



CONSTITUTION & BY-LAWS

KAHNAWÀ:KE COMBINED SCHOOLS COMMITTEE

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KAHNAWÀ:KE COMBINED SCHOOLS COMMITTEE CONSTITUTION

PREAMBLE

The Constitution and By-Laws, are the rules and guidelines that set out the role and functions of the Kahnawà:ke Combined Schools Committee (KCSC), defining the Committee's relationship with: the Kahnawà:ke Education Center (KEC); parents; guardians; students; and, the community of Kahnawà:ke.

Both the Constitution and By-Law are to be read in conjunction with the Kahnawà:ke Education Responsibility Act; KCSC Policies and Procedures; Terms of Reference for Ad Hoc & Standing Committees (**Once Terms of Reference are drafted**); the In-School Committee Manual; Code of Respect; and, the History of Education in Kahnawà:ke (**Once it is completed**).

ARTICLE 1: THE KAHNAWÀ:KE COMBINED SCHOOLS COMMITTEE (KCSC)

Mandate

Stemming from the Joint Unification Agreement (JUA) of 1968, the Kahnawà:ke Combined Schools Committee (KCSC) is the body established and mandated to govern the Kahnawà:ke Education Center (KEC) under the authority of the parents/guardians, Post-Secondary Students over the age of eighteen (18+), and the Community. The KCSC oversee both, the Director of Education (DOE), and Director of Finance & Administration (DOFA), with the administrative assistance of the KEC, to ensure the delivery of the highest quality of all education programs and services of the KEC and Kahnawà:ke Education System (KES) on behalf of the community. The KCSC are responsible to maintain, enforce and uphold all education-related legislation, policies and procedures.

Head Office

For all intents and purposes, the KEC is considered the Head Office for the KCSC. All mail and deliveries for the KCSC should be addressed to the KCSC c/o the Kahnawà:ke Education Center.

ARTICLE 2: KCSC COMPOSITION

(See By-Law 1; By-Law 3 - Section1)

Representatives

All members of the Committee are considered equal and have the same rights, duties and obligations. The KCSC will be composed of the following twelve (12) individuals.

They will serve in Staggered Terms (the details are outlined in By-Law 3 Section1) (**Dependent on Survey Results**):

- 2 parent representatives from Kateri;
- 2 parent representatives from Kahnawà:ke Survival School (KSS);
- 2 parent representatives from Karonhianónhnha Tsi lonterihwaienstákhkwa
- 2 parent General representatives of Kahnawà:ke students attending outside schools;
- 1 full-time Post-Secondary student over the age of eighteen (18+) currently registered, in good standing and attending school;
- 1 Community representative;
- 1 representative from the Mohawk Trail Longhouse; and
- 1 representative from the 207 Longhouse.

Ex-Officio Members:

- Director of Education
- Director of Finance & Administration

- Anyone the KCSC chooses to invite to work with them in any capacity. An example would be the Elders Advisory Committee.

However, Ex-Officio members have neither decision-making powers nor can they vote or present motions.

ARTICLE 3: KCSC OVERALL DUTIES AND RESPONSIBILITIES:

(To be read with the KERA – Part 7 - KCSC Articles 47-66; and Part 11 - Programs and Services, Articles 73-92, for complete details of Roles and Responsibilities)

(See By-Law 2)

The KCSC, delegated by the parents, and in the best interest of students, and parents/legal guardians, is the body responsible to govern the overall operations (not day-to-day) of the Kahnawà:ke Education Center (KEC) in a manner that is consistent with the:

- Constitution and By-Laws;
- Kahnawà:ke Education Responsibility Act (KERA);
- Code of Respect;
- KEC/KCSC Policies and Procedures;
- Standing and Ad Hoc Committees Terms of Reference (**Once Terms of Reference are drafted**);
- In-School Committee Manual; and,
- Tsi Niionkwarihò:ten Philosophies.

The KCSC oversees the Director of Education (DOE) and the Director of Finance and Administration (DOFA).

The KCSC will hire, supervise and evaluate the DOE and DOFA based on: strategic goals; annual work plan; and, job descriptions.

The KCSC is responsible to ensure programs and services are carried out through the Directors.

It is the responsibility of each KCSC member to regularly report to, and consult with, their constituents on all education-related issues, (excluding confidential Human Resource matters).

The KCSC is responsible for setting goals; strategic plans; and, objectives with and for, the DOE and DOFA.

It is mandatory for the KCSC to participate in information/orientation sessions and relevant training programs to remain fully knowledgeable about all education-related policies, procedures and programs of the KEC. This is in order for the KCSC to, among other items: collaborate with the Directors' in strategic planning; financial oversight of the budget; monitor curriculum and program initiatives; and, ensure the KES is operating optimally. (See KERA Parts 7 and 11)

ARTICLE 4: KCSC OPERATIONS

(See By-Law 3 - Section 1)

Section 1: KCSC Term of Office–Staggered Terms (**Dependent on Survey Results**)

The KCSC as an integral part of the KES requires consistency and continuity. Therefore, the Term of Office for KCSC representatives will be staggered to avoid a high turnover of the members who sit. It will also save on extensive board and orientation training since it will only be a few new members at a time that will require training. As well, Standing Committees will continue uninterrupted if longer-term members sit on them.

To permit staggered terms, one (1) of three (3) term lengths will have to be served by representatives. The twelve (12) KCSC Members will be divided into three (3) groups. Group A will serve three (3) years, Group B will serve two (2) years, and Group C will serve one (1) year. The groups will rotate as the timeframes expire. Once the cycle of three (3) years has been completed all three (3) groups will have rotated and balanced out.

The complete process of how the Groups are divided and their timeframes are set out in By-Law 3.
KCSC representatives may serve consecutive terms.

The Post-Secondary student representative must be in CEGEP or University for their entire term to hold the Post-Secondary seat on the KCSC. They may only serve consecutive terms as a Post-Secondary representative if they are a CEGEP or University student (and meet the criteria set out in By-Law 1 A).

The KCSC Election Policy and the Election Procedure set out the process for KCSC elected seats, which includes General outside, Post-Secondary (18+) and Community.

In-School Committee (ISC) members, who sit on the KCSC as ISC/KCSC members, will either be elected or appointed, according to the process set out in the In-School Committee Manual.

Longhouse representatives will be appointed by their respective Longhouse (Mohawk Trail, or, 207).

Section 2: Vacancy Replacement of KCSC Members

(See By-Law 3 - Section 2)

KCSC Members seats may be vacated due to; resignation; ineligibility to sit on the committee due to a change in circumstances (ex. when a student turns eighteen (18), the parent is no longer eligible to be a parent representative); expiration of the term of office; absence; or, a resolution dismissing the member.

Section 3: Election or Appointment

(See By-Law 1; By-Law 3 - Sections 2 & 3; KCSC Election Policy, Election Procedure, and ISC Manual – Election Section).

KCSC Member seats will be filled by election or appointment depending on the seat they represent.

For KCSC In-School Representatives (ISC/KCSC):

Where there is a vacancy for an ISC/KCSC representative, all parents/guardians will be canvassed by their respective ISC and Principal, in partnership with the KCSC Administrative Assistant and the KEC Communications Department to seek a volunteer to fill the vacant seat on the KCSC; (See ISC Manual - Elections Section);

For General Outside Schools Seats:

Where there is a vacancy, hold an election either at an AGA, or, a Special By-Election Meeting;

For Post-Secondary (18+) seat:

Where there is a vacancy, hold an election either at an AGA, or, a Special By-Election Meeting;

For Community seat:

Where there is a vacancy, hold an election either at an AGA, or, a Special By-Election Meeting; and,

(See KCSC Election Policy and Election Procedure).

For Longhouse seats:

Where there is a vacancy, the Longhouse will appoint a replacement.

Section 4: Forfeiture or Loss of Seat

(See By-Law 3 - Section 4)

KCSC Members may forfeit or lose their seat, either through: Resignation; Loss of Eligibility/Expiration of Term; Absence; or Dismissal.

Vacant seats must be replaced following, By-Law 1; By-Law 3 - Section 3; and, the KCSC Election Policy and Election Procedure, and the ISC Manual – Election Section.

ARTICLE 5: OFFICERS

(See By-Law 4)

Officers shall be selected from the KCSC membership to carry out specific roles and responsibilities for a defined term. Officers do not hold any collective authority, nor can they convene any meetings which are separate from those official meetings of the Committee.

