the elementary panel and one from the secondary panel);
 - iii) Two Co-Vice-Chairs of Membership and Management (one elected from the elementary panel and one from the secondary panel);
 - iv) Two Co-Vice-Chairs of Terms and Conditions (one elected from the elementary panel and one from the secondary panel);
 - v) Two OPC Councilors (one elected in even years from the elementary panel and one elected in odd years from the secondary panel);
 - vi) Two Secretaries (one elected from the elementary panel and one from the secondary panel);
 - vii) Two Financial Officers (one elected from the elementary panel and one from the secondary panel);
 - viii) Two Professional Development Chairpersons (one elected from the elementary panel and one from the secondary panel).
6. Notwithstanding 3 above, the past Chair's position shall be assumed by the out-going Chair. If the out-going Chair is unable to assume the position, the Executive Branch shall appoint a Past Chair from those members who have been Chair or, if there are none available, who have sat as an Executive member.
7. Interim appointments may be made by the appropriate Executive Branch to fill vacancies that may occur between elections.

Article VI: Elections

1. Elections to the Executive Committee will take place at the Annual General Meeting.
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 sitting Past Chair shall conduct elections according to procedures approved by the Council. If the sitting Past Chair is involved in the election as a candidate, the appropriate Executive Branch will appoint another member of the Executive to participate in this process.
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 will make an interim appointment for the duration of the term.

Article VII: Duties and Power of the Executive Committee of HWPC

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 Co-Chairs.
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, lead by the Terms and Conditions representatives 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;
 - f) Appointing representatives to system committees or to any other group or organization, as deemed appropriate. Such delegates are not authorized to make commitments on behalf of HWPC without the approval of the
 - g) Removing representatives from system committees who do not fulfill their responsibilities as outlined in the Duties of a Member.

Chair – Duties and Responsibilities

- To speak publicly on behalf of HWPC.
- To act as liaison with Senior Management and the Trustees.
- To schedule Executive and General Meetings.
- To manage the appointment of members to committees.
- To attend all meetings of the HWPC Executive and Council meetings unless unable to do so by reason of personal illness or other emergency.
- To meet with one or more of the Senior Administrative Officials when deemed necessary by the Executive or by such Official(s).
- To report to the membership the HWPC business that has occurred since the last meeting.
- In conjunction with the Executive, set and distribute the agendas for the Executive Meetings, the Panel Membership Meetings, and the AGM to the appropriate members.
- In conjunction with the HWPC co-chair, prepare and present for approval to the June Executive a list of dates for the Executive and membership meetings, annual general meeting, relations meetings and retirement dinner for the following year.

Vice Chairs

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

Vice Chair of Membership and Management – Duties and Responsibilities

- Maintaining an accurate, up-to-date membership list.
- Providing orientation to new members in collaboration with the OPC councillor.
- Shall be responsible for bargaining and bargaining issues including the coordination of a bargaining representative committee during times of collective negotiation. (See Appendix A)
- Acting as a liaison/resource to the representatives sitting as resources on the Board's Bargaining Committees with its employee groups.
- Ensuring that all Principal and VP concerns related to the implementation of the various employee collective agreements have been identified and brought to the attention of the appropriate liaison.

Vice-Chair of Terms and Conditions – Duties and Responsibilities

- Ensuring that members receive current information regarding their rights and responsibilities as HWPC members under the terms and conditions agreement and under Board policies and practices.
- Shall chair the Terms and Conditions Committee, and shall report to the Executive at each of its meetings on the activities of the Terms and Conditions Committee.
- Shall provide regular communication to the membership regarding issues related to terms and conditions.
- Represent their panel and HWPC on Terms and Conditions issues with the Board designated personnel.
- Shall be responsible for ensuring members are adequately consulted on their priorities for Board negotiations, shall consult 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.
- Shall attend any OPC meeting to which Terms and Conditions Representatives are expressly invited.

Past Chair – Duties and Responsibilities

- Shall bring forward to Executive and Membership, Notice of Motions for constitutional changes.
- Shall be Responsible for the elections process.
- Shall ensure the business of the organization is conducted in accordance with the HWPC constitution.
- Duties as assigned by Chair.

Provincial Councillor – Duties and Responsibilities

- The Provincial Councillors 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 Councillors 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.
- OPC Councillor(s) will represent HWPC at the provincial meetings of OPC.
- Should an OPC Councilor not be able to attend a provincial meeting, the Councilor will ensure an alternate Executive Member attends.
- Reporting to the Executive and membership the business of OPC.

