

BY-LAWS OF THE PRINCE EDWARD ISLAND TEACHERS' FEDERATION

PASSED BY THE BOARD OF GOVERNORS 1973

& AMENDMENTS PASSED TO August 31, 2009

(Numbering System indicates the section of AN ACT TO INCORPORATE THE PRINCE EDWARD ISLAND TEACHERS' FEDERATION to which the By-Law is related.)

Section 1: Definitions

- 1.(a) 'area association' means an area unit of the Federation from which members are elected to the board of governors;
- 1.(b) 'associate members' means those persons who are admitted as associate members of the Federation as set forth in the By-Laws;
- 1.(c) 'board of governors' means the board of governors of the Federation;
- 1.(d) 'executive' means the executive of the Federation;
- 1.(e) 'federation' means the Prince Edward Island Teachers' Federation incorporated under subsection (1) of Section (2);
- 1.(f) 'honorary members' means those persons who are admitted as honorary members of the Federation as set forth in the By-Laws;
- 1.(g) 'member' means a member of the Federation as defined in subsection (i) of this Section;
- 1.(h) 'special association' means a group of teachers within the Federation organized on the basis of some special teaching interest or teaching skill;
- 1.(i) 'Instructional personnel' means any person holding a teacher's license or certificate issued by the Department of Education and Early Childhood Development, and any other person defined as "instructional personnel" in Chapter S-2. 1, Part 1 (n) of the School Act of Prince Edward Island, who is actually employed by a School Board in a teaching, supervisory or other professional capacity relating to education.

Section 2: Incorporation

- 2.(1) No By-Law

2.(2) No By-Law

Section 3: Membership

3.I. All instructional personnel are members of the Federation unless an individual member indicates, in accordance with the provisions of this section, that he/she does not wish to be a member; or he/she is excluded from membership in accordance with the By-Laws.

3.II. A member wishing to withdraw from membership within the Federation must notify the General Secretary, in writing, within thirty (30) days of the commencement of his/her contract of employment with a School Board in a school year. A teacher's membership in the Federation shall cease the day immediately following the date the General Secretary receives the notification referred to above.

3.III. A person who withdraws from membership in the Federation shall remain a nonmember until such time as he/she makes written application to the Executive for reinstatement as a member, and such application for reinstatement is approved by the Executive. In such case, membership shall be reinstated immediately upon approval of the application.

3.IV. A person who withdraws from membership in the Federation shall not be eligible to participate in any programs or receive any services offered by the Federation.

3.V. A list of the names of instructional personnel who withdraw from membership in the Federation shall be provided annually to the members of the Executive and the Board of Governors.

3.VI. The provisions of this section do not apply to associate or honorary members.

3.VII. A member who is on a leave of absence granted under the provisions of the Memorandum of Agreement shall retain membership status in the Federation, but membership rights and privileges shall be limited to:

- A. the right to participate in the Group Insurance Program in accordance with rules established by the Group Insurance Program Trustees;
- B. the right to participate in any vote of the membership taken with respect to fees or the adoption of a new Memorandum of Agreement; and,
- C. the right to be represented by the Federation in matters that took place in the employment relationship prior to the member going on leave and with matters related to the member's return from leave.

These provisions do not apply to members who receive a leave of absence to assume the position of President of the Federation or who are seconded under the provisions of the Memorandum of Agreement. These members shall retain all their rights and privileges.

3. VIII. A member who is elected to the Legislative Assembly shall retain membership status in the Federation with the same rights and privileges as a member who is on a leave of absence granted under the provisions of the Memorandum of Agreement, with the exception of any participation in matters that puts the member in a conflict of interest between the Legislative Assembly and the PEI Teachers' Federation. The Executive of the PEI Teachers' Federation will determine which matters will be deemed as a conflict of interest.

Section 4: Objects

No By-Law.

Section 5: Disposition of Property

5.(1)I. The Federation may purchase, sell, hold, mortgage, lease or otherwise deal in real and personal estate only with the approval of the Board of Governors.

5.(2)I. The Finance and Property Committee, with the approval of the Executive and in accordance with An Act to Incorporate the Prince Edward Island Teachers' Federation, may invest funds which are in excess of those which are required to meet the day-to-day financial obligations of the Federation.

5.(3)I. The Executive may make grants to organizations having the same or similar objectives provided no single grant exceeds five hundred dollars (\$500) and the total amount granted in any fiscal year does not exceed two thousand dollars (\$2,000). Amounts in excess of those cited in this section must receive the approval of the Board of Governors.

Section 6: Board of Governors

6.(1)I. A. Each Area Association shall provide for the election in each school of a member(s) of the Board of Governors in accordance with the following:

10 - 39 members	-	1 Board of Governors' member
40 - 69 members	-	2 Board of Governors' members
70 +	-	3 Board of Governors' members

B. Where schools have fewer than ten members the Coordinating Committee shall assign the members to another school so that the combined number of members is ten or more. Such assignment is subject to the approval of the Board of Governors. Notwithstanding the above, schools which presently have a representative on the Board of Governors shall continue to have a representative on the Board of Governors.

C. Schools which do not have a Board of Governor will have a contact person who may attend Board and Co-ordinating Committee meetings as observers.

D. For the purposes of these By-Laws the definition of 'school' shall include the administrative offices of a Regional School Board.

6.(1) II. In the event a member of the Board of Governors is unable or unwilling to complete his/her term of office, the members in the school(s) in question shall elect a replacement to complete the term of office.

6.(1) III. A member elected to the Board of Governors shall be elected for a two-year term of office.

6.(1) IV. Members elected to the Board of Governors for a new term shall commence their duties the July 1st following the Annual Meeting of the Board of Governors in the year of their election.

Section 7: Powers of Board

7.(1) I. The General Secretary and such other professional staff employed by the Board shall perform such duties as may be determined from time to time by the Board. The General Secretary shall be the chief administrative officer of the Federation and he/she and other professional staff employed by the Board shall be responsible to the Board; however, between meetings of the Board they shall be responsible to the Executive.

7.(2)(a) I. Members shall contribute a fee equal to 1.5% of total salary to the Prince Edward Island Teachers' Federation.

7.(2)(a) II. Associate Members shall contribute a fee in accordance with the following schedule:

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|---|--|
| A. Retired Members | - \$0.00 |
| B. Instructional and Administrative Personnel in other Educational Institutions | - \$5.00 or \$35.00 if a participant in the Group Insurance Plan |
| C. Students enrolled in a Teacher Education Program | - \$5.00 or \$35.00 if a participant in the Group Insurance Plan |
| D. Certifiable teachers employed as substitute teachers | - \$5.00 or \$35.00 if a participant in the Group Insurance Plan |

7.(2)(b) PROCEDURES FOR CONSIDERING CHARGES OF UNETHICAL CONDUCT

7.(2)(b) I. COMMITTEE

A. The Executive shall appoint an Ethics Committee each year no later than September 1st following the Annual Meeting of the Board of Governors.

B. 1. The Ethics Committee shall consist of five members of the Teachers' Federation with one of the members named as chairperson.

2. Members of the Executive shall not be eligible for appointment to the committee.
- C. The term of appointments to the Ethics Committee shall be for a period of three years.
- D. The effective date of appointments each year shall be September 1st and the termination date shall be August 31st.
- E. Any three members of the committee constitute a quorum.

7.(2)(b)II.

GENERAL TERMS OF REFERENCE

The Ethics Committee shall:

- A. hold hearings to determine the validity of charges of unethical conduct of members that are referred to it by the Executive;
- B. ensure that the procedures adopted by the Federation in relation to charges of unethical conduct are adhered to;
- C. in cases where the charge(s) of unethical conduct is/are found to be unsustainable, dismiss the case and inform the defendant(s), the complainant(s) and the Executive of this decision;
- D. in cases where the Committee upholds the charge of unethical conduct inform the Executive of this decision and the disciplinary measures to be taken by the Federation. Notice of the decision to the defendant(s) and the complainant(s) shall be sent from the General Secretary by registered mail or certified delivery service.

7.(2)(b)III.

DISCIPLINARY MEASURES

The Committee may, after fairly hearing the charge and finding it sustainable:

- A. reprimand the member;
- B. suspend the member from the benefits and privileges of membership for a specified period of time;
- C. expel the member from the Federation;
- D. recommend to the Minister of Education and Early Childhood Development that the member's teaching license be suspended for a specific period of time;
- E. recommend to the Minister of Education and Early Childhood Development that the member's teaching license be cancelled;
- F. utilize any combination of these actions.

