

New Brunswick Teachers' Association

Middle Level Council Constitution

(Revised/Edited May 2023)

Article I - Name

The name of the Council shall be the Middle Level Council of the New Brunswick Teachers' Association (NBTA), herein referred to as the *Council*.

Article II – Definitions

- a. "Association" shall mean the New Brunswick Teachers' Association
- b. "AGM" shall mean the Annual General Meeting
- c. "Branch" shall mean that body of members duly constituted by the Association
- d. "Council" shall mean that body of members duly constituted by the Middle Level Council of the New Brunswick Teachers' Association
- e. "Council Executive" shall be the Executive of the Council, as outlined in Article VIII (Executive);
- f. "Federation" shall mean the New Brunswick Teachers' Federation
- g. "Member" shall mean any teacher of the Middle Level Council as defined in the Act of Incorporation or the NBTA By-laws

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 NBTA shall be conducted through the regular channels of the Association
- c. All actions taken and decisions made by the Executive in conformity with this Constitution shall be effective and stand unless and until they are revoked, annulled or over-ruled by a general meeting of the Council or by the NBTA Board of Directors

Article IV – Objectives

The objectives of the Council shall be:

1. To act in cooperation with the Association in advancing the cause of education in the Province of New Brunswick;
2. To support and promote the status of the teaching profession;
3. To improve the quality of middle level education in New Brunswick;
4. To stimulate and facilitate the professional learning of teachers;
5. To protect the economic security of the Council;
6. To support and promote in the planning of Council days.

Article V – Membership

- a. Active membership shall be open to any member of the NBTA, as defined by Article II (d).
- b. Membership Rights:
 - (i) All persons who are members within clause (a) of section 1 may enjoy full and equal membership rights including, without limiting the generality of the foregoing, the right to participate in the election of or to become officers;
 - (ii) All persons who are members within clause (b) of section 1 of this by-law shall enjoy full membership rights except the right to hold office;
 - (iii) All persons who are members within clause (c) of section 1 of this by-law shall enjoy full membership rights except the right to vote or hold office, conference grants or loans.

Article VI – By-laws and Policies

- a. The Council Executive may, by majority vote, pass By-laws not inconsistent with the provisions of this Constitution or article 3 (Council Authority and Responsibility) respecting:
 1. The election of the Council Executive and their duties;
 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;
 5. The objectives of the Council.
- b. Council Resolutions and Motions
 1. Resolutions related to Middle Level Council Constitution and/or procedures can be brought forward to the Executive by any member of the Council;
 2. Resolutions must be received in writing by the Executive at least eight weeks prior to the Middle Level Council AGM;
 3. Motions arising from the business of any AGM may be presented from the floor with the consent of at least two-thirds (2/3) of the members present.
- c. Expenses

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

 1. A Joy and Sorrow fund will be dispensed by motion of the Council.

Article VII – Council Executive Meetings

- a. A minimum of two Middle Level Executive meetings per year shall be held
- b. The Council shall hold an AGM prior to the Provincial NBTA AGM. The place, date and format of the meeting will be determined by the Executive
- c. Other meetings of the Council Executive shall be called at the discretion of the President
- d. Reports from Executive meetings shall include: President’s Report, Treasurer’s Report, chairperson of standing/ad hoc committees
- e. All meetings will be conducted using the principles contained in the Robert’s Rules of Order
- f. Quorums:
 1. **AGM** – A Quorum shall consist of fifty percent (50%) of the Executive members and any other active members in attendance;
 2. **Executive** – A Quorum shall consist of fifty percent (50%) of the members of the Executive;
 3. **Officers** – A Quorum shall consist of fifty percent (50%) of the members of the Officers.

Article VIII –Executive

- a. The Executive shall consist of the Officers name in Article IX (a)
- b. The Executive shall:
 1. Meet at the call of the President;
 2. Direct and supervise the business of the Council between AGMS’s and in conformity with the Constitution of the Council;
 3. Report to the Council membership;
 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;
 5. Establish ad hoc committees as needed.

Article IX – Elections and Terms of Office

- a. Executive
 1. The Executive Committee shall consist of up to 12 members;
 2. Any active member of the Middle Level Council may seek nomination to the Executive Committee;
 3. Members may be nominated by the Nominating Committee or by motion from the floor at the AGM;
 4. Members shall be elected my majority vote at the AGM.
- b. Officers
 1. The Officers shall be elected from the members of the Executive by majority vote;
 2. The President shall require majority of the votes cast;
 3. All other positions may be filled by a show of hands majority vote;
 4. Officers of the Council shall include President, Vice-President, Past President, Secretary and Treasurer.