ARTICLE 6: SUB-COMMITTEES

(See By-Law 5)

The KCSC has the authority to establish Standing and Ad Hoc Committees as needed.

The effectiveness of formally established KCSC sub-committees depends on communication and dialogue.

ARTICLE 7: MEETINGS

The KCSC will hold Regular; Mid-Year (Dependent on Survey Results); Special; and, Consultative meetings; along with Annual General Assemblies. The details of the types of Meetings/Assemblies are described in By-Law 6.

- i) KCSC Meetings will be held on a regularly scheduled and on-going basis to assure effective governance. A complete list of the various types of Meetings is outlined in By-Law 6.
- ii) ISC Meetings will be held regularly to ensure proper reporting, effective consultation, and participation of the parents/guardians of students at each school; and in turn, to bring the voice of the school's parents to the KCSC meetings. ISC representatives sitting on the KCSC will attend both ISC and KCSC meetings as liaisons ensuring an open line of communication between the two (2) Committees.

ARTICLE 8: SUPERVISION of KCSC STAFF

(For KCSC Staff Duties and Responsibilities, see By-Law 8; Terms of Reference Directors' Supervision Standing Committee (Once Terms of Reference are drafted); Directors' Performance Management Guide; KERA Part 7 – KCSC and Part 11 – Programs and Services.

The KCSC will have three (3) employees under its direct supervision:

The Director of Education (DOE) who will oversee the day to day operations of the KEC in accordance with the policies and goals of the KEC, as well as their job description;

The Director of Finance and Administration (DOFA) who will oversee the day to day financial and human resources operations of the KEC in accordance with the policies and goals of the KEC, as well as their job description; and,

An Administrative Assistant who will provide minute taking and other administrative support duties for KCSC meetings and general business, as well as their job description.

ARTICLE 9: BY-LAWS

The KCSC will adopt By-Laws consistent with its History; the Kahnawà:ke Education Responsibility Act (KERA); and, Constitution. By-Laws that affect rights and responsibilities of individuals (parents, students, and staff) need to be amended and approved by the parents/guardians, Community and Post-Secondary students over the age of eighteen (18+) (stakeholders), following Article 10, Amendments.

ARTICLE 10: REVIEW AND AMENDMENTS

The KCSC and/or the KEC, as well as, parents/guardians, Community and Post-Secondary students over the age of eighteen (18+) (stakeholders), may propose amendments to the KERA, Constitution and By-Laws, or, the KCSC Governance Manual at: an Annual General Assembly (AGA); a Special Meeting called for that purpose; and/or, in writing addressed to the KCSC.

The Constitution may be amended by majority (which is a minimum of fifty or more (50+)) **(Dependent on Survey Results)**, agreement of the parents/guardians, Community and Post-Secondary students over the age of eighteen (18+) (stakeholders) in attendance at the AGA, provided written notice of the said proposed amendment(s) has been distributed to all stakeholders and posted publicly at least two (2) weeks in advance of the date of the Meeting.

A majority requires fifty or more (50+) parents/legal guardians Community and Post-Secondary students over the age of eighteen (18+) (stakeholders) in attendance. **(Dependent on Survey Results)**

Amendments to the Constitution and By-Laws shall be published and made accessible to all stakeholders two (2) weeks after being adopted. This also applies to the KERA.

The KCSC may propose: drafting; amending; or, repealing any education legislation that regulates the activities or affairs of the KCSC.

Written notice of the proposed changes to education legislation must be posted publicly to the stakeholders at least two (2) weeks before the AGA, or Special Meeting called for that purpose for their review.

Following review, the proposed draft; amendment; or, repeal, will be presented to the stakeholders at an AGA, or a Special meeting called for that purpose, where it may be ratified, rejected or amended, in whole or in part, by a majority (which is a minimum of fifty or more (50+), of parents/guardians, Community and Post-Secondary Students over the age of eighteen (18+) by ordinary resolution. **(Dependent on Survey Results)**

If proposed amendments to the education legislation require a major **revision** a second draft must be brought back to an AGA, or a Special meeting called for that purpose. If ratified, it will be posted electronically on the KEC website/Facebook two (2) weeks after being adopted.

When proposed amendments to the education legislation are **ratified** by a majority (which is a minimum of fifty or more (50+) of parents/guardians, Community and Post-Secondary over the age of eighteen (18+) in attendance **(Dependent on Survey Results)**, it will be posted on the KEC website/Facebook, two (2) weeks after being adopted.

ARTICLE 11: LIABILITY

(See KERA, Part 10 - Liability)

The KEC must obtain adequate liability insurance to safeguard both the activities of KEC operations and the KCSC.

KCSC

KCSC Members who conduct their affairs lawfully and in good will, abiding by all KCSC/KEC legislation, policies and procedures, including the Code of Respect and Ethical Behavior Policy, will not be held personally responsible for any costs, charges, damages, or expenses that may arise from any actions in rightfully performing their duties, unless these costs are brought about through willful neglect or willful default.

The KCSC members will have personal and individual immunity in any of their activities, as long as, they conduct their affairs lawfully and in good will, abiding by all KCSC legislation, policies and procedures, including the Code of Respect and Ethical Behavior Policy.

Directors/KEC Staff

The DOE, DOFA, or other KEC staff will not be held personally responsible for any costs, charges, damages, or expenses that may arise from any actions in rightfully performing their duties, unless these costs are incurred by willful neglect or willful default. The DOFA will verify on a yearly basis that the KEC liability insurance policy is in force.

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KCSC BY-LAWS

KCSC BY-LAWS

BY-LAW 1: KCSC COMPOSITION

A. KCSC Representation

Representation from Kahnawà:ke schools' seat(s) (ISC/KCSC):

(See ISC Manual for ISC Elections procedure)

Two (2) representatives from each of the three (3) KEC schools: Kateri, Karonhianónhnhá, and, the Kahnawà:ke Survival School (KSS) will be elected/appointed by the parents/guardians of that school at an election meeting called by the In-School Committee (ISC), or appointed if only one (1) person comes forward, for a total of six (6) representatives;

Representation from Outside Schools funded by KEC (General seats):

(See KCSC Election Policy and Election Procedure)

Two (2) General outside seats from representatives (parents/guardians) of students on the nominal roll attending outside schools (Kindergarten through CEGEP under age eighteen (-18) funded by KEC); these seats are elected by parents/guardians of students attending outside schools, at the Annual General Assembly (AGA), unless a by-election becomes necessary to replace a member who could not complete their term due to resignation; their term expired; absence; or, dismissal.

Representation from Post-Secondary (18+) Student Body:

(See KCSC Election Policy and Election Procedure)

One (1) Post-Secondary student eighteen years or older (18+), currently registered, and, attending Post-Secondary school who;

- Is in good standing with the KEC;
- Is academically sound, and, currently a Full-Time student, according to the KEC Post-Secondary policy;
- Is a CEGEP or University student for their entire term on the KCSC;
- Does not have an outstanding monetary balance owing to the KEC; and,
- Is not on an active appeal measure for, lateness; multiple failures; or, overdue balance.

These seats are elected by Post-Secondary students currently registered and attending school over the age of eighteen (18+), at the Annual General Assembly (AGA), unless a by-election becomes necessary to replace a member who could not complete their term.

The Post-Secondary Student representative will lose their seat if:

- They are in failed standing;
- They incur an overdue balance with the KEC; and/or,
- They are no longer a CEGEP or University student.

The KEC Post-Secondary Counsellor and/or Post-Secondary Clerk will be periodically verifying all the above information regarding Post-Secondary Candidates.

Representation from Community:

(See KCSC Election Policy and Election Procedure)

One (1) Community seat for Onkwehón:we who do not have a child on the KEC Nominal Roll, are resident, or have familial ties with the community. These seats are elected by the Community (**Dependent on Survey Results**) at the

Annual General Assembly (AGA), unless a by-election becomes necessary to replace a member who could not complete their term.

Representation from Longhouse:

Two (2) Longhouse representatives, one (1) from each Longhouse (Mohawk Trail, 207) appointed in writing by the constituents they represent.

Members of the KCSC can only represent the one (1) type of constituency they are elected or appointed to represent.

B. Ex Officio Members

Directors as Ex-Officio Member

The Director of Education (DOE) and the Director of Finance and Administration (DOFA) should participate in all meetings of the Committee unless the KCSC wishes to deliberate in a closed (*in camera*) session. The Directors, as ex-officio members, may present business that is on the approved agenda, but **do not** have the right to **vote** or to present a **motion**.