Secretary – Duties and Responsibilities

- Publishing a list of dates for the Executive and membership meetings, annual general meeting, relations meetings and retirement dinner for the following year to the appropriate First Class conference, to the System Calendar, to the Administrators Handbook, and to any other appropriate communication tool.
- Recording and saving the Minutes and Motions at all membership meetings and providing members with an electronic copy before the next membership meeting.
- Compiling the year-end report from each Executive member for distribution at the AGM.

Treasurer– Duties and Responsibilities

- Be the signer on all HWPC bank accounts and financial documents.
- Monitoring the financial status of the HWPC, reporting to each meeting of the Executive and the membership.
- Presenting a motion at the AGM to implement the HWPC fee for the next year.
- Preparing and presenting a proposal for a draft budget to the Executive and presenting the draft budget for approval of the membership at the AGM.
- Presenting a year-end financial statement at the AGM.
- Preparing written financial statements for the Executive and reporting to the membership at all General Meetings.
- The Treasurer shall be responsible annually 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.
- The Treasurer shall be responsible annually for completing the application for OPC scholarship monies.

Professional Development Chair – Duties and Responsibilities

- Organizing and coordinating HWPC Professional Development opportunities that may include OPC courses, conferences and/or workshops.
- Acting as liaison between HWPC and the Board's Professional Development committee.
- Chairing the P.D. Committee.

Article VIII: Duties of Members

- a) Supporting decisions and policies of HWPC.

- b) Representing the positions of HWPC when on system/provincial committees. This will include regular communication, discussion, and feedback to and from the membership.
- c) Providing timely reports on the system/provincial committees will occur through the appropriate First Class Conference.
- d) Attending meetings, retreats, and support P.D. initiatives.
- e) The Executive shall approve members who represent HWPC on system/provincial committees and may review at any time by the HWPC Executive to ensure the fulfillment of the representative duties. Failure to meet these responsibilities may result in the removal of the member from the committee.

Article IX: Committees

1. There shall be a Terms and Conditions Committee, co-Chaired by the two Terms and Conditions Vice-Chairs, with equal representation of OPC members from each panel. The composition of the Terms and Conditions Committee shall be subject to the approval of the Executive Committee. 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. 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. The Executive may establish or appoint and set the terms and duration of any Standing, Special and/or Ad Hoc committees to serve the interests of the Council.
3. Meetings of any Committee shall be at the call of the Chair of such committee or at the request of the Executive.
4. An Executive member shall sit on every HWPC Committee.
5. All Committees shall report in writing or orally all activities and recommendations of the Committee to the Executive at its monthly meetings through the Executive representative.

Article X: Meetings

1. The agendas, time and place of all meetings shall be determined by the Co-Chairs in consultation with the Executive Committee.
2. Annual General Membership Meeting (AGM):
 - a) The general membership shall meet once a year at the AGM.
 - b) The date for the following year's AGM shall be determined by the Co-Chairs in consultation with the Executive Committee after each AGM in May.
 - c) The Annual General Meeting shall be used for:
 - Installation of new Executive;
 - Presentation of the financial statement and other relevant business;
 - Changes to the Constitution;
 - Receiving reports from the Executive Committee and other Standing, Special or Ad-hoc committees;
 - Resolutions brought forward by the Executive Committee or the general membership;
 - Setting the local levy, if any, for the following year.
 - d) The Co-Chairs or Designate shall preside at the AGM.
3. HWPC Executive:
 - a) The HWPC Executive shall meet to conduct the business of the organization.
 - b) Additional meetings may be called by the Co-Chairs as required.
4. General Membership:
 - a) The membership shall meet at least five times a year.
 - ii. All general meetings:
 - Shall include reports from the President, Treasurer, Terms and Condition Chairperson and all HWPC Committees;
 - Shall include the reception, discussion, amendment and/or approval of reports and Executive decisions;
 - Shall include an opportunity for member concerns;
 - May include reports from any members who serve as representatives on standing Board committees;
 - May include presentations as deemed appropriate by Executive.

Article XI: 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")
2. Quorum:
 - a. At HWPC Executive meetings the quorum shall be 2/3 of the members of the committee and indicated with a 'show of hands'.
 - b. At HWPC membership meetings the quorum shall be 50% plus one of the members present and indicated with a 'show of hands'.

Article XII: Budget

1. It is the responsibility of the Treasurers to maintain the financial records of the Council.
2. For the reimbursement of PD funds to members, the Treasurer shall require the presentation of original receipts from the member.
3. All financial transactions require the signature of two of the Treasurers and the Co - Chairs of the Council.
4. The Treasurer shall present a year-end financial statement and a prepared projected budget for expenditures for the following year at the Annual General Meeting, which is to meet no later than the end of October.
5. An auditor is to be appointed by the Council at the Annual General Meeting to audit or provide a review engagement of all financial records at the year's end.
6. An auditor's report shall be presented at the first meeting of the membership in the new school year.