7.(2)(b)IV. FUNCTIONS OF THE EXECUTIVE

The Executive shall:

- A. accept the findings of the Ethic Committee as final.
- B. direct the General Secretary to inform the parties of the decision and enable any disciplinary measures, if applicable.

7.(2)(b)V. CHARGES

- A. A charge of unethical conduct against a member may be made by a member of the Federation.
- B. A charge of unethical conduct must be made, in writing, to the Executive and must contain:
 - 1. the name of the member whose conduct is being questioned;
 - 2. the section(s) of the Code of Ethics the member is alleged to have violated;
 - 3. a description of the actions of the member(s) that caused the charge of unethical conduct to be laid;
 - 4. the name of the individual, or in the event of a group action, the names of all individuals laying the charge(s).
- C. Prior to requesting the Ethics Committee to conduct a hearing of a charge(s) of unethical conduct the Executive shall instruct the General Secretary to conduct a preliminary investigation of the charge(s). The General Secretary may assign this task to another professional staff member.
- D. Before the preliminary investigation begins the General Secretary shall ensure that the complainant is fully aware of all procedures and legal responsibilities which he/she undertakes in laying the charge(s).
- E. Following the preliminary investigation, the professional staff member shall report to the Executive and the Executive may:
 - 1. refuse to refer the matter to the Ethics Committee for consideration if it deems the charge frivolous; or
 - 2. refer the matter to the Ethics Committee. The charge(s) shall be formally laid on a standard form, provided for this purpose by the Federation.

- F. The Ethics Committee must conduct a hearing of all charges referred to it by the Executive.

7.(2)(b)VI. PRELIMINARY INVESTIGATION

The Professional Staff person assigned to conduct a preliminary investigation into a charge of unethical conduct against a member shall:

- A. inform the member against whom a charge is being made of the specific nature of the charge, and the name(s) of the person(s) who has laid the charge;
- B. provide the member who is charged with a copy of the "Procedures for Considering Charges of Unethical Conduct";
- C. interview the member being charged, the person(s) laying the charge(s) and any other individuals the staff member deems advisable to interview (provided such other persons are informed of the purpose of the interview, and it is indicated to them that they may be called as witnesses in the event of a hearing of the Ethics Committee);
- D. provide a written report to the Executive on the preliminary investigation.

7.(2)(b)VII. NOTICE OF HEARING

- A. Upon receipt of notification from the Executive that a hearing is to be held into a charge of unethical conduct, the chairperson of the committee shall, within fourteen days, establish a date, time and place for the hearing, such day shall be no later than thirty days and no sooner than fourteen days from the date upon which the accused was notified of the charge(s) by registered mail or by certified delivery service.
- B. The Chairperson shall notify the accused member of the impending hearing by registered mail or certified delivery service and such notification shall contain:
 - 1. the date, time and place the hearing will be held;
 - 2. the nature of charge(s) being laid against the member;
 - 3. the name of the person(s) laying the charge(s);
 - 4. a general description of the procedures to be followed at the hearing;
 - 5. a request to appear at the hearing and notice that the hearing will be held even if the accused member elects not to attend;
 - 6. a recommendation that the accused member seek the services of legal counsel to represent him/her at the hearing;

7. the names of the committee members who will constitute the hearing panel.
- C. The Chairperson shall notify the complainant, by registered mail or certified delivery service of:
1. the date, time and place of the hearing;
 2. a general description of procedures to be followed at the hearing.
- Such notification shall also contain a request to appear at the hearing.

7.(2)(b)VIII. HEARING

- A. The Chairperson of the Ethics Committee shall conduct the hearing in a fair and unbiased manner.
- B. The committee shall utilize the services of the Federation's legal advisors for the purpose of advice on the value of evidence, matters of law, and maintenance of orderly procedure.
- C. The complainant shall have the onus of proof throughout the proceedings.
- D. If a member of the committee considers himself or herself to be unable to hear the case in an unbiased manner, or if, in the opinion of the committee present at the hearing, there is a real likelihood of bias on the part of any member, such member shall withdraw from the hearing and shall not participate in the decision of the committee.

If the accused considers any member of the hearing panel to be biased, such accused must so advise the chairperson in writing within seven days of receipt of the notification of hearing setting out the basis of the accused's belief or apprehension of bias. The chairperson may:

1. confirm the membership of the hearing panel;
 2. remove such committee member from the hearing panel; or
 3. provide for an opportunity for the accused to make oral representations to the hearing panel as to the apprehension of bias to assist the chairperson who will then determine the issue.
- E. Only those committee members who have been present to hear all the evidence can participate in the decision of the committee.
- The hearing panel shall consist of no fewer than three members of the committee in order to constitute a quorum.
- F. The Chairperson shall ensure that the accused and the complainant are provided the right to be heard which includes:
1. the right to call witnesses;

2. the right to cross examine witnesses;
 3. the right to present documents;
 4. the right to cross examine documents.
- G. The General Secretary or another Professional Staff person assigned by him/her shall act as secretary to the hearing and shall keep an orderly record of documents presented and witnesses called.
- H. The Chairperson may adjourn the hearing until a designated time upon the request of a committee member, the Federation's legal advisor, the accused or the complainant provided he/she considers the reason for the request to be sufficient.
- I. The hearing shall be conducted in private and witnesses shall be present only when they are presenting evidence or being cross examined.
- J. The complainant or his/her representative shall present the charges and supporting evidence first.
- K. The accused or his/her representative and the committee shall be provided an opportunity to cross examine on all or any evidence presented.
- L. The accused or his/her representative shall present his/her response to the charges and any supporting evidence.
- M. The complainant or his/her representative and the committee shall be provided an opportunity to cross examine on the evidence presented.
- N. When the Chairperson is satisfied that all the evidence has been considered he/she shall:
1. provide the accused member an opportunity to make a closing statement in summary; and
 2. provide the complainant an opportunity to make a closing statement in summary.
- O. Following the completion of the statements in summary the chairperson shall declare the hearing ended.
- P. Within fourteen (14) days of the completion of the hearing, the committee shall:
1. make its decision, and report in writing, to the Executive that decision, the reasons for the decision and, if the charge(s) is/are sustained, determine any disciplinary action(s) to be taken by the Federation.

7.(2)(b)IX. COSTS

- A. All costs incurred by the Ethics Committee shall be borne by the Federation, except where, in the event of a successful defence by the accused, the Ethics Committee finds that a complainant has acted in a fraudulent, malicious, or irresponsible manner, the aforesaid complainant may be assessed any portion of the Committee's or the Federation's costs, and stands liable for further legal action.
- B. In the event that an accused member obtains the services of counsel and is successful in defending himself/herself before the Ethics Committee the Federation, upon receipt of a copy of the accused person's solicitor's statement of account, may refund a maximum of \$500.00 of the legal costs incurred by that member.

7.(2)(b)X. RECORD OF HEARING

All hearings conducted by the Ethics Committee shall be recorded and this record, along with that of the secretary to the hearing, shall be kept confidential and maintained in a safe place in the Federation Offices by the General Secretary.

7.(2)(c) No By-Law

7.(2)(d) EXPENDITURE OF FUNDS

7.(2)(d)I. At the Annual Meeting of the Board of Governors the Executive shall present for the approval of the Board an annual budget containing estimated income and expenditures.

7.(2)(d)II. The fiscal year for the Federation shall be June 1st to May 31st.

7.(2)(d)III. The Executive shall ensure that an audited statement is prepared and presented to the Semi-Annual Meeting of the Board of Governors for the preceding fiscal year.

7.(2)(d)IV. Any two of the President, General Secretary and an Executive member selected by the Executive at the first Executive meeting each year shall be signing authorities for the Federation.

7.(2)(e)I. AREA ASSOCIATIONS

A. There shall be three Area Associations with the following names and membership boundaries:

WESTERN AREA TEACHERS' ASSOCIATION - shall include members employed by the Western School Board;

EASTERN AREA TEACHERS' ASSOCIATION - shall include members employed by the Eastern School District; and,

L'ASSOCIATION DES ENSEIGNANTES ET DES ENSEIGNANTS DE LANGUE FRANÇAISE - shall include members employed by the French School Board.

B. Area Association Objectives:

1. to determine the needs of the members of the Area Association and develop programs that lead to the satisfaction of those needs;
2. to provide input and response to policies and decisions of the school board;
3. to monitor and make representation to the school board on matters affecting the quality of work life of members, including occupational health and safety issues;
4. to seek the establishment and maintenance of an Area Association/School Board Liaison Committee to provide for ongoing contact between the Area Association and the school board;
5. to facilitate the professional development of members of the Area Association, including the identification of needs and resources at the school and school board levels;
6. to provide social activities for members that will assist in improving membership morale;
7. to inform the public of teacher concerns and activities undertaken to improve the quality of educational programs being offered to students;
8. to communicate members' concerns to the provincial organization of the Federation and other appropriate agencies; and,
9. to act in a manner consistent with the Act of Incorporation and By-Laws of the Federation.