Invited Ex-Officio Member

The KCSC has the latitude to invite anyone of their choosing to work with them in any capacity. However, the invited party will hold **no** decision-making authority and **do not** have the right to **vote** or present a **motion**.

Elders Advisory Committee

An Elders Advisory Committee will support the work of the KCSC.

BY-LAW 2: KCSC OVERALL DUTIES AND RESPONSIBILITIES

(See KERA Part 7 – KCSC and Part 11 – Programs and Services)

Section 1: Governing Overall Operations of the KEC (Not Day to Day)

Through the Directors' Supervision Standing Committee (DSSC), using the Directors' Performance Management Guide (DPMG), the KCSC is responsible for the oversight of the Director of Education (DOE) and Director of Finance & Administration (DOFA). Supervision includes, monitoring progress; the establishment of goals; objectives; work plans; and, an operational calendar.

The KCSC is responsible for setting regular strategic goals, plans and operational reviews in partnership with the DOE and DOFA through the Strategic and Operational Planning Standing Committee (SOPSC).

The KCSC is responsible for overseeing the management of curriculum in partnership with the DOE; DOFA; Principals, and, Associate Principals through the Curriculum Standing Committee (CSC).

The KCSC is responsible for overseeing financial management of the KEC in partnership with the DOFA through the Finance Standing Committee (FSC). The KCSC approves and signs off on the yearly financial audit and budgets.

The KCSC is responsible to ensure and maintain all Standing and Ad hoc Committees.

It is the responsibility of the KCSC to listen to the voices of the students, parents/guardians of the KES.

The KCSC, or a delegate, participates in the hiring process as part of a selection committee for all KEC employees.

Section 2: Orientation & Training

It is mandatory for the KCSC to participate in information and orientation sessions and relevant training programs to remain fully knowledgeable about the education-related policies, procedures and programs of the KEC:

A. Orientation/Board Training

The KCSC is responsible to provide mandatory orientation and board training to all new members to prepare them to fulfil their roles. All new KCSC Members will be provided with a binder that includes: all KCSC legislation (including a Code of Respect); policies and procedures; In-School Committee Manual; History of Education in Kahnawà:ke (**Once it is completed**); and, Tsi Niionkwarihò:ten Philosophies. Along with Board training, a veteran KCSC member will be appointed to provide an orientation session to the new members.

B. Training for Participation on Standing Committees

All KCSC members are required to take any and all training that will increase their proficiency in committee business. KCSC members who volunteer for a Standing Committee are required to receive an orientation and training specific to that Standing Committee before sitting on the committee.

- A sit-down review followed by a question and answer period will be provided to new KCSC members by a veteran KCSC member.
- The orientation will include a discussion on the process of consensus.

Section 3: Monitoring

(This also appears under By-Law 5 - Sub-Committees)

The KCSC has the responsibility to work in partnership with the Directors' to oversee the programs, services, activities and finances of the KEC. This involves reviewing regular reports on the key aspects of the organization including finances, as well as, setting policy. It **does not** involve the day-to-day operations, which are the responsibility of the Directors'.

The KCSC monitors the KEC through the following Sub-Committees:

- Finance Standing Committee (FSC);
- Director Supervision Standing Committee (DSSC);
- Strategic and Operational Planning Standing Committee (SOPSC); and,
- Curriculum Standing Committee (CSC).

BY-LAW 3: KCSC OPERATIONS: SECTION ONE

Section 1: KCSC Term of Office

To ensure continuity and consistency the twelve (12) member KCSC will initially serve in staggered terms (**Dependent on the Survey results**) and be divided into three (3) groups, in the following manner:

Group A:

- One (1) Kateri parent Representative;
- One (1) Karonhianónhnha parent Representative;
- One (1) Kahnawà:ke Survival School (KSS) parent Representative; and,
- One (1) General Outside School seat (funded by KEC) parent Representative;

Group B:

- One (1) Kateri parent Representative;
- One (1) Karonhianónhnha parent Representative;
- One (1) Kahnawà:ke Survival School (KSS) parent Representative;
- One (1) General Outside School seat (funded by KEC) parent Representative; and

Group C:

- One (1) Mohawk Trail Longhouse Representative;
- One (1) 207 Longhouse Representative;
- One (1) Post-Secondary Representative; and

- One (1) Community Representative;

The three (3) groups will have Staggered Terms, which will be as follows:

- Group A will serve for three (3) years;
- Group B will serve for two (2) years; and,
- Group C will serve for one (1) year.
- Each Group will take turns in the rotating order.

All three (3) Groups will be elected or appointed, following the rules in the Constitution and By-Laws, as well as, the KCSC Election Procedure, or In-School Manual for In-School representatives.

Once each Group's term is up the following cycle will occur and will continue to rotate:

- After the first year that Staggered Terms are implemented:
- Group C will be elected and/or appointed for two (2) years;
- After the second year that Staggered Terms are implemented:
- Group B will be elected/appointed for three (3) years; and,
- After the third year that Staggered Terms are implemented:
- Group A will be elected/appointed for one (1) year.
- The process will continue following the cycle in order that each Group will have served in all possible year timeframes and balance out.

When Staggered Terms are first implemented:

- The parents/guardians, that Group A and Group B represent, will decide which of their representatives will serve for three (3) years, and which will serve for two (2) years.

If a Representative leaves mid-term and is replaced by a new person, the new person will still have the same term as the exiting member. For example, if a Kateri Representative is in Group A, but leaves prior to the official expiration of their term, their replacement will serve only the remaining time left in the term.

BY-LAW 3: KCSC OPERATIONS: SECTION TWO

Section 2: Vacancy Replacement of KCSC Members

(See KCSC Election Policy and Election Procedure; ISC Manual – Election Section)

A. Vacancy Time Frame

If any seat remains vacant for a period of two (2) months or more, the KCSC must seek out a replacement to fill the seat. For elected seats, all necessary steps to fill the vacancy will be taken by the KCSC, in accordance with this Constitution and By-Laws, KCSC Election Policy and Election Procedure, as well as, the In-School Committee (ISC) Manual. The following steps must be adhered to:

I. Declaration of Vacancy

If a seat on the KCSC is vacated, the KCSC will declare the position(s) open for election/appointment either by:

- a) The ISC that this seat represents for Community schools;

- b) Parents/guardians for General outside seats;
- c) Community for Community seats;
- d) Post-Secondary students (18+); or,
- e) Replacement by the respective Longhouse.

By-elections will be held at a Special By-Election meeting (See KSCS Election Policy and Election Procedure) called for that purpose when the election is too far outside of the time period for it to be held at an AGA.

II. Notice for Vacancy Replacement

- a) In all cases, a minimum of two (2) weeks' notice must be given prior to an election meeting. Except for dismissal, or urgent situations, (such as medical or personal reasons), incumbents should remain in place until replacements are elected or appointed.

BY-LAW 3: KCSC OPERATIONS: SECTION THREE

(For complete details for election or appointment of KCSC Members see the KCSC Election Policy and Election Procedure)

Section 3: Election or Appointment

A. Eligible Candidates

In accordance with these documents, regarding the Election Process, to run as a candidate for a KCSC seat:

All seats must be filled by Onkwehón:we, either residing in Kahnawà:ke or having familial ties with the community, the following are requirements for each respective type of seat:

i) Kahnawake Schools Seat(s) (ISC/KCSC):

(See ISC Manual for ISC Elections procedure)

Two (2) representatives from each of the three (3) KEC schools: Kateri, Karonhianónhnha, and, the Kahnawà:ke Survival School (KSS), elected/appointed by the parents/guardians of that school at an election meeting called by the In-School Committee (ISC), or appointed if only one (1) person comes forward for a total of six (6) representatives;

ii) General Outside Seat(s):

The General outside seat representative must have a child on the nominal roll attending outside schools, funded by the KEC, Kindergarten through CEGEP (students under – 18);

iii) Post-Secondary Seat:

A post-secondary student who is eighteen years or older (18+), registered and attending, who must:

- Be in good standing with the KEC;
- Be academically sound and, currently a Full-Time student, according to the KEC Post-Secondary policy;
- Be a CEGEP or University student for their entire term on the KCSC;
- Not have an outstanding monetary balance owing to the KEC; and,

- Not be on an active appeal measure for, lateness; multiple failures; failed standing; or, overdue balance.

The KEC Post-Secondary Counselor and/or Post-Secondary Clerk will be verifying all the above information regarding Post-Secondary candidates.

iv) Community Seat:

All seats must be filled by Onkwehón:we either residing in Kahnawà:ke or having familial ties with the community.

