

Constitution of the First Nations, Métis and Inuit Education Council of the Alberta Teachers' Association

1. **NAME:**

The name of this organization shall be the First Nations, Métis and Inuit Education Council of The Alberta Teachers' Association.

2. **OBJECTS:**

The objects of this Council shall be

- A. Promote effective professional development related to First Nations, Métis and Inuit education.
- B. Advocate for students and their issues.
- C. Facilitate communication and networking among teachers and education stakeholders.
- D. Develop and promote resources for Alberta classroom teachers.
- E. Foster relationships with community elders and spiritual leaders.
- F. Enhance the profession by providing indigenous ways of knowing.

3. **MEMBERSHIP:**

- A. **Regular Membership**—Active members of the Alberta Teachers' Association and associate members who are ineligible for active membership, as specified in ATA bylaws, are eligible for regular membership in this council. All such members shall be entitled to full privileges of Council membership including the rights to vote and to hold office.
- B. **Life Membership**—Retired members of the ATA, as specified in ATA bylaws, are eligible for life membership in the Council and are entitled to all the benefits and services of council membership except the right to hold office.
- C. **Student Membership**—Student members of the ATA, as specified in ATA bylaws, may join this council and shall be entitled to all benefits and services of council membership except the right to hold office.

- D. Membership in specialist councils is not available to those individuals who, under the *Teaching Profession Act* and the Teacher Membership Status Election Regulation, are eligible to make an election of membership and elect associate membership or non-membership in the Alberta Teachers' Association.

4. **SUBSCRIPTION SERVICE:**

Persons who are ineligible for active or associate membership in the ATA, such as community liaison workers, school support staff, parents, elders and libraries, as well as retired teachers and non-active teachers, may be connected with the Council by paying a subscription fee. Payment of the subscription fee includes entitlement to the council's publications as well as other services determined by the Council, but does not provide membership in the council.

5. **FEES:**

Fees shall be established by resolution at the annual general meeting of this Council. The fiscal year shall be July 1 until June 30.

6. **OFFICERS:**

The term of office shall be July 1 until June 30. Elections will occur at the Annual General Meeting.

6.1 Table Officers—The table officers of the First Nation, Métis and Inuit Education Council shall consist of a president, past president, president-elect, secretary, communication director and treasurer (elected for two-year terms on alternate years), ATA staff officer, PEC liaison member.

6.1.1 The PEC liaison member will be a voting member.

6.1.2 In the event elected positions are not filled through the electoral process, table officers will appoint for the term of office.

6.2 Executive Committee—The executive committee shall consist of all table officers plus all regional representatives, conference director and liaison representatives.

7. **SUSPENSION OR REMOVAL FROM OFFICE OF SPECIALIST COUNCIL OFFICERS:**

The following mechanism will be used by the Provincial Association to deal with the suspension or removal from office of a specialist council officer or to assume responsibility of the operation of a specialist council under certain circumstances.

7.1 **Provincial Association Intervention**—In this section,

- (a) *investigated officer* means an officer of the specialist council whose conduct is under investigation pursuant to subsection 7.2;
- (b) *investigator* is the individual appointed by the table officers pursuant to subsection 7.2;
- (c) *specialist council officer* means the president, vice-president, past president or secretary-treasurer (or secretary or treasurer) of a specialist council or any other officer appointed or elected by a specialist council;
- (d) *Provincial Executive Council* means the executive council as defined in section 11 of the *Teaching Profession Act*;
- (e) *table officers* means the Association's officers as defined in Bylaw 35;
- (f) *executive secretary* means the chief executive officer of the Association or a person designated by the executive secretary; and
- (g) *staff officer* means a member of executive staff designated by the executive secretary.

7.2 Where the table officers have or receive information which leads them to believe that a specialist council officer

- (a) has neglected his or her duties to the extent that the proper operation of the specialist council is being negatively affected,
- (b) is mentally incapacitated,
- (c) is engaging in corrupt practices,
- (d) is engaging in financial malpractice or
- (e) has undertaken activities inconsistent with the principles and policies of the Alberta Teachers' Association,

the table officers may initiate an investigation into the conduct of a specialist council officer by appointing an individual to conduct an investigation and to provide a written report to the table officers within a specified time with respect to the results of the investigation.

7.3 In the course of the intervention under section 7, an investigated officer is entitled to have access to a staff officer for advice.

- 7.4 The table officers may, taking into account the nature of the alleged conduct and the urgency of the matter in question and any submission from the investigated officer, suspend an investigated officer from office pending the completion of the investigation and may terminate the suspension at any time if the table officers conclude that the suspension is no longer warranted.
- 7.5 The table officers may appoint another individual to assume the duties of the investigated officer during the period of the suspension.
- 7.6 The investigated officer may appeal a suspension from office under subsection 7.4 to the Provincial Executive Council by filing a notice of appeal with the executive secretary within 30 days of being notified of the suspension.
- 7.7 If an investigated officer appeals his or her suspension, Provincial Executive Council shall, as soon as practicable, consider representations of the table officers and the investigated officer and shall determine if the suspension should be continued pending the conclusion of the investigation or should be set aside.
- 7.8 During the investigation the investigated officer shall be provided with an opportunity to provide a response to the investigator with respect to the concerns about the investigated officer's conduct.
- 7.9 An investigated officer may, in the course of the investigation, submit his or her resignation to the executive secretary.
- 7.10 Where an investigated officer resigns in accordance with subsection 7.9, the investigation shall be continued with the cooperation of the investigated local officer and the resignation does not extinguish any liability that the investigated local officer may have with respect to acts which occurred during the period the office was held.
- 7.11 The investigated officer has a duty to cooperate during the investigation and the investigator may direct the investigated officer or any other member of the Alberta Teachers' Association to
- (a) answer any inquiries the investigator may have relating to the investigation;
 - (b) produce any records or other property in the investigated officer's possession or under his or her control that are or may be related in any way to the investigation;
 - (c) give up possession of any record for the purpose of allowing the investigator to make a copy and return the records within a reasonable time of receiving the records; and