C. Coordinating Committee

1. Each Area Association shall have a Coordinating Committee.
2. The Coordinating Committee shall be composed of the Members of the Board of Governors elected in the schools within the boundaries of the Area Association, and members of the Area Association Executive.
3. The Coordinating Committee shall meet at the call of the Area Association Executive and shall meet no fewer than four times each Federation year.

4. The role of the Coordinating Committee shall be:
 - a) to provide advice and policy direction to the Area Association Executive;
 - b) to assist the Area Association Executive achieve the objectives of the Area Association;
 - c) to elect, within thirty (30) days of the Area Association Annual Meeting, a secretary and treasurer from among the members of the Coordinating Committee to serve as members of the Area Association Executive - this provision is not applicable to L'association des enseignantes et des enseignants de langue française.
5. Members of the Coordinating Committee shall assume their duties on the July 1st immediately following the Annual Meeting of the Area Association.

D. Area Association Executive Committee

1. There shall be an Executive Committee of each Area Association.
2. The Area Association Executive shall be composed of:
 - a) a Coordinator elected by the members at the Annual Meeting of the Area Association;
 - b) an Assistant Coordinator elected by the members at the Annual Meeting of the Area Association;
 - c) a Secretary elected in the Eastern Area Teachers' Association and the Western Area Teachers' Association by the Coordinating Committee, and in L'association des enseignantes et des enseignants de langue française by the members at the Annual Meeting;
 - d) a Treasurer elected in the Eastern Area Teachers' Association and the Western Area Teachers' Association by the Coordinating Committee, and in L'association des enseignantes et des enseignants de langue française by the members at the Annual Meeting;
 - e) other members who hold positions designated by a motion adopted by the members at an Annual Meeting of the Area Association.
3. The term of office for members of the Area Association Executive shall be one year and the positions of Coordinator and Assistant Coordinator shall not be held for more than two consecutive years by a member.

4. The role of the Executive Committee of the Area Association shall be:
 - a) to look after the affairs of the Area Association between Annual Meetings and meetings of the Coordinating Committee;
 - b) to undertake initiatives that will lead to the achievement of the objectives established for the Area Association;
 - c) to consult and seek policy directions from the Coordinating Committee on the initiatives being undertaken on behalf of the Area Association;
 - d) to determine the specific terms of reference and membership for Committees established for the Area Association;
 - e) to establish and maintain lines of communication among the members of the Area Association, with the Coordinating Committee, the provincial bodies of the Federation and the school board; and,
 - f) to act in a manner consistent with the Act of Incorporation and By-Laws of the Federation.

E. Duties of the Officers of the Area Association

1. The Coordinator shall:
 - a) preside at all meetings of the Area Association, the Coordinating Committee and the Area Association Executive Committee;
 - b) oversee the operation of the Area Association between meetings of the Area Association Executive Committee; and,
 - c) establish and maintain communication links within the Federation and with the appropriate external groups.
2. The Assistant Coordinator shall:
 - a) assist the Coordinator to carry out the Coordinator's responsibilities;
 - b) assume the duties of the Coordinator when the Coordinator is unable to carry out such duties.
3. The Secretary shall:
 - a) maintain all records of the Area Association in accordance with these By-Laws;
 - b) record minutes of meetings of the Area Association, the Coordinating Committee and the Executive Committee.
 - c) forward a copy of the minutes of the meetings of Coordinating

Committee and the Executive Committee and the Area Association Annual Meeting to the General Secretary at Federation House.

4. The Treasurer shall:

- a) maintain financial records and report on the financial status of the Area Association as required at meetings of the Area Association, the Coordinating Committee and the Executive Committee.

F. In the event an officer of the Area Association is unable to perform the duties of the office held, the Coordinating Committee shall appoint one of its members to the office until the next Annual Meeting of the Area Association.

G. Committees

1. The Area Association Executive Committee shall appoint the following Standing Committees prior to October 1st each Federation year:

- a) Public Relations
- b) Professional Development
- c) Policy Monitoring
- d) Nominations
- e) Resolutions.

2. Additional standing and Ad Hoc Committees may be established by the Executive Committee.

3. All Committees established are responsible to the Executive Committee.

4. The terms of reference for Standing Committees shall be:

- a) Public Relations - to develop programs that will inform the public of teacher concerns and activities undertaken to improve the quality of educational programs being offered to students;
- b) Professional Development - to develop programs and undertake initiatives that will enhance the professional development of members;
- c) Policy Monitoring - to monitor the development and implementation of policy by the school board and to advise the Area Association Executive of concerns relevant to the members;

- d) Nominations - To conduct the elections for the positions of Coordinator and Assistant Coordinator in accordance with the following:
- (i) The Committee shall seek nominees for the positions of Coordinator and Assistant Coordinator and publish the names of the nominees to the membership no later than one week prior to the Annual Meeting of the Area Association.
 - (ii) The Chairperson of the Nominations Committee shall present the report of the Committee to the Annual Meeting and will conduct the elections in a proper manner ensuring that:
 - an opportunity is given for nominations from the meeting
 - scrutineers are appointed
 - elections procedures are described
 - nominees are introduced and given up to five (5) minutes to address the meeting
 - provisions are made for the distribution and counting of ballots, bearing in mind that fifty percent plus one of the ballots cast constitutes a majority
 - the results are announced to the meeting.
- e) Resolutions - to solicit resolutions from the membership for presentation to the Annual Meeting of the Area Association and to present such resolutions to the membership at least one week prior to the Annual Meeting.

H. Any Constitution and By-Laws, and changes thereto, adopted by an Area Association must be approved by the Board of Governors of the Federation.

I. The business year for each Area Association shall be July 1st to June 30th.

7(2)(e) II.

SPECIAL ASSOCIATIONS

A. Special Association within the Federation shall be subject to the Constitution & By-Laws of the Federation.

B. General Objective:

The purpose of a Special Association within the Federation shall be: 1. the improvement of instruction, curriculum and teacher competence; and 2. the professional growth of the membership of the association.

C. Functions:

The functions of a Special Association shall include:

1. providing for the professional development of its members;
2. providing a means by which members may participate in curriculum modification;
3. providing a communication link among its members that will allow the membership to share common concerns;
4. providing a communication link that will ensure that the specific concerns of the membership are made known to the Federation;
5. acting as a resource for the Federation in matters of interest to the Association.

D. Establishment:

1. A Special Association may be established by members of the Federation who can demonstrate to the Executive a common professional interest and who act in accordance with these By-Laws. In any event, the common professional interest must relate to the responsibilities the members of the Association carry out as teachers.
2. Members of the Federation wishing to establish a Special Association must make application to the Executive on a form provided. The application must contain at least fifteen signatures of members of the Federation who intend to be members of the Association. In the event the potential membership of a group intending to form a Special Association is less than fifteen members, the Executive may accept the application of the group if at least seventy-five percent of the potential members have indicated their intention to join the Special Association.
3. The Constitution under which the interest group intends to conduct the proposed Special Association must accompany the application and must include: the name of the Association, specific objectives, a description of the common professional interest of the group, officers, fee schedule, standing committees, annual meeting provisions, voting procedures, means of amending constitution, and anticipated affiliations. The proposed constitution, must be ratified by the Executive before Special Association status may be granted to a group. Any subsequent changes to the constitution must be ratified by the Executive.

E. Membership:

1. Specific requirements for active membership within a Special Association must be consistent with An Act to Incorporate the Prince Edward Island Teachers' Federation, Sections 1(g), 1(i), and 3.
2. Only active members may hold the offices outlined in the constitution of a Special Association.
3. A Special Association may establish its own guidelines for the acceptance of associate members.

F. Finances:

The following shall govern the allocation of funds by the Federation to Special Associations:

1. Each Special Association shall be provided with an annual grant of six hundred dollars (\$600) and such grant shall be paid in one instalment, at a time determined by the Finance and Property Committee.
2. The financial year for Special Associations shall be April 1st to March 31st.
3. In order to qualify for funding a Special Association must:
 - A. submit to Federation House no later than March 31st a financial statement indicating costs incurred and revenue from all sources during the financial year.
 - B. submit a list of all active members in good standing at the time the financial statement is being submitted; and
 - C. maintain a membership fee of at least \$5 which is separate from any fee associated with affiliation with a national body.

A new Special Association must submit with its application only a list of persons intending to become members.