Former KEC/KCSC employees wishing to run must agree to have their former employment record verified by the KEC – Human Resources Department to ensure that they left in good standing. They must sign a: Former Kahnawà:ke Education Center (KEC) employees – employment record waiver which needs to be signed two (2) weeks before they intend to run. **(Dependent on Survey results)**

B. Ineligible Candidates

- A KEC/KCSC employee or anyone who has a tendered contract with the KEC/KCSC is not eligible to be a representative of any group on the KCSC;
- A former KEC/KCSC employee who had employment issues, such as, dismissal, suspension, and/or grievance, is not eligible to be a representative on the KCSC;
- A former KCSC Member who was part of either, a dissolved KCSC, or, dismissed by the parents/guardians with students on the nominal roll, is not eligible to be a representative on the KCSC;
- A potential KCSC candidate cannot actively hold a seat on any other community or governing board **(Dependent on Survey results)**;
- Community representatives cannot represent any organization at the committee table;
- The Post-Secondary Student (18+) representative will lose their seat if:
 - They are in failed standing; and/or,
 - They incur an overdue balance with the KEC.

The KEC Post-Secondary Counselor and/or Post-Secondary Clerk will be periodically verifying all the above information regarding Post-Secondary candidates.

A KCSC member may lose eligibility to represent a specific constituency, including, but not limited to, the following: their child changes school from inside to outside of the community, or vice versa; their term of office expires; or, they forfeit their seat through, absence, or dismissal.

C. Elections

If there is more than one (1) eligible applicant, then:

- An election/selection will be held at an In-School Committee (ISC) meeting for any of the six (6) KEC school representatives following the ISC Manual Election section;
- An election will be held during an Annual General Assembly (AGA), or by-election meeting, following the KCSC Election Policy and Election Procedure for:
 - Either, or both, of the two (2) General outside school seats;
 - One (1) Post-Secondary Student (over age eighteen (18+) currently registered and attending) seat; and/or,
 - One (1) Community seat.

The Electoral Officer, along with the Polling Clerks, as per the KCSC Election Policy and Election Procedure, oversee the election process during an Annual General Assembly (AGA) or by-election meeting.

D. Appointments

The two (2) Longhouse representatives will be appointed or reconfirmed by their respective longhouses. Representative does not have to have a child on the nominal roll.

i) Consecutive Terms

The incumbent holding a position on the KCSC, whose term has legally expired, is entitled to seek nomination as a candidate for another term on the Committee. **(Dependent on Survey results)** If any former Members were on a dissolved/dismissed KCSC, they cannot re-apply.

ii) Acclamation

An election by acclamation is declared if only one (1) eligible candidate applies for their respective seat, whether that be, General outside, Post-Secondary (18+), or Community. For example, if there is only one (1) eligible Post-Secondary Student (18+) who runs they will win by acclamation. Eligibility requirements are set out above.

E. Eligible Nominators/Seconder/Voters

(See KCSC Election Policy and Election Procedure)

Onkwehón:we parents/legal guardians of students attending either:

- Kateri;
- Karonhianónhnha;
- Kahnawà:ke Survival School (KSS); or,
- have a child on the nominal roll, attending an outside school, funded by the KEC, Kindergarten through CEGEP (students under – 18); as well as,
- Post-Secondary Students over eighteen (18+) for Post-Secondary representative; or,
- Community for Community representative.

The above-mentioned are eligible to nominate; second; run; and/or, vote for their respective KCSC seat. If a parent/guardian; their child must be registered on the Kahnawà:ke Education Center (KEC) Nominal Roll. During elections, the KEC Registrar (Elementary & Secondary) will verify names on the Nominal Roll for the outside seat. The Post-Secondary clerk will verify names of students over the age of eighteen (18+) for the Post-Secondary seat. An MCK Membership clerk will verify the names on the Kahnawà:ke Kanien'kehá:ka Registry for the Community seat. **(Dependent on Survey results)**

F. Independent Ad Hoc Election Committee

(See KCSC Election Policy and Election Procedure)

The KCSC must strike an Ad Hoc Election Committee (AHEC), or appoint an Electoral administrator which/who is independent of the KCSC and arm's length from participating in the KCSC elections, who are/is responsible to seek and appoint one (1) Electoral Officer when conducting an election for any, or all, of the following:

- A General outside school seat representative;
- A Post-Secondary (18+) seat representative; and/or,
- A Community seat representative.

G. Electoral Officers

(See KCSC Election Policy and Election Procedure)

The AHEC/Electoral Administrator must seek and appoint one (1) electoral officer when conducting an election. An electoral officer cannot be an employee (including a tendered contract employee) of the

KEC/KCSC; cannot have a child on the nominal roll; and/or be a parent of a Post- Secondary student; and/or, be a direct family member of a potential candidate.

BY-LAW 3: KCSC OPERATIONS: SECTION FOUR

Section 4: Forfeiture or Loss of Seat

(Resignation, Loss of Eligibility/Expiration of Term, Absence or Dismissal)

Resignation

A member of the Committee may resign from his/her position in writing: by email, or, regular letter. The written resignation of a Member is addressed to the KCSC through the KCSC Administrative Assistant. The KCSC will notify the constituency through letter, as well as, media, social media, and, the KEC Website.

Member No Longer Eligible/Expiration of Term

A KCSC Member may lose their eligibility to represent their constituency, including, but not limited to, the following; their child changes school, or their term of office expires. For the Post-Secondary representative – if they are no longer a CEGEP or University student.

Absence

The KCSC Administrative Assistant must keep an attendance log of the KCSC Members. When a Member is absent for two (2) duly convened meetings, a letter will be sent reminding them of the need to attend since they will be dismissed if they are absent for more than three (3) meetings, according to, By-Law 3 - Section 4 - Dismissal of a Member (See below). However, a Member who will be absent from a KCSC meeting for a valid reason must send an email to the KCSC Administrative Assistant.

In the case of a prolonged absence for a valid reason of one (1) month or more, the Member is required to submit a letter addressed to the KCSC explaining the reason for his/her absence. The Committee can then deliberate how to act accordingly.

Dismissal

Under specific circumstances that compromise the nature of the Committee's mandate, functionality, and/or its credibility, the KCSC can vote to dismiss one of its members. Dismissal by the Committee may be proposed on the following grounds, including, but not limited to:

- i) A member has missed more than three (3) duly convened KCSC meetings that require quorum, including board training;
- ii) If there is proof that the representative has consistently breached KCSC/KEC legislation and/or policies and procedures, including, but not limited to:
 - a) Misuse of KCSC funds or property;
 - b) Conflict of interest, or, perceived conflict of interest;
 - c) Unsuitable conduct or lack of professionalism towards fellow KCSC Members; parents/guardians; or, staff; including, but not limited to: violence; harassment; issuing a threat; or, a violation of either the KCSC Code of Respect; and/or the Ethical Behavior Policy;
- iii) The Post-Secondary Student (18+) representative will lose their seat if:
 - (a) They are in failed standing;
 - (b) They incur an overdue balance with the KEC; and/or,
 - (c) They are no longer a CEGEP or University student.

With the exception of the Post-Secondary student, the process requires three (3) written warnings on conduct violations. All steps must be taken to address the issue; dismissal is considered a last resort and deemed as extenuating circumstances. The constituency will be notified of the need for a replacement to fill the vacancy.

Resolution for Dismissal

When a decision is made by the KCSC for the dismissal of one of its Members it will require:

- i. Consensus in the form of a resolution;
- ii. Notice that indicates the proposed resolution is to be on the agenda; and,
- iii. Two-thirds (2/3) of the KCSC members must be present at the duly convened meeting **(Dependent on Survey results)**.

Forfeiture or Loss of Seat Replacement Procedure

If it is an ISC/KCSC representative from one of the three (3) Community schools the KCSC will send a letter to the ISC to request that they fill the vacancy. If a replacement is not found, a temporary replacement **(Dependent on Survey results)** can be appointed until the position is officially filled by election or appointment.

If it is a General outside seat; Post-Secondary (18+) seat; and/or Community elected seat, the KCSC will send out a letter to the constituency, as well as, through media, social media, and the KEC Website, to notify them of the vacancy.

If it is a Longhouse seat, the KCSC will send a letter to the respective Longhouse, with a request that they fill the vacancy.