Article XIII: 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 May.
3. The Membership must be notified of the motion to amend at least one (1) week prior to the AGM which is to meet no later than the end of May.
4. Motions to amend the Constitution require a 2/3 majority of the members in attendance for acceptance.

Article XIV: 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.

APPENDIX A

Duties and Responsibilities of Bargaining Representative Committee

Under the direction of the Vice Chair of Membership and Management, each committee member's role is:

- To represent all administrators' perspective at negotiations;
- To represent HWPC concerns at collective bargaining sessions;
- To update members on collective bargaining concerns;
- To communicate on a regular basis with members;
- To gather information and prepare for negotiations by meeting with the Bargaining Advisory Group;
- To request Branch Executive input on issues of concern during negotiations;
- To share a summary of implications of collective agreements with the Executive and then members, after negotiations and contract ratification;
- To assist with succession planning;
- To take notes, collect information and forward information to new incoming representatives;
- To keep collected information and decisions confidential to the Executive and the committee members during negotiations.

APPENDIX B
REFERENCE CHART FOR THE MOST COMMONLY USED MOTIONS

Needed	Second	Amendable	Debatable	Vote Needed	Interrupt Speaker
Motions					
Main motion	Yes	Yes	Yes	M	No
Take from the table	Yes	No	No	M	No
Reconsider	Yes	No	*	M	Yes
Rescind	Yes	Yes	Yes	2/3	No
Special order of business	Yes	Yes	Yes	2/3	No
Privileged Motions					
Fix the time to adjourn	Yes	Yes	No	M	No
Adjourn	Yes	No	No	M	No
Recess	Yes	Yes	No	M	No
Question of Privilege	No	No	No	Ch	Yes
Subsidiary Motions					
Lay on the table	Yes	No	No	M	No
Previous question	Yes	No	No	2/3	No
Limit the debate	Yes	Yes	No	2/3	No
Postpone t a certain time	Yes	Yes	Yes	M	No
Commit or refer	Yes	Yes	Yes	M	No
Committee of the Whole	Yes	Yes	Yes	M	No
Amend	Yes	Yes	*	M	No
Postponed indefinitely	Yes	No	Yes	M	No
Incidental Motions					
Point of Order	No	No	No	Ch	Yes
Appeal the decision of the chair	Yes	No	*	M	Yes
Suspend the rules	Yes	No	No	2/3	No
Object to Consideration	No	No	No	2/3	Yes
Parliamentary Inquiry	No	No	No	Ch	Yes
Point of Information	No	No	No	Ch	Yes
Withdraw a motion	No	No	No	M	No
Division of the Assembly	No	No	No	**	Yes

M = Simple Majority

Ch = Chair (Parliamentarian) can make decision, but is a majority if appealed

** = On demand of a single Member

. = Debatable when the motion to which it is applied is debatable

Definitions for some of the above motions follow.

Main Motions

These motions are designed to deal with the motion on the floor and to move it to a vote.

Take from the table or lift from the table – brings a motion that had previously been “tabled” to the floor for consideration. (See Lay on the table below)

Privileged Motions

These motions are not related to the motion on the floor but are related to the group’s welfare. They take precedence over other business and must be dealt with immediately.

Question of privilege – enables a person to interrupt the business on the floor to state an urgent request.

Subsidiary Motions

These motions relate directly to the motion on the floor. They are designed to move business along by disposing of the motion without adopting or rejecting it.

Lay or Placed on the table – allows a motion to be set aside, but it can’t be used to “kill a motion, could be used because you are waiting for further information or because another motion needs to be dealt with first.

Previous question – used to end debate and bring an immediate vote on the pending motion. The mover says, “I put the question.”

Limit the debate – sets limits on the number of speakers or the length of time debate can go on, etc...

Commit or Refer a motion – used to refer the motion to another group, such as a committee, so the ramifications of the motion can be studied by that group. The group will then come up with recommendations and/or a motion that can be acted upon in a manner that is consistent with the real intent of the motion.

Move to Committee of the Whole – used when a motion may be complicated or there is a variety of viewpoints. If the motion is passed then parliamentary procedures are suspended and the group works as a committee to reach consensus. A motion is then crafted to mirror the committee’s decision before the committee moves to “**Rise from the Committee of the Whole**” and move the motion as a main motion.

Postpone indefinitely – effectively “kills” the motion.

Incidental Motions

These motions relate to procedure and are not directly related to the issue on the floor. They must be acted upon before business can continue.

APPENDIX C

HWPC Organizational Flow Chart
2010-2011