- c. Nominating Committee
 1. The Nominating Committee is a Standing Committee of the Middle Level Council's Executive;
 2. The Nominating Committee shall be composed of three (3) persons from the Executive;
 3. The Nominating Committee will nominate members for election to the Executive and shall make every effort to ensure regional representation.

- d. Voting Procedures
 1. All active members of the Council may vote at the AGM;
 2. All members of the Executive are eligible to vote for the Officers;
 3. All elections shall be determined by a show of hands vote except where a secret ballot is required by the office of the President.

- e. Terms of Office
 1. Executive members shall be elected for one two-year term commencing on July 1st to a maximum of three consecutive terms (six years).
 2. A person who serves as President may serve beyond six years in order to complete their term and serve as Past President for an additional term.
 3. Officers shall be elected for a two-year term.
 4. Officers may hold the same office for no more than one two-year term.
 5. The position of treasurer requires certain skills and expertise. Often after two years the Treasurer is just beginning to gain the needed expertise. Because of this, the position of the Treasurer may be held for up to three consecutive terms (six years).

- f. Filling of Vacancies
 1. Upon resignation of any Officer before completion of term, the Executive shall elect a new Officer from among the members of the Executive;
 2. Upon resignation of any Executive member before completion of term, the Executive shall fill the position by motion from among the active members of Council;
 3. In case of death, disqualification or permanent disability of members of the Executive and Officers, the vacancies shall be filled as described in Article IX f (1).

Article X - Duties of Officers and Executive Members

The Officers and Executive members shall meet at the call of the President; Executive Members-at-Large shall:

- a. Represent the membership of the province;
- b. Must be part of a standing committee;
- c. Participate in Council Day planning;
- d. Attend Executive meetings as called by the President.

Duties of Officers:

- a. The President shall preside over all meetings of the Council, the Executive and the Officers. The President shall appoint all committees and call meetings of the Executive and Officers. The President 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. In the case of the vacancy in the office of the President, the Vice-President shall become Acting President until the next AGM;
- c. The Secretary shall record and distribute approved minutes of all general and Executive meetings; approved minutes must be forwarded to the NBTA communications staff.
- d. The Treasurer shall:
 1. Maintain an accurate financial statement of the Council's revenues and expenditures;
 2. Co-sign all cheques;
 3. Develop a budget for the AGM;
 4. Be responsible for submitting a year-end review/audit of the Council's expenditures and revenues;
 5. To ensure that all expenditures of money are by resolution and have a dollar amount included;
 6. Approve expenditures of up to \$100 between meetings;
 7. Shall ensure that professional learning grants are equally divided (50% July-Dec, 50% Jan-June); these monies come from Educational Institutes for Middle Level.
- 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.

Article XI - Standing Committees

- a. The Executive shall establish the following standing committees who shall submit a report for the AGM:
 1. Professional Institutes: the Chairperson(s) of the Institutes Committee shall be responsible for offering and organizing professional learning activities of the Council as directed by the needs of the membership; requests are brought forth and considered on an individual basis by the Executive; reports to the Executive;
 - i. Those individuals who attend Professional Learning events may be asked to present at future NBTA Middle Level Council workshops/institutes;
 - ii. An amount will be set aside as indicated in the budget for holding Institutes during the year.
 2. Nominating: Article IX (c); reports to the Executive;
 3. Communications: provides input on Middle Level Council activities to the NBTA News and website; reports to the Executive;

4. Curriculum: represents Middle Level membership at meetings when required by the Department of Education and Early Childhood Development and/or the NBTA; reports to the Executive;
 5. Awards: receives and reviews nominations and recommends awards; reports to the Executive;
 6. Council Day: separate budget established; fees and expenses for presenters as per the NBTA Council Day Agreement of Service; access to \$1000 seed money available from Council prior to budget submission; organize a program.
- b. Other committees may be appointed as deemed necessary by the Executive.

Article XII - Amendments

1. 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 AGM of the Council. All amendments to the Constitution shall be adopted only by majority vote of the active members attending the AGM
2. All amendments to the Constitution of the Council shall be reported to the Board of Directors of the NBTA
3. The Constitution takes effect upon ratification by the Council Membership and the Board of Directors of the NBTA.