If a seat remains vacant, the previous member would be encouraged to continue in their seat until a replacement is found. All efforts will be made to ensure that all seats are filled at all times, following the steps in this [By-Law 3 - Section 2 - Vacancy Replacement of KCSC Members](#).

For elected seats, all necessary steps to fill the vacancy will be taken by the KCSC, in accordance with this [Constitution](#) and [By-Laws](#), [KCSC Election Policy](#) and [Election Procedure](#), as well as, the In-School Committee (ISC) Manual.

BY-LAW 4: KCSC OFFICERS

Section 1: KCSC Officers Composition

The KCSC will choose officers from among the Committee every two (2) years.

The Officers of the KCSC shall be:

- Chair
- Vice-Chair
- Treasurer
- Secretary

Any member of the KCSC is eligible to hold an officer's position taking into account Staggered Terms **(Dependent on Survey results)**.

Section 2: Duties and Responsibilities of the Officers

KCSC Chair

The KCSC Chair will head all KCSC committee and other meetings, unless delegated to the Vice-Chair or another member in specific situations.

S/he shall remain in contact through regular communication and collaboration, on behalf of the KCSC, with the DOE, and DOFA regarding the work of the KCSC and KEC. The KCSC Chair will be available to act as a liaison, and

work in collaboration with the Directors' ensuring KCSC and KEC objectives and goals are being carried out and met.

The Chair is responsible for reporting to the rest of the table at the regular monthly meetings regarding whether KCSC and KEC objectives and goals are being carried out and met.

The KCSC Chair and the Secretary will ensure that the KCSC Administrative Assistant sends out invitations to all KCSC and ex-officio Members to attend meetings.

The KCSC Chair should, to the extent possible, attend all KCSC meetings.

After the whole KCSC has reviewed and approved the Audited Financial Statements, Minutes and/or other documents, the KCSC Chair, Treasurer and/or Secretary will sign on behalf of the KCSC unless delegated to the Vice-Chair or another member.

After the whole KCSC has reviewed and approved the Minutes, the KCSC Chair and Secretary will sign on behalf of the KCSC unless delegated to the Vice-Chair.

Any member considering this position must be made fully aware of the amount of work and responsibility that comes with it, since they act as the spokesperson and liaison for the KCSC.

KCSC Vice-Chair

The Vice-Chair will work in partnership with the Chair, and head Committee meetings when the Chair is absent, or as delegated. S/he shall perform such other duties from time to time as requested by the Members of the Committee.

KCSC Secretary

The KCSC Secretary is the custodian of all Committee documents and records, who along with the KCSC Chair, will sign reviewed officially accepted Minutes, and other KCSC documents. S/he will assist the KCSC Administrative Assistant and KCSC with any internal or external communications, as well as ensure KCSC documents are archived.

KCSC Treasurer

The KCSC Treasurer will be the lead on the Finance Standing Committee (FSC), which provides oversight and ensures all monies are being utilized in the best interests of students and education. Together with the KCSC Chair, the KCSC Treasurer, or a designated KCSC Member, will sign the Audited Financial Statements on behalf of the KCSC.

Terms of Reference for the Finance Standing Committee will be attached in the Appendices (**Once Terms of Reference are drafted**).

New Officer Position

The KCSC may appoint other officers as needed with specific terms of reference. (**Dependent on Survey results**)

Directors' as Ex-Officio Member

The DOE and the DOFA should participate in all meetings of the Committee unless the KCSC wishes to deliberate in a closed session (*In Camera*). The KEC Directors', as ex-officio members, may present business that is on the approved agenda, but **do not** have the right to **vote** or to present a **motion**. (See By-Law 6 – Section 2 – In camera Session for an Agenda Item)

Ex-Officio Member

The KCSC has the latitude to invite anyone of their choosing to work with them in any capacity. However, they will

hold **no** decision-making authority and **do not** have the right to **vote** or present a **motion**.

Section 3: KCSC Term of Office for Officers

KCSC Officers are selected for a term of two (2) years.

Selection & Term of KCSC Officers

Within three (3) months of the beginning of the school year, the KCSC will select Officers. The officers shall hold office for a period of two (2) years from the date of appointment, or, until their successor(s) is selected in their place.

Replacement of KCSC Officers

Resignation of KCSC Officers

If for any reason a member of the KCSC can no longer hold a position of officer, they must notify the table of their resignation at a duly convened meeting, by email, or, letter, and their position should be opened for election at the next meeting of the KCSC

Removal of KCSC Officers

Officers are also subject to removal by resolution of two-thirds (2/3) majority of the overall KCSC at any time.

(Dependent on Survey results)

However:

- a) The issue must be placed on the agenda;
- b) Members must agree to discuss the matter;
- c) All parties will present their position; and,
- d) The table will deliberate and decide if the officer should be removed.

BY-LAW 5: SUB-COMMITTEES

The KCSC may strike up Sub-Committees as needed, which include: Standing, Ad-Hoc, as well as, Advisory Committees.

KCSC Standing Committees

Standing committees are permanent parts of the Committee's structure and are important to the functions of the KCSC. The KCSC monitors the KEC through the sub-committees, see By-Law 2 - Section 3 – Monitoring. There are currently four (4) KCSC Standing Committees, each Standing Committee must have a minimum of three (3) Members):

- Finance Standing Committee (FSC);
- Director Supervision Standing Committee (DSSC);
- Strategic and Operational Planning Standing Committee (SOPSC); and,
- Curriculum Standing Committee (CSC).

Terms of Reference for the Standing Committees will be attached in the Appendices **(Once Terms of Reference are drafted)**. Where Standing Committees require technical expertise, Ex-Officio Members will be appointed. (For example, if the Standing Committee would need to consult on best practices for Curriculum, they can appoint an expert in this field to assist).

KCSC Ad Hoc Committees

The KCSC may appoint Ad Hoc Committees as needed. Ad Hoc Committees may be formed for any number of reasons, including, but not limited to, the following:

- Research;
- Consultation;

- Policy and Procedure Development; and/or,
- Grievance.

Ad Hoc Committees must have a written mandate with clear terms of reference for all participants, including deadlines to be met and the duration of the committee. The committees may be composed of KCSC members, staff, or other individuals as required.

KCSC Advisory Committee

The KCSC may invite advisors to sit as *Ex-Officio* Members as an Advisory Committee. They may be: KCSC Alumni, Elders, Community Members or Special Advisors. The KCSC will have the flexibility to ask their advice and/or experience, or, request support whenever needed. The members of the Advisory Committee must adhere to the KCSC Code of Respect; receive Orientation Training if necessary; and, follow the Terms of Reference for the Advisory Committee (**Once Terms of Reference are drafted**).

Any KCSC Alumni may be asked to participate as an advisor. The KCSC can offer an honorarium to Elders/volunteers/Advisors/KCSC Alumni/Community who support and assist in an advisory capacity, as per official KEC honorarium schedule subject to budgetary availability.

BY-LAW 6: MEETINGS

Section: 1 Operational Requirements for KCSC meetings

Requirements for Meetings

The effectiveness of formally established KCSC meetings depends on communication and dialogue.

KCSC Meetings

All Members of the Committee will attend scheduled KCSC meetings. The Members will equally exercise the right to: participate in all discussions and debates held; partake in consensus; and, represent the educational interests of the whole community, to the best of their ability. Members must work in the best interest of all Kahnawà:ke students.

Role of Directors' in Committee KCSC Meetings

The Directors', as Ex-Officio Members, have a right to receive notice of all KCSC monthly meetings, and Special/Urgent meetings when required/necessary, to prepare information for the meeting within the required deadlines, to attend, and speak, but **not** to vote or present motions at such meetings.

Types of Meetings

KCSC hold Regular; Mid-Year (**Dependent on Survey results**); Special; and, Consultative meetings; along with Annual General Assemblies, as described below:

KCSC Regular Meetings

There shall be at least ten (10) Committee meetings every school year. It is recommended that a schedule of meetings be established after the Annual General Assembly (AGA). The date of the meetings will be scheduled on a regular-occurring day of the month in order for Members to plan for their attendance.

Mid-Year Kahnawà:ke Schools Meeting

A Mid-Year meeting (**Dependent on Survey results**) may be held in regards to Kahnawà:ke Schools to hold discussions with parents/guardians on planning for their respective school. Although quorum is not required for this meeting, parents/guardians of students attending Kateri School, Karonhianónhnha School and Kahnawà:ke Survival School should be encouraged to attend due to the importance of providing input into the planning and

direction of school programming. At this time, any unfilled seats for In-School Committees (ISC's) may be announced to solicit more members.