4. Residual funds may be retained each year by the Special Association.
5. Additional funding for special projects may be granted by the Executive. Application for such funding must be submitted to the Executive forty-five (45) days in advance of anticipated implementation of the project. A Special Association shall qualify for funding under this subsection only if it qualifies for funding under subsection 7(2)(e) II. F. 1. of the By-Laws.

G. Reporting:

Each Special Association must submit an annual report no later than March 31st to the Federation. The report shall include:

1. an account of in-service projects conducted during the year;
2. the number of meetings (Executive and other) held during the year;
3. the total attendance at workshops sponsored by the association;
4. a description of the internal and external communication activities of the association;
5. any recommendations the association may wish considered by the Federation;
6. a list of officers of the association.

H. Representation:

1. A Special Association may make representation to the Federation at any time during the year by making a submission to, or meeting with, the Executive.
2. Any representation which an association wishes to make to any organization, person, government department or other agency outside of the Federation must first be approved by the Executive.

I. Clerical:

Each Special Association shall provide for its own clerical needs.

J. Meeting Facilities:

The meeting room facilities at Federation House shall be available for the use of Special Associations provided the General Secretary has been contacted at least two (2) weeks in advance and the requested room is available.

K. Disbanding of an Association:

A Special Association that fails to submit a list of active members for two consecutive years, contravenes the Constitution & By-Laws of the Federation or fails to maintain the minimum membership requirements outlined in subsection 7(2)(e) II. D.2. shall lose the sanction of the Federation and residual funds shall be returned to the Federation.

7.(2)(f) STANDING COMMITTEES

7.(2)(f)l. There shall be standing committees appointed by the Executive to study and report on such matters as may be referred to them by the Board of Governors and/or the Executive and matters undertaken by them with the approval of either the Board of Governors or the Executive.

A. Constitution & By-Laws:

1. To become knowledgeable of An Act to Incorporate the P.E.I. Teachers' Federation and the P.E.I.T.F. By-Laws and act as a source of interpretation for the Board and the Executive;
2. To consider and/or suggest recommendations for changes to the Act of Incorporation or the P.E.I.T.F. By-Laws;
3. To review policy statements relevant to the Constitution and By-Laws and make any necessary recommendations to the Executive;
4. To carry out directives which may be provided from time to time by the Executive.

B. Finance and Property:

1. Shall become knowledgeable of the financial operations of the Federation;
2. Shall monitor the financial operations of the organization during the year, review policy statements related to the finances of the Federation, and present appropriate advice and recommendations to the Executive;
3. Shall make recommendations to the Executive concerning maintenance, improvement or expansion of property;
4. To review monthly financial statements for presentation to the Executive;
5. To prepare a proposed budget for the upcoming Federation year based upon program expectation of the Executive and the Board of Governors and the financial abilities of the Federation;
6. To ensure that the audited financial statement is prepared in time for presentation to the Semi-Annual Meeting of the Board of Governors;
7. To carry out directives which may be provided from time to time by the Executive.

C. Pension:

1. Shall become knowledgeable of the Teachers' Superannuation Act;
2. Shall become aware of trends in teacher retirement plans in other provinces;
3. Shall advise and make recommendations to the Executive on matters related to pensions and retirement issues;
4. To maintain a program that will inform teachers of the benefits available through the Teachers' Superannuation Act;
5. To continue to seek the implementation of resolutions passed by the Board of Governors and seek improved benefits for teachers under the Teachers' Superannuation Act;
6. To communicate with the P.E.I. Retired Teachers' Association;
7. To monitor any changes in the Superannuation Act being considered by the Superannuation Commission;
8. To review policies related to the pension area and make necessary recommendations to the Executive;
9. To devise and sponsor pre-retirement seminars for the membership;
10. To carry out directives which may be provided from time to time by the Executive;
11. To devise and sponsor financial planning workshops.

D. Economic Welfare:

1. Shall become aware of current trends in Economic Welfare benefits for Canadian teachers;
2. To prepare a proposal for consideration by the Executive for presentation to government at the commencement of negotiations;
3. To monitor the conditions of work of teachers;
4. To carry out directives which may be provided from time to time by the Executive.

E. Awards, Grants and Projects:

1. To become knowledgeable of the various awards, grants, scholarship, bursary, etc., programs to be administered by the committee;

2. To advise and make recommendations to the Executive on the administration of the various programs offered by the Federation and referred to the committee for administration and/or recommendations;
3. To establish guidelines, criteria, application forms, deadline dates, etc., to be followed in the administration of the various programs under the jurisdiction of the committee and submit same for approval by the Executive;
4. To make recommendations to the Executive on the acceptance or rejection of applicants to the programs being administered;
5. To administer the Bursary and Scholarship Program;
6. To administer the PEITF Scholarship Program;
7. To administer the PEITF Award of Excellence Program;
8. To administer the CTF Project Overseas Program;
9. To carry out directives which may be provided from time to time by the Executive;
10. To review policy statements relevant to the projects being administered and make any necessary recommendations to the Executive.

F. Resolutions:

1. Shall examine all motions that are to be presented to the Board of Governors at the Annual Meeting and Semi-Annual Meeting to ensure that they are properly worded for their purpose;
2. Shall identify motions which are presently covered by Federation policy and/or the Constitution and By-Laws;
3. Shall prepare a consolidated resolution where there are two or more motions from any source that appear to be similar in intent;
4. Shall report to the Executive the resolutions the committee has received, the changes made, and to clearly state the grounds upon which it is recommending a motion(s) not be presented to the Board;
5. To review the existing time lines and sources of resolutions;
6. To carry out directives which may be provided from time to time by the Executive.

G. Annual Convention:

1. To plan and evaluate the Annual Convention;
2. To develop a theme and book keynote speakers for the Annual Convention;
3. To carry out directives which may be provided from time to time by the Executive.

H. Curriculum, Professional Development and Teacher Education:

1. To monitor issues related to accountability and the implementation of external testing programs by the Minister of Education and Early Childhood Development;
2. To develop recommendations for the Executive on the role of the Federation in the provision of human resource development programs in the context of the responsibilities assigned to the Department of Education and Early Childhood Development and School Boards under the School Act;
3. To encourage the University of Prince Edward Island to implement the Federation policy on teacher education programs;
4. To identify the professional development needs of teachers and make recommendations on the manner in which the identified needs can be met;
5. To maintain communication with the professional development committees of the Area Associations;
6. To monitor the development and implementation of curriculum in the Province;
7. To carry out directives which may be provided from time to time by the Executive.

I. Diversity/Equity:

1. To keep current with educational issues related to equity and diversity in education and develop recommendations for the Executive;
2. To review requests and materials related to equity and diversity in education issues received from CTF and other agencies and advise the President and Executive on actions or recommendations the Federation should pursue;
3. To review policies relevant to equity and diversity in education issues and make any necessary recommendations to the Executive;

4. To continue the implementation of the Leadership Development Workshops;
5. To identify issues and materials for publication in the Newsletter and Summary and develop a means to disseminate information on equity and diversity at the school and area association levels and for other appropriate groups;
6. To monitor the issue of racism in education in the province;
7. To carry out directives which may be provided from time to time by the Executive.

J. Student Services:

1. To monitor the implementation of the Department of Education and Early Childhood Development plan for addressing the needs of students with special needs through the new Student Services Division which now includes School Counsellors;
2. To carry out directives which may be provided from time to time by the Executive.

K. Technology:

1. To monitor the implementation of technology in the public school system of the province and make recommendations to the Executive;
2. To carry out directives which may be carried out from time to time by the Executive.

L. Ethics:

1. To become aware of the P.E.I.T.F. By-Laws in respect to the Code of Ethics and the responsibilities the members have thereunder;
2. To carry out directives which may be provided from time to time by the Executive.

M. General Secretary Evaluation:

1. To evaluate the work of the General Secretary in accordance with the policy on evaluation of members of the professional staff;
2. To carry out directives which may be provided from time to time by the Executive.

N. Insurance Trustees:

1. To oversee all aspects of the P.E.I.T.F. Insurance Plan in accordance with the Trustee Deed;
2. To continue to seek improved insurance options for the membership of the P.E.I.T.F.

O. Nomination:

1. To follow the directives of the Constitution and By-Laws in the election of an Executive;
2. To make such recommendations to the Executive it deems advisable;
3. To carry out directives which may be provided from time to time by the Executive.

P. Personnel:

1. To oversee all aspects of negotiations with the professional staff;
2. To search for and make recommendations to the Executive to replace professional staff when positions become vacant;
3. To carry out directives which may be provided from time to time by the Executive.