- (d) attend before the investigator for the purpose of complying with (a), (b) or (c) of this subsection.
- 7.12 In the event that the investigated officer fails or refuses to cooperate with the investigator, the failure to do so shall be noted by the investigator in his or her report to the table officers.
- 7.13 Upon completion of the investigation, the investigator shall submit a written report to the table officers and a copy of the written report shall be provided to the investigated officer.
- 7.14 The table officers, upon consideration of the report of the investigator, may make one or more of the following orders:
 - (a) remove the investigated officer from office;
 - (b) restrict the investigated officer's eligibility for office in the future;
 - (c) if the investigated officer was suspended during the investigation, reinstate the investigated officer to office and impose any conditions or restrictions that the table officers consider appropriate in the circumstances; and shall advise the investigated local officer and Provincial Executive Council of their decision.
- 7.15 If the table officers remove the investigated officer from office, then the table officers may appoint another individual to assume the duties of the investigated officer until a new officer is elected or appointed to the position in accordance with this constitution.
- 7.16 The investigated officer may appeal the decision of the table officers under subsection 7.14 by filing a notice of appeal with the executive secretary within 30 days after being notified of the decision.
- 7.17 If an investigated officer appeals the decision of the table officers, Provincial Executive Council shall, as soon as practicable, consider representations of the table officers and the investigated officer and shall determine if the decision of the table officers shall be confirmed, varied or set aside.
- 7.18 In an appeal under subsection 7.7 or 7.17, the table officers may make submissions to Provincial Executive Council respecting the outcome of the appeal.

- 7.19 Official Trustee—Subject to a two-thirds majority vote, Provincial Executive Council may appoint an official trustee to conduct the affairs of the specialist council, subject to any terms and conditions the Provincial Executive Council considers necessary:
- (a) when the specialist council fails to comply with the requirements of subsection 7.11;
 - (b) when the specialist council fails to comply with the requirements of subsection 7.12;
 - (c) when the Provincial Executive Council considers it in the interests of the Association to do so.
- 7.20 The specialist council may appeal the appointment of an official trustee to a representative assembly.
- 7.21 An official trustee appointed under subsection 7.19 has the powers and duties conferred by the General Bylaws on a specialist council and conferred by this constitution.
- 7.22 On appointment of an official trustee to the specialist council, the officers of the specialist council cease to hold office as officers of the specialist council.
- 7.23 An official trustee continues in office until the Provincial Executive Council or a representative assembly determines that the official trusteeship is no longer necessary.

8. **COMMITTEES:**

This Council shall maintain standing committees as outlined in the Executive Handbook. The table officers or the executive committee may appoint such additional committees as are necessary to carry on the work of the Council.

9. **LIAISON:**

Any representation this Council wishes to make to any organization, government department or other agency shall be conducted through the Provincial Executive Council of The Alberta Teachers' Association.

10. **REGIONAL COUNCILS:**

The table officers of this Council shall encourage and shall have authority to grant recognition to regional councils, to establish the boundary of regions and to establish regulations governing the organization of regional councils not inconsistent with this constitution or guidelines of The Alberta Teachers' Association.

11. **REPORTING ACTIVITIES:**

This Council shall submit annually, not later than August 31, an audited financial statement, a statement of assets and liabilities, an annual report of program and activities and a copy of this Council's current constitution to The Alberta Teachers' Association.

12. **MEETINGS:**

Executive Committee—The executive committee shall be the executive and administrative body of this Council. It shall meet at least two times per year and shall conduct the affairs of the Council between annual general meetings. The Executive Committee may invite liaison representatives (non-voting) as appropriate.

Table Officers—The table officers committee shall facilitate the business of the Council between executive committee meetings and shall meet between executive meetings as necessary.

General—This Council shall hold an annual general meeting, the agenda shall provide for the topics listed below.

- 12.1 Adoption of minutes from the preceding annual general meeting and any special general meetings held in the interim.
- 12.2 Annual reports from the president and the treasurer.
- 12.3 Reports of committees.
- 12.4 An audited financial statement for the preceding fiscal year.
- 12.5 A proposed annual budget.
- 12.6 Revisions to the fees for a membership for which the required notice of motion has been served.

12.7 Amendments of this constitution for which the required notice of motion has been served.

12.8 Election of Officers.

12.9 Other business.

13. **AMENDMENTS:**

After three months notice of motion to amend the constitution being given to each member, this constitution may be amended by a two-thirds majority vote of the members present at the annual general meeting of the Council, subject to ratification by the Provincial Executive Council of The Alberta Teachers' Association.

14. **NATIONAL/INTERNATIONAL ORGANIZATIONS:**

After the same notice of motion that is required for amendments to this constitution, the First Nations, Métis and Inuit Education Council, by a majority vote of those present at the annual general meeting, may, subject to approval by Provincial Executive Council, join or affiliate with national or international organizations representing the same special interests, or cancel its membership or affiliation with national or international organizations.