The agenda for the Mid-Year School Meeting (**Dependent on Survey results**) will be set in collaboration with the DOE, ISC's, and the School Principals. This is an opportunity to discuss, reflect and plan with parents/guardians regarding the direction of the Kahnawà:ke Schools.

The Directors' and any KEC staff may be required to attend the Mid-Year School Meeting with the parents/guardians of the three (3) Kahnawà:ke schools.

Internal KCSC Special Meetings

- i) Unscheduled or special meetings of the Committee may be held at any time determined by the Members if an email or letter is sent to all members of the Committee and to the Directors'.
- ii) Any three (3) Committee Members can call a Special meeting at any time, on condition that, an invitation to such a meeting is provided to every member of the KCSC, and Directors,' as required. The Members must state the reason for the meeting and sign a letter of request by email/mail to the entire KCSC.
- iii) Special meetings are considered as formal Committee meetings that require quorum for it to be an official meeting, especially if a decision is required. All required meeting procedures for Regular Meetings will be followed, and it will only be an official meeting if quorum is reached.
- iv) Ex-officio members attend the regular meetings of the KCSC and can attend special meetings on request. However, they are not included in the decision-making process.
- v) The Members may decide to hold as many special meetings as necessary, to discuss and deliberate on urgent, or other pressing matters.

External KCSC Special Meetings.

The KCSC may also call Special KCSC Meetings with, parents/guardians; employees; Post-Secondary students and/or, other Community Members during the school year. An example of a "Special" meeting would be a By-Election meeting that becomes necessary when a seat becomes vacant outside of the AGA timeframe.

Special Meeting to Discuss Impact Issues

Actions, or recommendations for action, that would have a major impact on the KES/C will be decided by the parents/guardians of the students of the elementary and secondary schools, on the KEC nominal roll, along with Community, in a duly regulated public decision process. Where the major issue relates to the Post-Secondary education program, the Post-Secondary students will also be included in the public decision process.

As stipulated in the KERA, the following issues of major impact must be addressed in a Special Meeting called for that purpose of parents/guardians, Post-Secondary students (18+) and the Community, they include, but may not be limited to:

- i) Cancellation, dissolution and/or major changes to the post-secondary student support program;
- ii) Dissolution of the KCSC as the body responsible to carry out all functions of the KERA;
- iii) Any major issues pertaining to any lands designated for education;
- iv) The creation of a new school, the closure of an existing school, or, complete school project;
- v) Transaction to construct, purchase, or, the disposal of fixed assets, the value of which exceeds one million dollars (\$100,000.00);
- vi) Financial arrangements with any third party that exceeds one million (\$1,000,000), other than for cost of tuition to Québec public or private schools (**Dependent on Survey results**);
- vii) Cancellation or reduction of funding for students attending schools outside of the KES;
- viii) Charging of tuition fees for regular instruction of Kahnawà:ke students in Kahnawà:ke schools; and,
- ix) Any other issue that the KCSC deems to be of major significance in its effect on the KES.

KCSC Monthly and/or Special meetings, or meetings with other individuals who are not KCSC Members, will be held at the KEC offices or other public places as necessary.

(The procedures that are to be followed for holding Parent/Guardian, Consultation and Special meetings are provided. In Section 2 - Procedure for Meetings (See below.)

Parent and Consultation Meetings

The KCSC will have the power to call, a general meeting of the parents/guardians for specific business or to consult on an issue, at any time. At all meetings of parents/guardians, all decisions shall be determined by a majority of fifty or more (50+) of votes (**Dependent on Survey results**) of the parents/guardians' present.

Parents/Guardians Request to KCSC for a Special Meeting

The KCSC is required to call a Special General Meeting of parents/guardians upon receipt of a written request for a meeting. The written request must contain the subject matter for discussion, at least fifty (50) signatures, as well as phone numbers of the parents/guardians making the request.

Post-Secondary (18+), Staff and/or Community Consultation Meeting

The KCSC may also call KCSC Consultation Meetings with Post-Secondary students (18+), staff, and/or, other Community Members during the school year.

(The procedures that are to be followed for holding Parent/Guardian, Post-Secondary (18+), Staff and Community meetings are provided in Section 2 - Procedure for Meetings (See below).

Annual General Assembly (AGA)

The Committee is required to hold an AGA of the parents/guardians of Kahnawà:ke students, Post-Secondary (18+) students, and Community, during which the Directors' are required to provide an Annual General Report and audit to the parents/guardians, students, and community attending.

The AGA will be held in the Fall. If a decision is required, the majority of parents/guardians, Post-Secondary (18+) students and Community (**Dependent on Survey results**), present at the meeting will decide on the business at hand, a minimum of fifty or more (50+) is required to constitute a majority (**Dependent on Survey results**). Elections, or by-elections, for KCSC representatives may be held during the AGA.

The agenda for each AGA will include, but is not limited to, the KCSC Report; KEC Directors' Reports; and, Kahnawà:ke schools update/Reports, presented by each schools Administration.

The agenda for the AGA will be publicized with the notice of the meeting posted two (2) weeks prior, ensuring that parents/guardians, Post-Secondary students over the age of eighteen (18+) and the Community (stakeholders) are made aware of the matters to be discussed.

Section 2: Procedures for Meetings

Procedure for Parent, Consultation, and Special Meetings

Notices of meetings must be publicized to inform the stakeholders and all other relevant parties.

Written notice and an agenda with the time and place for a meeting will be provided to all relevant stakeholders, with documents (if any), posted on the KEC website and through community media at least two (2) weeks in advance of the date of the meeting.

Written notice will also be posted at the KEC itself, in a conspicuous location, as well as, in various other organizations throughout the community.

The Committee may decide to contract an outside Facilitator for a meeting in order for the Committee members to fully participate in the meeting discussions. If the Committee does not appoint an outside Facilitator, then the Chair or Vice-Chair of the Committee will facilitate the meeting.

Procedures for Regular KCSC Meetings

KCSC Agenda

Notice of Agenda and Monthly Meetings

The Chair and/or Vice-Chair will develop the agenda for the monthly meetings in consultation with the Directors'. The agenda and supporting documentation will be circulated prior to the scheduled meeting. Any member wishing to add items to the agenda under Varia may do so at the start of the meeting before the agenda is approved.

Where possible, any KCSC Member not able to attend a meeting should advise the KCSC Administrative Assistant at least twenty-four (24) hours in advance to ensure that there will be quorum for the meeting.

Agenda for Monthly Meetings

The meeting Agenda is read at the beginning of each meeting, Members can decide to exclude items from the agenda before it is approved. Additions are added to the agenda under Varia before it is approved.

All regular meetings will proceed using the following arrangement where applicable, but not necessarily in this order:

- Opening
- Reading Meeting Guidelines and Code of Respect
- Reading of Vision and Mission
- Approval and Additions to Agenda/Varia/Disclosure of Conflict of Interest, or perceived conflict of interest for an Agenda item
- Approval and Corrections of Minutes of Previous Meeting
- Decision Items
- Old Business & Follow Up
- Reports
- Correspondence
- New Business
- Open Discussion
- Plan Agenda and Date for Next Meeting
- Adjournment
- Closing

Disclosure of Conflict of Interest for Agenda Item

(See KCSC Ethical Behavior Policy, Sections 7.3.4 - 7.3.5 - Conflict of Interest and Perceived Conflict of Interest)

A Member is obliged to declare a conflict of interest, or perceived conflict of interest, with an item on the agenda when the agenda is read at the beginning of the meeting. Another Member may point out a conflict of interest, or perceived conflict of interest, regarding a fellow Member. The KCSC Members will discuss and decide if the conflict of interest, or perceived conflict of interest, exists. If it does, the Member with the conflict of interest, or perceived conflict of interest, must leave the meeting for that item. They are not allowed to discuss or make any decisions on the item.

In Camera (Closed) Session for an Agenda Item

Should the nature of an agenda item require discretion, the Committee may opt for an *in camera* (closed) session for part of the meeting. This is done through a motion from one of the Committee Members addressed to the Chair.

An *in camera* session is open only to the KCSC members, and minutes are not recorded for this part of the meeting. Only the decisions made stemming from the discussions during an *in camera* session will be recorded in the Minutes during the regular meeting.