Q. Provincial Public Relations:

1. To develop and initiate strategies for informing the public of the many and varied activities which members of the profession undertake in the course of their duties;
2. To advise Federation members of measures of which they may take to promote awareness of their professional activities and the nature of their profession, in the minds of parents and the public at large;
3. To carry out directives which may be provided from time to time by the Executive.

R. Social:

1. To plan the annual PEITF Mixed Curling Bonspiel;
2. To plan and implement other social activities approved by the Executive;

3. To carry out directives which may be provided from time to time by the Executive.

7.(2)(g) POWER OF EXECUTIVE

7.(2)(g)I. The Executive is empowered to act in place of the Board of Governors between regular meetings of the Board provided actions taken are not in conflict with the Act of Incorporation, By-Laws, policies or directives established by the Board of Governors.

7.(2)(g)II. The President is empowered to act on behalf of the Executive between regular meetings of the Executive provided actions taken are not in conflict with the Act of Incorporation, By-Laws, policies or directives established by the Board of Governors or Executive and, where acting in the absence of Federation policy, the President shall be accountable to the Executive. This empowerment is to enable the President to carry out the day to day activities of the organization between Executive Meetings.

7(2)(h) ASSOCIATE MEMBERSHIP

7(2)(h)I. The following, upon application to and acceptance by the Executive, and upon payment of a Federation fee as determined by the Board of Governors may be associate members of the Federation:

- A Retired instructional personnel, formerly PEITF members;
- B. Instructional and administrative personnel at the University of P.E.I., Holland College, the Department of Education and Early Childhood Development, and the Department of Social Services and schools operated under Native Band Councils;
- C. Students enrolled in a teacher education program;
- D. Certifiable teachers employed as substitutes.

7(2)(h)II. Associate members may not vote or hold office. They may attend meetings, upon invitation, have a voice in discussion, and they shall be entitled to receive routine information and official communications at the discretion of the Executive.

7(2)(i) CODE OF ETHICS

The impact which the teaching profession has on our society is immeasurable and the quality and character of the individual members of the profession are prominent factors in the economic and moral levels of that society. Therefore, the profession must establish rules of conduct for all who are engaged therein to ensure the highest possible performance standards.

To that end, it is agreed that the following Code be carried out, in both letter and spirit, as a basis of conduct in the teaching profession.

7(2)(i)I. GENERAL DUTIES OF MEMBERS

A teacher shall strive at all times to achieve and maintain the highest degree of professional competence and to uphold the honour, dignity, and ethical standards of the teaching profession.

7(2)(i)II. DUTIES OF A MEMBER TO HIS/HER PUPILS

A. A member shall:

1. regard as his/her first duty the effective education of his/her pupils and the maintenance of a high degree of professional competence in his/her teaching;
2. endeavour to develop in his/her pupils an appreciation of standards of excellence;
3. endeavour to inculcate in his/her pupils an appreciation of the principles of democracy;
4. show consistent justice and consideration in all his/her relations with pupils;
5. refuse to divulge beyond his/her proper duty confidential information about a pupil; and
6. concern himself /herself with the welfare of his/her pupils while they are under his/her care.

B. A member shall regard the dignity, liberty and integrity of each student under his/her supervision and endeavour to convey to a student some understanding of his/her own worth.

C. A member shall not accept remuneration for tutoring his/her own pupils in subjects or programs taught to the pupil by the member.

7(2)(i)III. DUTIES OF A MEMBER TO HIS/HER PROFESSION

A. A member should:

1. promote and advance the cause of education;
2. promote a positive image of the teaching profession;
3. promote and advance the interests of members and to secure conditions that will make possible the best professional service;

4. arouse and increase public interest in educational affairs; and
 5. cooperate with other teachers' organizations throughout the world.
- B. A member should not engage in any outside employment which will impair the effectiveness of his/her professional service.
- C. A member should not criticize the professional competence or professional reputation of a colleague except to proper officials and then only in confidence and after the colleague has been informed of the criticism.
- D. Every member should strive to be supportive of other members as well as positive in his/her criticism of fellow members.
- E. All members should cooperate in the interest of students.
- F. The member does not undermine the confidence of pupils in other members.
- G. The member observes a reasonable respect for the authority of school administrators and recognizes the duty to protest through proper channels, administrative policies and practices which he/she cannot in conscience accept; and further recognizes that if administration by consent fails, the administrator must adopt a position of authority.
- H. The member, as an administrator, respects staff members as individuals and provides continuous opportunities for staff members to express their opinions and bring forth suggestions regarding the administration of the school.

7.(2)(i)IV.

DUTIES OF A MEMBER TO EDUCATIONAL AUTHORITIES

- A. A member shall:
1. comply with the Acts and Regulations administered by the Minister;
 2. cooperate with his educational authorities to improve public education;
 3. respect the legal authority of the board of trustees in the management of the school and in the employment of members;
 4. make, in the proper manner, such reports concerning members under his/her authority as may be required by the board of trustees; and
 5. present in the proper manner to the proper authorities the consequences to be expected from policies or practices which in his/her professional opinion are seriously detrimental to the interest of pupils.

- B. A member shall not:
 - 1. break a contract of employment with a board of trustees; or
 - 2. violate a written or oral agreement to enter into a contract of employment with a board of trustees; or
 - 3. while holding a contract of employment with a board of trustees indicate acceptance of which would necessitate his/her seeking the termination of his/her contract by mutual consent of the member and the board, unless and until he/she has arranged with his/her board for such termination of contract if he/she obtains the other position.
- C. A principal, vice-principal, department head or subject coordinator shall not subscribe to the dismissal of a member for reason of unsatisfactory service without first attempting to help and counsel that member by means of continuous evaluation.
- D. A member shall report through proper channels all matters harmful to the welfare of the school. He/she does not by-pass immediate authority to reach higher authority without first exhausting the proper channels of communication.

7.(2)(i)V.

DUTIES OF A MEMBER TO THE PUBLIC

- A. A member should show respect for law, authority and codes of conduct acceptable both within the profession and within society as a whole.
- B. A member should recognize a responsibility to promote a respect for human rights.

7.(2)(i)VI.

DUTIES OF A MEMBER TO THE TEACHERS' FEDERATION

- A. A member should participate in the Prince Edward Island Teachers' Federation.
- B. A member shall cooperate with the Federation to promote the welfare of the profession.
- C. The member, or group of members, should not take any individual action in matters which should be dealt with by the Federation.
- D. The member should adhere to Federation policy and seek to change such policy only through the proper channels of the Federation.

7.(2)(i)VII.

Any charge of breach of this Code of Ethics shall be considered in accordance with 'Procedure for Considering Charges of Unethical Conduct' contained in the By-Laws of the Prince Edward Island Teachers' Federation.

7.(2)(j)I. C.T.F. REPRESENTATIVES

- A. The Federation shall be represented at the Annual General Meeting of the Canadian Teachers' Federation by the President, the President-Elect, Vice-Presidents and the General Secretary.
- B. The Executive may designate alternate representatives in the event one or more of the above is unable to represent the Federation and the Executive may elect to send representatives in addition to those cited above.
- C. 1. The President and General Secretary shall be assigned the position of member of the Board of Directors of the Canadian Teachers' Federation.
2. The President shall assume the position at the end of the first Annual General Meeting of the Canadian Teachers' Federation following his/her election as President.

7.(2)(j)II. PROCEDURES FOR MEMBERSHIP VOTING

The following procedure is to be used when the membership is called to vote on a Memorandum of Agreement, Federation Fees and such other matters as the Board of Governors may designate.

A. DEFINITIONS

- 1. CHIEF RETURNING OFFICER - the president of the Federation.
- 2. ELECTORAL OFFICER - a member of the Board of Governors designated as an electoral officer by the chief returning officer.
- 3. SCRUTINEERS - the current Area Coordinators and/or Assistant Coordinators.
- 4. SCHOOL - the location of a group of teachers represented by a member of the Board of Governors.

B. LOCATION OF VOTE

- 1. When the membership of the Federation is to vote on an issue the Executive shall elect (within the confines of the current Constitution and By-Laws) to conduct the vote:
 - a. at a meeting of the total membership; or,
 - b. on a school basis.
- 2. The location of a meeting of the total membership shall be determined by the Executive.

C. ELECTORAL LIST

1. No later than fourteen days prior to the day upon which a vote is to be conducted the General Secretary of the Federation shall submit to each electoral officer a list of eligible voters within his/her jurisdiction. Each electoral officer shall post such list in the staff room of the school. Members who serve more than one school shall be placed on the electoral list of their base school.
2. In the event a vote is to be conducted at a mass meeting the General Secretary shall provide each Board of Governor member with a list of teachers in his/her school whose name has been placed on the electoral list. Such list shall be provided no later than 14 days prior to the day upon which a vote is to be conducted.
3. A member whose name does not appear on the electoral list may have his/her Board of Governor member verify to the General Secretary that he/she is a member. Upon receipt of such verification the General Secretary shall add the member's name to the electoral list.
4. The General Secretary shall ensure that each electoral officer has an updated electoral list on the day a vote is to be conducted.

