

Elementary Council Constitution of the New Brunswick Teachers' Association

(May 2015)

Article I - Name

The name of the Council shall be the Elementary Council of the New Brunswick Teachers' Association.

Article II -- Definitions

- a. "Association" shall mean the New Brunswick Teachers' Association.
- b. "Member" shall mean a member of the Elementary Council as established in Article V.
- c. "Council" shall mean that body of Elementary teachers and other members duly constituted by the Association.
- d. "Executive" shall be the Executive Committee of the Elementary Council.
- e. "Board of Directors" shall mean the Board of Directors of the New Brunswick Teachers' Association.

Article III -- Council Authority and Responsibility

- a. The Council may take any measure not inconsistent with this Constitution, the NBTA ACT OF INCORPORATION, By-Laws or Policies, or any ACT or Regulation of the Province of New Brunswick which it deems necessary in order to give effect to any policy adopted by it with respect of any question or matter directly or indirectly relating to the teaching profession and the Council's objectives.
- b. All representations which the Council wishes to make outside the Association shall be conducted through the regular channels of the Association.
- c. The Constitution takes effect upon ratification by the Council Membership and the Board of Directors of the Association.

Article IV -- Objects

The objects of the Council shall be:

- a. To act in cooperation with the Association in advancing the cause of education in the Province of New Brunswick.
- b. To strive to enhance the quality of education in New Brunswick.
- c. To endeavour to raise the status of the teaching profession.
- d. To stimulate and facilitate the Professional Learning of teachers.
- e. To work towards the development of an improved curriculum in the subjects of concern to this Council.

Article V - Membership

Membership in this Council shall be Active or Honorary

- a. *Active:* Active membership is open to any member of the New Brunswick Teachers' Association.

- b. *Honorary:* Honorary membership to any teacher in the first year of retirement from the New Brunswick school system, and to student interns.

Article VI -- By-Laws and Policies

- a. The Council will pass By-Laws not inconsistent with the provisions of this Constitution or Article III (Council Authority and Responsibility) respecting:
 - 1. The duties of Officers of the Executive Committee of the Council;
 - 2. The management of the property and affairs of the Council and its own internal organization and administration;
 - 3. The rights and privileges of members;
 - 4. The establishment and regulation of standing committees.
- b. The Executive may adopt and enact such policies, not inconsistent with this Constitution, Council By-Laws or Article III (Council Authority and Responsibility), which may advance the objectives of or affect the operation of the Council.

Article VII -- Meetings

- a. An Annual General Meeting of the Council shall be held annually and is to be chaired by the president or, on the president's absence, the 1st vice-president.
- b. The Annual General Meeting shall be held before the end of May of each year for the reception of reports and for the election of officers when necessary.
- c. Elections shall be conducted, when necessary, by secret ballot at the Council's AGM.
- d. A quorum at Executive meetings shall consist of 50% of the Executive Committee.

Article VIII -- Officers

- a. The Officers of the Council shall consist of president, past president, 1st vice-president, 2nd vice-president, treasurer, secretary, and 6 members-at-large.
- b. The officers, with the exception of past-president, shall be elected by majority vote at the Annual General Meeting of the Council in a manner determined by By-Laws.

Article IX -- Executive

- a. The Executive Committee of the Council shall consist of all executive officers and the chairpersons of standing committees.
- b. The Executive Committee shall:
 - 1. Meet at the call of the President;
 - 2. Direct and supervise the business of the Council between Annual Meetings of the Council and in conformity with the Constitution, the By-Laws and the Policies of the Council;
 - 3. Report to the Council membership on all actions taken and decisions made;
 - 4. Under the direction of the President, submit to the Association, on or before June 30 each year, a report of the past year's activities, including a financial statement.
- c. All actions taken and decisions made by the Executive Committee, in conformity with this

Constitution, shall be effective and stand unless and until they are revoked, annulled, or overruled by a general meeting of the Council or by the NBTA Board of Directors.

Article X -- Standing Committees

- a. The Executive Committee shall establish standing committees as required.
- b. A member of the Executive shall act as chairperson to each standing committee.
- c. The President shall be an ex-officio member of all committees.

Article X I-- Amendments

- a. Notice of motion to amend the Constitution of the Council must be published to all active members of the Council at least thirty (30) days prior to the Annual General Meeting of the Council. All amendments to the Constitution shall be adopted only by at least a two-thirds majority vote of the active members attending the Annual General Meeting.
- b. Notice of motion to amend the By-laws of the Council must be given to the members of the Executive Committee of the Council, at least one meeting (30 days) prior to the meeting of the Executive Committee that will consider such amendment(s). All amendments to the By-Laws shall be adopted by a 50% + 1 majority vote of the members of the Executive Committee in attendance at such Executive Meeting.
- c. All amendments to the Constitution and/or By-laws of the Council shall be reported to the Board of Directors of the New Brunswick Teachers' Association.

By-Laws of the Elementary Level Council New Brunswick Teachers' Association

1) Membership

1. **Active Member:** Refers to a teacher as defined by the New Brunswick Teachers' Association's Act of Incorporation, specifically, "a person who, while holding a license or permit to teach issued by the Minister of Education for the Province of New Brunswick, including supply teachers, is employed by written contract, either full-time or part-time, by any school in New Brunswick under the jurisdiction of the Department of Education, and includes a principal, the President of the NBTA and the AEFNB who has paid the necessary fees to be a member of the Elementary Level Council.