Chair of KCSC Meeting

The Chair, Vice-Chair, or, if neither is available, another designated KCSC Member will facilitate and chair all regular Committee meetings. In the case of, Parent, Consultation, or Special Meetings, the Committee may decide to contract an outside Facilitator for a meeting, in order for the Committee members to fully participate in the meeting discussions. If the Committee does not appoint an outside Facilitator, then the Chair or Vice-Chair of the Committee will facilitate the meeting.

KCSC Members Participation via Electronic/Technological Means

Should all Members consent, for a particular meeting, a Member may participate in a particular Committee, or sub-committee meeting, via electronic/technological means, specifically, teleconference or videoconference, permitting all the participants to communicate orally amongst themselves. The Member participating via electronic/technological means is considered as having attended the meeting. However, this should be on an exceptional basis, not a regular practice.

Quorum

The minimum required number of KCSC members that constitutes quorum is fifty percent plus one (50%+1) for Committee meetings. Therefore, for twelve (12) members, quorum equals seven (7) members. At the table's discretion, quorum can be raised to seventy-five percent (75%), which equals nine (9) members, if the table decides that the issue requires full input and/or decisions from Members. Some issues, such as, "Decisions Requiring a Majority of Members", "Removal of an Officer", "Reversing Decisions", require two-thirds (2/3) majority for quorum which equals eight (8) members.

At the beginning of a meeting, if there is no quorum, Members who are present will decide whether to continue with an informal discussion or to adjourn. However, if any of the Members do hold an informal discussion under no circumstances will Committee decisions be made without quorum. If agreed upon by the table, quorum can be reached through technological means.

Follow-Up Items

The listing of follow-up items/decisions must be sent out almost immediately following a KCSC Monthly Meeting to the KEC Directors' and KCSC. The list of Follow-Up Items/Decisions should be ongoing throughout the meeting and recorded by the Minute Taker both in the minutes and on a separate form. The list must be given to the Chair at the end of the meeting to ensure follow-up of these items.

Deliberations

Each member of the Committee will have an equal voice at all meetings. The Committee will make decisions by consensus.

Motions for Deliberation

When a subject requires deliberation by the Members, a clear motion, including specific reasons and motives must be formulated so that the Members can deliberate. The motion will be recorded in the Minutes with the names of the mover and seconder.

Only KCSC Members will have the right and privilege to: submit a motion, second a motion, and, to deliberate at a formal meeting. Ex-officio members or guests **cannot** make a motion or second a motion at the meetings.

Presenting Issues for Deliberation by KCSC

Business items presented to the KCSC from staff, or a working committee, with a recommendation for a decision, should be preceded by a motion made by a Committee member. This provides the Committee members with the purpose of the presentation in order to prepare any comments and/or questions.

Once the motion is made the item will be presented; and, a discussion held. If all the members deem that they have sufficient information, the motion can be deliberated. If the members deem that there is not sufficient information, a decision will be deferred until the members have all of the information to make an informed decision.

Anyone who is not a member of the KCSC must make a written request thirty (30) days in advance of a KCSC meeting to have an item placed on the agenda.

Decisions Requiring a Majority of KCSC Members

Some decisions that the KCSC have to make are of significant importance for the KES. These decisions require a majority of members of at least two-thirds (2/3) which is eight (8) members out of a full table of twelve (12) **(Dependent on Survey results)**. The following items require consensus of at least two-thirds (2/3) of the KCSC Members:

- a) Budget approval;
- b) Strategic plan approval;
- c) Approval to post Director position;
- d) Dismissal of a Director;
- e) Drafting or changes to rules and/or regulations that effect program or service delivery to students;
- f) Revisiting old KCSC business to reverse a KCSC decision;
- g) Dismissal of a Committee member;
- h) Interim changes to a By-Law pending stakeholder approval;
- i) KERA – major decisions and/or amendments which also require stakeholder approval at an Annual General Assembly (AGA) or Special Meeting called for that purpose.
- j) Constitution and By-Laws - major decisions and/or amendments which also require stakeholder approval at an Annual General Assembly (AGA) or Special Meeting called for that purpose.

Reversing Decisions

If a member wishes to change his/her mind and reverse a decision, and the type of decision is not included in the list in the Decisions Requiring a Majority of Members, then a quorum of members can agree to revisit the decision.

However, if revisiting the decision will have a major impact on the organization, or, the type of decision is one that is included in the Decisions Requiring a Majority of Members, then it is necessary that two-thirds (2/3) which is eight (8) members out of a full table of twelve (12) **(Dependent on Survey results)** of the Committee be present and agree by consensus to revisit the decision. The two-thirds (2/3) committee membership present must include at least one (1) person who made the previous decision, other than the member who is asking to reverse their decision.

Decisions Provided to Members/Directors Required To Step Out

When Members and/or Directors are required to step out of a KCSC meeting, they are not privy to the discussions held; however, they are entitled to know the decisions made during that meeting. Therefore, when Members and/or Directors are required to step out, the minute taker must record only the decision made during that meeting, in order for those Member's and/or Directors to receive a copy of the minutes as usual.

KCSC Resolutions

Any formal KCSC decisions may be made in the form of a written resolution. Such resolutions require quorum and will be filed at the KEC and available for viewing on the KEC website. The following are matters for which a resolution should be drafted, they include, but are not limited to:

- a) Any major issues that may affect the entire KEC and not only require a resolution but also a comprehensive consultation with students, parents/guardians and the Community;
- b) Any decisions affecting KEC/KCSC lands and/or capital;
- c) Legislation, policy and procedures;
- d) Financial Audit and budget; as well as,
- e) Authorizing spending authority for all KEC staff.

A numbering system for resolutions is required in order to locate or make reference to KCSC resolutions in other documents. The KCSC numbering system must provide a code for the year of issue for greater ease of reference.

Signatures on Resolutions Outside of a Meeting

(Also appears under Signature and Implementation of Documents below)

Resolutions can only be signed outside of meetings with the provision that all members have been given notice of the decision to be taken; have reached quorum; and, decided by consensus. The decision must be printed and signed by quorum and entered into the Minute Log before the resolution can be signed outside of a meeting.

Minutes of the Meetings

The draft minutes will be sent by the KCSC Administrative Assistant to the entire KCSC for their review prior to their next monthly meeting. Only a summary of the discussion, and any actual decisions should be noted down, and **not** the details of the discussions. The table will ensure that the KCSC Administrative Assistant records the minutes of each meeting and that the approved minutes are entered into a Minute Book. The KCSC Secretary will ensure that the KCSC Administrative Assistant prepares highlights of the monthly meeting minutes and they are posted on the KEC website under the KCSC link.

The Committee will document its regular decisions by motion to show approval or disapproval of an item of business. The motions are recorded in the minutes and will state if there was consensus or not.

Minutes, Books and Records

The Committee, through the Secretary, shall see that all necessary books and records of the KCSC, required according to the By-Laws, or any applicable law, are regularly and properly kept. These records are locked at the head office of the KCSC, (located in the KEC) under the responsibility of the KCSC Administrative Assistant.

BY-LAW 7: SIGNATURE AND IMPLEMENTATION OF DOCUMENTS

Requirements for Signing Authority

All KCSC written contracts, documents, agreements, correspondence, policies that are required to be signed on behalf of the KCSC shall be signed by any combination of two (2) of the following:

- Chairperson;
- Vice-Chairperson;
- Secretary;
- Treasurer

Alternatively, the KCSC may delegate signing authority to other members of the KCSC through an official KCSC

decision. A resolution regarding signatures for the implementation of formal documents will be made at the same Committee meeting in which the KCSC officers are selected.

Implementation of Documents

Contracts; documents that have been prior approved by quorum; or, any instruments in writing requiring the signature of the KCSC, will be signed by any two (2) officers, and/or two (2) designated KCSC members, or, according to a resolution of the KCSC. All contracts, documents and instruments in writing so signed shall be binding upon the Committee without any further authorization or formality provided Members have seen them in a meeting.

Signatures on Resolutions Outside of a Meeting

Resolutions can only be signed outside of meetings with the provision that all members have been given notice of the decision to be taken, have reached quorum, and decided by consensus. The decision must be printed and signed by quorum and entered into the Minute Log before the resolution can be signed.

BY-LAW 8: DUTIES AND RESPONSIBILITIES OF KCSC STAFF

Section 1: KCSC Administrative Assistant Duties and Responsibilities

The KCSC Administrative Assistant will be under the direct supervision of the entire KCSC, as represented by the Chair and Vice-Chair. The KCSC Administrative Assistant will provide minute taking and other administrative support duties for KCSC meetings and general business.