D. DUTIES OF OFFICERS

1. CHIEF RETURNING OFFICER:

- a. will be accountable for the correct application of the "Procedures for Membership Voting";
- b. will designate, in consultation with the Executive, the day and time of day a vote is to be conducted;
- c. will designate a day and time of day that the ballots will be counted, such day to be no later than 48 hours after the vote has been conducted;
- d. will name the electoral officers to be utilized when a vote is to be taken; where a school has two members on the Board of Governors either one may act as an electoral officer;
- e. will ensure that the electoral officers receive the required electoral lists of the eligible voters within their jurisdiction;
- f. will provide the electoral officers with an official Federation ballot box;
- g. will designate the voters for whom electoral officers are responsible;

- h. will provide to electoral officers one ballot for each eligible voter on his/her electoral list and five additional ballots to be used in the event that a member's name is not on the electoral list;
- i. will instruct the electoral officers where to deliver the ballots cast and the manner in which they are to be delivered;
- j. will supervise the scrutineers in the counting of ballots;
- k. will not vote except in the case of a tie vote;
- l. will place the results of the vote on a sheet of paper and verify the results with his/her signature;
- m. will conduct a recount of ballots, if necessary, in the presence of a representative of the Federation's legal advisors or auditors;
- n. will file the results of the vote at Federation House;
- o. will officially inform the members of the Board of Governors of the results of the vote within twenty-four hours of the completion of the ballot count.

2. ELECTORAL OFFICER:

- a. will have the official ballot box available in a clearly designated area within the voting location;
- b. will have a voting booth available so that a voter may vote in private;
- c. will mark each eligible voter's name on the electoral list with an "x" immediately prior to handing the eligible voter a ballot;
- d. will pass one ballot to a voter immediately after marking his/her name on the electoral list;
- e. will fold the returned ballot a second time and place it in the ballot box before passing out another ballot;
- f. will, immediately following the holding of the vote place in the envelope provided by the Chief Returning Officer the marked electoral list and unused ballots, and deliver the sealed envelope and the ballot box to the scrutineers at the place designated by the Chief Returning Officer;
- g. will report any voting irregularity to a scrutineer when returning the ballot.

3. VOTERS:

- a. will be responsible for ensuring their names are on the electoral list when it is posted in his/her school;
- b. will observe the electoral officer marking their names on the electoral list;
- c. will vote in the voting booth provided and fold the ballot once before returning it to the electoral officer;
- d. may place their ballots in the ballot box.

4. SCRUTINEERS:

- a. will, under the supervision of the chief returning officer, count the ballots cast and report the number for, against, and spoiled to the chief returning officer;
- b. will report the number of eligible voters who voted to the chief returning officer;
- c. will carry out such other duties as may be assigned by the chief returning officer.

5. RECOUNT:

- a. The chief returning officer shall conduct a recount of the vote if:
 - i. there is a discrepancy between the number of ballots cast and the number of eligible voters reported to have voted; or
 - ii. a written appeal for a recount is submitted to the chief returning officer within forty-eight hours after the public announcement of the results is released and such written appeal includes the signatures of ten percent of the eligible voters.

E. ADVANCE VOTING

1. The chief returning officer may provide an opportunity for members to vote if they can clearly demonstrate that they will be unable to vote at their designated location on the day the vote is to be conducted due to an approved leave as defined in the Memorandum of Agreement.
2. The chief returning officer may designate up to two centers in each Area Association where advance voting may occur.

3. The chief returning officer shall designate an electoral officer for each advance voting center and such officers shall act in accordance with these procedures.

7.(2)(j)III.

APPOINTMENT OF EXECUTIVE MEMBERS

- A. If, due to resignations and/or the inability for other reasons of Executive members to hold office, the number of Executive members falls below that required under section 10(2) of the Act of Incorporation, the remaining Executive members shall call a special meeting of the Board of Governors to be held within ten days of the date the number of Executive members ceases to represent a quorum. The purpose of the meeting shall be to appoint sufficient numbers to the Executive to ensure a quorum is possible for Executive meetings. Persons so appointed shall complete the unexpired term of the persons they are replacing.
- B. The provisions of the By-Laws governing nominations for Executive positions shall not apply in this circumstance. Appointments to the Executive shall be by majority decision of the Board.

7.(2)(j)IV.

NOTICE OF MOTION

A Notice of Motion shall be required when submitting proposed change(s) to an Act to Incorporate the P.E.I. Teachers' Federation and/or the By-Laws to the Board of Governors for consideration. Such notice must be provided by first class mail or personal delivery to Board members at least 30 days prior to the day of the meeting at which the proposed changes will be discussed and contain a precise description of the change(s) being proposed.

7.(2)(j)V.

ELECTION OF EXECUTIVE MEMBERS TO PUBLIC OFFICE

The following provisions shall be applicable in the event an Executive member intends to seek election to the Legislative Assembly or the House of Commons:

A. NOMINATION AND CANDIDATE STAGES

- a) An Executive member who serves public notice that he/she intends to seek nomination as a candidate for election to the Legislative Assembly or the House of Commons shall be considered to be on a leave of absence from his/her Executive position as of midnight of the day on which the public notice is given.
- b) In the event the Executive member is not nominated as a candidate, the leave of absence shall be considered terminated as of midnight on the day of the nomination convention or meeting.
- c) In the event the Executive member is nominated as a candidate, the leave of absence shall continue until midnight on the day of the election.

- d) During the period of the leave of absence the Executive member shall not represent the Federation in any capacity.

B. ELECTION TO OFFICE

An Executive member who is elected as a member of the Legislative Assembly or the House of Commons shall resign as an Executive member, with the effective date of the resignation being midnight on the day of his/her election.

7(2)(j)VI.

- A. Effective July 1, 1986 the position of President shall be held on a full-time basis by the member elected in accordance with the provisions of Section 8 of these By-Laws.
- B. The President shall be provided a salary and other benefits in accordance with the provisions of the Memorandum of Agreement and related policies of the Federation.

7(2)(k)

HONORARY MEMBERS

- I. The following may be honorary members of the Federation:
 - A. teachers whom the Federation wishes to honor on the occasion of their retirement,
 - B. persons whom the Federation wishes to honor for an outstanding contribution to education.
- II. Nominations shall be forwarded to the Executive by a member(s) of the Federation at least thirty (30) days prior to the Annual Convention. Successful nominees shall be determined by the Executive and announced at the Annual Convention.
- III. Honorary members may not vote or hold office. They may attend meetings, upon invitation, have a voice in discussion, and they shall be entitled to receive routine information and official communication at the discretion of the Executive.

Section 8: Executive

8.(1)I.

EXECUTIVE POSITIONS

A. President

- 1. The term of office for the President shall be two years except as provided for in these By-Laws.

2. A teacher shall assume the position of President upon completion of his/her term of office as President-Elect except as provided for in these By-Laws.
3. The President is not eligible to hold office for two consecutive terms.

B. President-Elect

1. The term of office for the President-Elect shall be one year and may be held only during the second year of the term of the President.
2. The President-Elect shall be elected at the Annual Meeting of the Board of Governors held during the first year of the term of the President.

C. Vice-President

1. The term of office for a Vice-President shall be one year.
2. Two Vice-Presidents shall be elected each year at the Annual Meeting of the Board of Governors.

D. Members-at-Large

1. The term of office for a Member-at-Large shall be one year.
2. Members-at-Large shall be elected at the Annual Meetings of Area Associations. Western Area Teachers' Association and Eastern Area Teachers' Association shall each elect two Members-at-Large, and L'association des enseignants et enseignantes de langue française shall elect one Member-at-Large.

E. Past-President

1. The immediate Past-President shall be ex-officio a member of the Executive only during the year immediately following the Past-President's term as President.
2. In the event the Past-President is unable or unwilling to assume the responsibilities of the position, the position will remain vacant.

- F. The Chairperson of the Nomination Committee and Area Coordinators are ineligible to hold Executive offices concurrently with these positions. Members who are granted a leave of absence without pay under the provisions of the teachers' Memorandum of Agreement shall be ineligible to hold Executive offices. This provision does not apply to the member who occupies the position of President.