2. **Associate Member:** Refers to all professional and para-professional personnel who are not active members of the New Brunswick Teachers' Association, specifically:

- i) representatives of the Department of Education;
- ii) teachers in private schools, with valid teaching licenses;
- iii) teachers on recognized leaves of absences established educational institutions;
- iv) teachers employed in full or part-time service in any educational institution;
- v) anyone, upon application, deemed acceptable by the Council Executive and who has paid the applicable Council fees.

3. **Honorary Member:**

- i) Honorary membership for one year shall be conferred on all teachers retiring on pension. Such membership may be renewed from year to year at the request of the member at a fee determined by policy;

- ii) Honorary membership may be conferred on any person deemed acceptable by the Elementary Level Executive Committee;
- iii) Honorary membership shall be conferred, upon application, on student teachers in their final year of study in any teacher training program in the Province of New Brunswick.

2) Membership Rights

1. All persons who are members within clause (1) of section (A) of this By-Law shall enjoy full and equal membership;
2. All persons who are members within clauses (2) and (3) of section (A) of this By-Law shall enjoy full membership rights except the right to vote and hold office or receive grants or loans.

3) Elections and Terms of Office

a. Executive Committee

- i) The Steering Committee shall consist of 12 members;
- ii) Any active member of the Elementary Level Council may seek nomination to the Steering Committee;
- iii) Members may be nominated by the Nominating Committee or by motion from the floor at the Annual General Meeting;
- iv) Members shall be elected by majority vote.

b. Executive Committee

- i) The Executive shall be elected at the Annual General Meeting consisting of 12 members;
- ii) The Chairperson shall require 50% plus one of the votes cast in a secret ballot format;
- iii) All other positions may be filled by a secret ballot vote;

c. Nominating Committee

- i) The Nominating Committee is a Standing Committee of the Elementary Level Council's Executive Committee;
- ii) The Nominating Committee shall be composed of at least two persons;
- iii) The Nominating Committee will nominate members for election to the Executive Committee and shall make every effort to ensure regional representation.

d. Voting Procedures

- i) All Active members of the Council may vote at an Annual Meeting;
- ii) All members of the Executive Committee are eligible to vote for the Executive Officers.
- iii) All elections shall be determined by a secret ballot vote.

e. Terms of Office

- i) Executive Committee members shall be elected for a two-year term except for the treasurer;
- ii) Executive Committee members may hold the same officer positions for no more than one term except for the treasurer;
- iii) At least one-quarter of the Executive Committee shall be replaced each term;
- iv) Executive Committee members shall be elected for a three-year term;

4) Quorums

a. AGM -- A Quorum shall consist of fifty percent (50%) of the Executive Committee members

5) Motions

c. Motions arising from the business of any annual general meeting may be presented from the floor with the consent of at least two-thirds of the members present.

6) Filling of Vacancies

a. Upon resignation of any officer before completion of term, the Executive Committee shall elect a new officer from among the members of the Executive Committee.

b. Upon resignation of any Executive member before completion of term, the Executive shall fill the position by motion from among the active members of the Council.

c. In case of death, disqualification or permanent disability of members of the Executive Committee, the vacancies shall be filled as described in (a) and (b) of section 6 of the By-Laws.

7) Duties of Executive Members

a. The President shall preside over all meetings of the Council and the Executive Committee. The President shall appoint all committees and call meetings of the Executive. The Chairperson shall perform all duties pertaining to the office and shall be an ex-officio member of all committees except the Nominating Committee.

b. In the absence of the President of the Council, the Vice-President shall assume the duties of the President. First and Second Vice-President are expected to undertake significant responsibilities as designated by the President. In the case of vacancy in the office of the President, the Vice-President shall become Acting President until the next Annual General Meeting.

c. The Secretary shall record and distribute minutes of all general, Executive and Sub committee meetings, and shall publish a list of Council concerns and recommendations and the actions taken by the Executive and Sub Committees.

d. The Treasurer of Finance shall maintain an accurate financial statement of the Council's revenues and expenditures; co-sign all cheques.

e. The Past-President shall serve in an advisory capacity to the President, act as parliamentarian at meetings and serve on committees as designated by the President.

8) Expenses

Any member traveling on business duly authorized by the President or the Executive shall be paid expenses according to the NBTA Policy.

9) Meetings

a. Meetings shall be held by the Council on the following basis:

1. The Annual General Meeting (AGM) of the Council shall be held with the place, date and format

of the meeting to be determined by the Executive Committee.

2. Executive Committee meetings shall be called by the President and held at least two times a year.

3. Executive Committee meetings shall be when deemed necessary by the President.

b. Reports from Executive Committee Meetings shall include: reports from the President, Treasurer of Finance, Chairpersons of Standing Committees as appropriate and any ad hoc committee deemed necessary by the Executive Committee.

c. Conduct of Meetings shall be consistent with commonly accepted rules of order.

10) Notice to Amend By-Laws

a. Notice of motion to amend the By-Laws of the Council must be given, in writing, to all active members of the Council at least thirty (30) days prior to the Annual General Meeting.

b. All amendment to the By-Laws shall be adopted only by at least a two-thirds majority vote of the active members present at the Annual General Meeting.

c. All amendments to the By-Laws shall be subject to approval by the Board of Directors of the New Brunswick Teachers' Association.