8.(1)II. NOMINATION COMMITTEE

Within ninety (90) days of the conclusion of the Annual Meeting of the Board of Governors, the Executive shall appoint a Nomination Committee. The Terms of Reference of the Nomination Committee shall be:

- A. To issue to the membership a call for nominations for the Executive positions for which elections will be held at the next Annual Meeting of the Board of Governors and the Annual Meetings of the Area Associations.
- B. To ensure that interested members receive a copy of the sections of the Act of Incorporation and By-Laws governing election to Executive positions, the Nomination Form, and the necessary information with respect to the statements of Nominees for Executive positions.
- C. To conduct the elections for Executive positions at the Annual Meeting of the Board of Governors and ensure the elections for Members-at-Large are held in accordance with the By-Laws at the Annual Meetings of Area Associations.

8.(1)III. NOMINATION

- A. A candidate for the position of President-Elect or Vice-President must file a Nomination Form signed by three members of the Federation with the Chairperson of the Nomination Committee prior to 9:00 p.m. at the first scheduled day of the Annual Meeting of the Board of Governors.
- B. A candidate for the position of Member-at-Large must file a Nomination Form signed by three members of the Federation with:
 - 1. The Chairperson of the Nomination Committee by 5:00 p.m. on the thirtieth (30th) day preceding the Annual Meeting of the candidate's Area Association (with a copy to the Chairperson of the Nomination Committee of the Area Association); or,
 - 2. The Chairperson of the Nomination Committee of the candidate's Area Association no later than the commencement time of the Annual Meeting of the candidate's Area Association.
- C. The Nomination Form to be utilized by nominees for Executive positions will be prepared and distributed by the Nomination Committee and shall provide for submission of the following information:
 - 1. Names of the nominee.
 - 2. School in which nominee teaches or to which he/she is assigned by the Coordinating Committee.
 - 3. Position for which nominee is offering.
 - 4. A signature to the following declaration by the nominee: "I, the undersigned, declare my intent to offer for election to the Executive of the P.E.I. Teachers' Federation."

5. Signatures to the following declaration of endorsement by three members. "We, the undersigned, endorse the nomination of (insert name of nominee) for election to a position on the Executive of the P.E.I. Teachers' Federation."
- D. The Nomination Committee shall distribute to the membership statements of nominees for Executive positions subject to these guidelines:
1. The Statement is prepared by the nominee and postmarked or received by the Nomination Committee at least thirty (30) days prior to the date of the election.
 2. The statement of the nominee does not exceed two hundred and fifty words.
 3. Statements by nominees for the positions of President-Elect and Vice-President will be distributed to all members of the Federation.
 4. Statements by nominees for the positions of Member-at-Large will be distributed to the members of the Area Association of which the nominee is a member.
 5. A "Statements by Nominees for Executive Positions" letterhead shall be used for statements of nominees for all Executive positions.

8.(1)IV.

ELECTION PROCEDURES

Elections for Executive positions shall be conducted in accordance with the following procedures:

A. President-Elect and Vice-Presidents:

The elections will be held at the Annual Meeting of the Board of Governors in accordance with the following:

1. The first Order of Business shall be the interim report by the Nomination Committee. The Chairperson of the Nomination Committee shall:
 - a. Review the nomination and election procedures; and,
 - b. Announce the names of nominees for Executive positions and the position for which each is nominated.
2. The last Order of Business on the first scheduled day of the Annual Meeting shall be the final report of the Nomination Committee which shall include a report, in alphabetical order, of the names of the nominees for each Executive position.

3. Immediately following the final report of the Nomination Committee, the Chairperson of the Nomination Committee shall provide each nominee for the position of President-Elect the opportunity to address the Board of Governors for a maximum of ten (10) minutes; and each nominee for the positions of Vice-President a maximum of seven (7) minutes for the same purpose.
4. The election of members to the Executive positions specified in Section 8.(1) of the Act of Incorporation shall be conducted by secret ballot and shall occur on the last scheduled day of the Annual Meeting at a time determined by the meeting and in accordance with the following:
 - a. The Chairperson of the Nomination Committee shall conduct the elections, appoint scrutineers, and ensure that sufficient ballots are available to conduct each election.
 - b. The elections shall be conducted in the following order: President-Elect, Vice-Presidents.
 - c. To be elected to an Executive position, a nominee must receive fifty percent, plus one, of the votes cast.
 - d. Immediately prior to the distribution of the ballots for the election to an Executive position, the Chairperson of the Nomination Committee shall announce to the Board of Governors the nominees for the position being considered.
 - e. The ballots cast shall be counted immediately following the conducting of the vote and prior to proceeding with the next vote, following which the Chairperson of the Nomination Committee shall announce the results of the vote including the number of ballots cast for each candidate.
 - f. Should one of the nominees for a position not receive a clear majority upon completion of a ballot, the name of the nominee with the lowest number of votes shall be dropped from the list of nominees, and another vote shall be conducted. This process shall be repeated until one of the nominees for the position being considered has a clear majority. If two nominees are tied with the lowest number of votes and the total number of votes cast for these nominees is not equal to or greater than the number of votes cast for the nominee with the next lowest number of votes, the names of the two nominees with the lowest number of votes shall be dropped. If two nominees are tied with the lowest number of votes and the votes cast for these nominees is equal to or greater than the number of votes cast for the nominee with the next lowest number of votes, the names of the nominees shall remain on the list of eligible nominees and voting shall continue.

- g. Nominees who are unsuccessful in their election to the position of President-Elect may offer themselves as nominees for the positions of Vice-President to be elected at the same meeting.
- h. The Chairperson of the Nomination Committee shall verify that each of the unsuccessful candidates for the first position of Vice-President to be elected intends to allow his/her name to stand in nomination for the second position of Vice-President to be elected.

B. Members-at-Large

The elections for Members-at-Large will be held at the Annual Meetings of the Area Associations in accordance with the following:

1. Western Area Teachers' Association and Eastern Area Teachers' Association shall each elect two Members-at-Large, and L'association des enseignants et enseignantes de langue française shall elect one Member-at-Large. Separate ballots will be held for each Member-at-Large position in Western Area Teachers' Association and Eastern Area Teachers' Association.
2. The election shall be conducted by the Chairperson of the Area Association Nominations Committee in accordance with the following:
 - a. The Chairperson shall announce in alphabetical order the nominees for the position of Member-at-Large of the Executive.
 - b. The Chairperson shall provide each nominee the opportunity to address the membership of the Area Association for a maximum of five (5) minutes. The nominees shall draw to determine order of speakers.
 - c. The election shall be conducted by secret ballot using only ballots provided by the office of the Federation.
 - d. To be elected, a nominee must receive fifty percent, plus one, of the votes cast.
 - e. The ballots cast shall be counted immediately following the conducting of the vote and prior to proceeding with the next vote, following which the Chairperson of the Nomination Committee shall announce the results of the vote but not the number of ballots cast for each candidate. The number of ballots cast for each candidate shall be recorded in the minutes.
 - f. Should one of the nominees for a position not receive a clear majority upon completion of a ballot, the name of the nominee with the lowest number of votes shall be dropped from the list of nominees, and another vote shall be conducted. This process shall be repeated until

one of the nominees for the position being considered has a clear majority. If two nominees are tied with the lowest number of votes and the total number of votes cast for these nominees is not equal to or greater than the number of votes cast for the nominee with the next lowest number of votes, the names of the two nominees with the lowest number of votes shall be dropped. If two nominees are tied with the lowest number of votes and the votes cast for these nominees is equal to or greater than the number of votes cast for the nominee with the next lowest number of votes, the names of the nominees shall remain on the list of eligible nominees and voting shall continue.

3. The Chairperson of the Nomination Committee of the Area Association shall report in writing to the President the name(s) of the Member-at-Large elected at the Annual Meeting of the Area Association.

8.(1)V. In the event the Annual Meeting of the Board of Governors is conducted on a single day, the Executive shall ensure that the agenda is established in such a manner as to meet the intent of the time lines provided in this section of the By-Laws.

8.(1)VI. AFFIRMATION OF THE PRESIDENT

- A. At the Annual Meeting immediately preceding the date on which a President-Elect is to assume the office of President, the Board of Governors shall consider a motion to affirm the assumption of the position of President by the President-Elect. If fifty percent plus one or more of the members of the Board of Governors affirm the motion, the President-Elect shall assume the office of President. If less than fifty percent, plus one, of the members of the Board of Governors affirm the motion, the President-Elect shall not automatically assume the office of President, and the following procedure will be followed to elect a President:
 - a. The Board of Governors shall meet not fewer than twenty (20) or more than thirty (30) days following the Annual Meeting to elect a President.
 - b. The Chairperson of the Nomination Committee shall call for nominations from the membership for the position of President and accept any nominations which are submitted prior to the commencement of the meeting at which a President shall be elected.
 - c. The election of a President shall be conducted in the same manner as that which governs the election of a President-Elect.
- B. In the event the President-Elect is not affirmed as President and an election for President is held, the elections for Vice-Presidents held in accordance with the provisions of these By-Laws shall not be held during the Annual Meeting but rather will be held following the election of the President at the Special Meeting called for that purpose. The elections will be held in accordance with the By-Laws established for the election of vice-presidents exclusive of those time line provisions which specifically relate to the Annual Meeting.

- 8.(2)I. The officers of the Executive elected in accordance with these By-Laws shall assume office on July 1st of the year in which they are elected.
- 8.(3)I. Subject to the provisions of these By-Laws, all members of the Federation are eligible for election to the Executive positions specified in Section 8.(1) of an "Act to Incorporate the Prince Edward Island Teachers' Federation".
- 8.(5)I. Meetings of the Executive shall be held from time to time by order of the President upon such notice to the members as shall be reasonable. Any three members of the Executive may require the President to hold a meeting by submitting a written request for the holding of such a meeting to the President. The President shall cause such meeting to be held within ten (10) days of receiving the written request.
- 8.(5)II. A. The Executive shall conduct the affairs of the Federation during the year for which they are elected and until their successors assume office in accordance with the By-Laws.
- B. A Member-at-Large has the responsibility of being informed of the issues of concern to the members.
- 8.(5)III. A. The President shall, if present, preside at all meetings. In the absence of the President, the President-Elect shall preside in place of the President. If both the President and President-Elect are absent, a Vice-President shall be elected by the Executive members present to preside in the absence of the President.
- B. 1. In the event the President resigns prior to the expiry date of his/her term of office or is unable to complete his/her term of office for other reasons:
- a. The President-Elect shall assume the position of President for the unexpired term. The President-Elect shall remain eligible for the subsequent term of President.
- b. In the event the President-Elect position is vacant when a President withdraws from office the Board of Governors shall meet within sixty days of the date of withdrawal to elect a member to assume the position of President for the unexpired term. The Past President shall carry out essential duties of the President until the replacement is elected by the Board of Governors.
- c. The Chairperson of the Nomination Committee shall call for nominations from the membership for the position of President and accept only nominations which are submitted prior to the commencement of the meeting at which a President shall be elected.
- d. The election of a President shall be conducted in the same manner as that which governs the election of a President-Elect.

2. In the event the President-Elect resigns prior to the expiry date of his/her term of office or is unable to complete his/her term of office for other reasons, the position shall remain vacant for the unexpired term, and the Board of Governors shall elect a President at the next Annual Meeting by means of those procedures normally used to elect a President-Elect.
3. In the event a Vice-President resigns prior to the expiry date of his/her term of office or is unable to complete his/her term of office for other reasons, the position shall remain vacant for the unexpired term.
4. In the event a Member-at-Large resigns prior to the expiry date of his/her term of office or is unable to complete his/her term of office for other reasons, the Coordinating Committee of the Area Association of which the Member-at-Large is a member may elect a member to complete the unexpired term. If no such replacement is elected within sixty (60) days of the date of resignation, the position shall remain vacant until the expiration of the term.
5. In the event a President-Elect or other member assumes the position of President under the provisions of Section 8.(5)III.B.1. of these By-Laws, and the period of time during which the position is assumed exceeds thirty (30) days, the President-Elect or the member shall assume the position on a full-time basis from the thirty-first day onward subject to the following two conditions:
 - a) The President-Elect or the member agrees to assume the position on a full-time basis; and,
 - b) The President-Elect or the member is able to make the necessary leave arrangements with his/her Regional School Board.

In the event the Teachers' Federation continues to pay the salary and benefits for the elected President, the Teachers' Federation shall reimburse to the Regional School Board the salary and fringe benefits paid by the School Board to the President-Elect. Funds shall be taken from the Contingency Fund for such reimbursement to the Regional School Board.

6. In the event an Executive member must assume, in accordance with these By-Laws, the duties and responsibilities of an Executive position for which he/she was not elected, such Executive member shall continue to have only one vote on issues decided by vote of Executive members.
- C. The President shall be a member of all committees and shall have a general understanding of the affairs of the Federation.
- D. An Executive member(s) may be removed from office by the Board of Governors for just cause in accordance with the following provisions:

1. A resolution calling for the removal of an Executive member(s) from office must be presented by a majority of the Executive or a Coordinating Committee of an Area Association to a regular or special meeting of the Board of Governors called in accordance with the provisions of Section 9.(3)l. of these By-Laws. Notwithstanding the preceding the meeting must be held within 30 days of receipt of the resolution by the President.
2. Two-thirds of the members of the Board of Governors must vote in favour of the resolution calling for the removal of an Executive member(s) from office in order for the resolution to be adopted.
3. Upon adoption of a resolution by the Board of Governors to remove an Executive member(s) from office the affected Executive member(s) shall be considered to be immediately removed from office.
4. Not later than ten (10) days prior to the commencement of the meeting at which a resolution calling for the removal of an Executive member from office is to be considered, written notice of the resolution shall be provided to the members of the Executive and the Board of Governors, and, such notice shall outline the precise reason(s) for seeking removal of the Executive member(s) from office. The presenter of the resolution shall be responsible for providing to the General Secretary, not later than three (3) working days prior to the distribution date, the information necessary to prepare the notice to which this section refers.
5. The Executive member(s) to be affected by a resolution seeking removal from office shall be provided with an opportunity to speak to the resolution during the debate and to challenge information he/she perceives to be incorrect or misleading. The same privileges shall be afforded to the mover of the resolution.
6. In the event the President is removed from office, the Board of Governors shall determine the extent of time salary and benefits are to be paid to the individual. This decision to be determined by fifty percent plus one of the members of the Board of Governors.
7. In the event the procedures outlined in these By-Laws governing the removal of an Executive member(s) from office are not followed, the Board of Governors shall not vote on the applicable resolution until the procedures as outlined are followed.

Section 9: Meetings

- 9.(1)l. Annual Meetings of Area Associations shall be held in the Spring of each year at a time and location determined by the Executive in consultation with each Area Coordinator.

9.(2)l. There shall be held in the Fall of each year an Annual Convention for the members of the Federation at a time and location determined by the Executive.

9.(3)l. Meetings of the Board of Governors shall be held in accordance with the following:

A. An Annual meeting shall be held each year in the spring at a location determined by the Executive. Board members shall be notified at least 30 days in advance of the time and location of such meeting.

B. A Semi-Annual Meeting shall be held each year at a time and location determined by the Executive. Board members shall be notified at least 30 days in advance of the time and location of such meeting.

C. A Special Meeting of the Board of Governors may be called by the Executive provided Board Members receive notification by first class mail or personal delivery at least 10 days prior to the meeting of the time and location of the meeting and a precise description of the business to be conducted. Only the business stated in such notice may be considered at the meeting unless further items are added to the agenda with the agreement of two thirds (2/3) of the Board of Governors.

D. Information meetings, workshops, etc. may be held from time to time.

E. 1. A Special Meeting of the Board shall be called on a written request bearing the signatures of at least ten percent of the membership of the Federation, but the business transacted at such a special meeting shall be limited to that mentioned in the call and shall not include items on which action has been determined by majority agreement at a previous Board meeting.

2. A Special Meeting of the Board shall be called on a written request bearing the signatures of a least twenty-five (25) members of the Board of Governors but the business transacted at such a special meeting shall be limited to that mentioned in the call and shall not include items on which action has been determined by majority agreement at a previous Board meeting.

Section 10: Quorum

10.(1)l. A quorum of the Board of Governors shall consist of a majority of its members.

10.(2)l. A quorum of the Executive shall consist of five members of the Executive.

Section 11: Head Office

No By-Law

Section 12: Transfer Of Assets

No By-Law

Section 13: Repeal

No By-Law

Section 14: Indemnification

Every member of the Board of Governors, each employee, and such member's or employee's heirs, executors and administrators, and estate and effects, is hereby indemnified and saved harmless out of the funds of the Federation from and against all costs, charges and expenses which such member or employee shall or may sustain or which in any action or proceeding which is brought or prosecuted against such member or employee for or in respect of any act, deed, matter or thing made, done or permitted by such member or employee in or about the execution of the duties of such member's office or employee's position, and also from and against all other costs, charges, and expenses which such member or employee shall sustain or incur in or about or in relation to the affairs thereof, except such costs, charges, and expenses as are occasioned by such member's or employee's own willful neglect or default.