Under the general supervision of the KCSC, as represented by the Chair and Vice-Chair, the KCSC Administrative Assistant will coordinate all KCSC meetings, and be the main administrative support on all governance and communications projects. As directed by the KCSC, the KCSC Administrative Assistant will also be required to produce and distribute all KCSC communications posted through the KEC Communications Officer. The KCSC Administrative Assistant will act as a liaison with the Assistant to the DOE and the DOFA or his/her delegate to ensure a positive and fluid relationship is maintained between the KCSC and the KEC. *(In accordance with the KCSC Administrative Assistant Job Description)*

Section 2: Duties and Responsibilities of Directors

The DOE and DOFA will be supervised through the Directors' Supervision Standing Committee (DSSC):

Both Directors' have the authority to manage the daily operations of the KEC. The Directors' working relationship will be a partnership with respect and accountability between the two parties.

Director of Education

The DOE will oversee the day-to-day operations of the KEC in accordance with, the policies and goals of the KEC, as well as, their job description and will, in particular:

- a) Maintain a team spirit throughout the organization;
- b) Oversee the implementation of all education programs and student services to meet the educational needs of all Kahnawà:ke students;
- c) Ensure quality management of the Kahnawà:ke schools;
- d) Honor the history of Kahnawà:ke Education;
- e) Recognize the effects of colonization;
- f) Decolonization Orientation for staff to be provided;
- g) Foster and support the use of Kanien'kéha language and Kanien'kehá:ka culture throughout the KES;
- h) Represent the KEC in meetings as required, (for example, FNEC meetings);
- i) Supervise and motivate all KEC staff according to KCSC policy and procedures;

- j) Ensure evaluation of all KEC staff according to KCSC policy and procedures;
- k) Ensure fair and consistent application of all KEC and KCSC policies and procedures;
- l) The voice of students, parents/guardians and families must be taken into consideration and this information is to be shared with the KCSC;
- m) Bring vision, mission and principles to life;
- n) Prepare briefing notes to update the Committee with the information necessary for their review and/or decision;
- o) Identify organizational priorities, and plan work accordingly;
- p) Assist the KCSC in operational and strategic planning;
- q) Bring the strategic plan to life through annual operational planning;
- r) Work with education staff and administrators to develop a five (5) year strategic plan for the KES, and submit to the KCSC for approval;
- s) Ensure administrative and program policies are fluid;
- t) Represent the KEC as a member of the First Nations Education Council (FNEC);
- u) Collaborate and network with other community and outside agencies to increase access to services and programs for Kahnawà:ke students;
- v) Ensure core subjects such as mathematics and science are taught at the highest level; and,
- w) Will have access and disclosure to all information related to all operations of the KEC in order to ensure fluidity within the entire organization.

Director of Finance and Administration

The DOFA oversees finance and administration operations of the KEC. S/he will manage public education monies, and the effective and efficient operation of the KES, in accordance with their job description, and will:

- a) Maintain a team spirit throughout the organization;
- b) Bring vision, mission and principles to life;
- c) Ensure financial and administrative policies are fluid;
- d) Supervise and evaluate his/her staff;
- e) Ensure that all public monies received by the KCSC are set aside for the exclusive use of education programs and services;
- f) Prepare an annual budget for the KEC, submit for approval to the KCSC; and, report any budget changes regularly;
- g) Submit an adjusted budget to KCSC if a significant change occurs during the fiscal year;
- h) Balance government funds, private foundation funds, grants, to guarantee a steady stream of revenue to meet the needs of the KES;
- i) Guarantee a regular follow-up of revenue and expenditures to ensure sound management;
- j) Honor the history of Kahnawà:ke Education;
- k) Recognize the effects of colonization;
- l) Decolonization Orientation for staff to be provided;
- m) The voice of students, parents/guardians and families must be taken into consideration and this information is to be shared with the KCSC;
- n) Identify organizational priorities, and plan work accordingly;
- o) Meet with the Finance Standing Committee (FSC) quarterly;
- p) Provide monthly updates of the financial situation of the KEC to the KCSC;
- q) Maintain a balanced budget without incurring deficits;
- r) Prepare operational contingencies to avoid any deficits;
- s) Ensure effective planning and organization to support the operations the KEC;
- t) Have access and disclosure to all financial and administration information related to all operations of the KEC in order to ensure fluidity within the entire organization; and,

- u) Supervise the KEC HR Department.

Performance Appraisal of Directors

The performance of both Directors will be reviewed on a semi-annual and annual basis according to established procedures in the Directors' Performance Management Guide (DPMG).

The KCSC Directors' Supervision Standing Committee (DSSC) must regularly monitor the performance of both Directors' and conduct the semi-annual and annual performance reviews of both Directors. The KCSC DSSC may consult with any other standing committee as needed.

The KEC Human Resources Department ensures the Directors' performance reviews are conducted in a timely manner and in accordance with (DPMG).

Details of the performance management process are outlined in the Terms of Reference for the Directors' Supervision Standing Committee in the Appendices (**Once Terms of Reference are drafted**), as well as, in the DPMG.

Directors Performance Management Guide (DPMG)

The KCSC Directors' Supervision Standing Committee (DSSC) will use this guide in supervising the DOE and DOFA.

(See Directors' Performance Management Guide (DPMG), attached in the Appendices along with the Terms of Reference for the Directors' Supervision Standing Committee (DSSC) (**Once Terms of Reference are drafted**).

BY-LAW 9: GRIEVANCE

(See Grievance Policy and Procedure; Ethical Behavior Policy; KERA; and, [Terms of Reference for: Ad Hoc Grievance Committee, (GAHC); Directors' Supervision Standing Committee (DSSC)] (**Once Terms of Reference are drafted**); and, Independent Resolution Process (**Dependent on Survey results**).

Standard Grievance

The Grievance Ad Hoc Committee (GAHC) is responsible for resolving disputes; disagreements; or complaints not resolved through the regular policies and procedures of the KEC. It does not address Human Resource issues since these matters are covered by the Human Resources KEC Employee Personnel Policy.

The work of the Grievance Ad-Hoc Committee (GAHC) is described in the: Grievance Policy and Procedure; Ethical Behavior Policy; and, the [Terms of Reference for the Grievance Ad-Hoc Committee (GAHC)] (**Once Terms of Reference are drafted**), which will all be provided in Appendices of the KCSC Governance Manual.

KEC Staff

Human Resource issues must first follow the KEC Employee Personnel Policy. If all efforts are exhausted without resolving the grievance(s) at the level of the DOFA, and/or DOE, individual cases may be submitted to the KCSC for consideration, following the conditions set out in the: Grievance Policy and Procedure, and, Ethical Behavior Policy.

Director(s) Grievance

Any grievance filed by either, the DOE, and/or the DOFA, against the KCSC will follow the conditions set out in the KCSC Grievance Policy and Procedure; Ethical Behavior Policy; KERA; and, [Terms of Reference for the Independent Resolution Process.] (**Once Terms of Reference are drafted and dependent on Survey results**).

In-School Committee (ISC) Grievance Procedure

All grievance cases including, but not limited to, school policies should be filed first at an administrative level with the Principal, who oversees the management of the school. Grievance cases should not be discussed at an ISC meeting, unless limited to changes to the ISC manual and/or school policies.

In addition, if not satisfied at the school level, recourse can also be made by parents/guardians to the DOE who will discuss the matter with the respective school principal, and possibly the ISC. Efforts must be made at the KEC level to solve the problem before it is referred to the KCSC.

(See In-School Committee Manual; Grievance Policy; [Terms of Reference for the Grievance Ad Hoc Committee (**Once Terms of Reference are drafted**); Terms of Reference for Independent Resolution Process] (**Once Terms of Reference are drafted and dependent on Survey results**).

BY-LAW 10: AUDITOR

The KCSC, in partnership with the Directors of the KEC shall appoint/approve an auditor or auditors for the purpose of auditing and verifying the accounts of the KEC.

(Refer to Financial Administration Policy; [Terms of Reference for Finance Standing Committee] (**Once Terms of Reference are drafted**).

BY-LAW 11: FISCAL AND OPERATING YEAR

The fiscal year of the organization shall end on the 31st day of March of each year. The school operating year shall run from July 1 to June 30.

BY-LAW 12: REMUNERATION

No KCSC member shall receive any payment for being a member of the KCSC.

(See Financial Administration Policy).

BY-LAW 13: KCSC CODE OF RESPECT

The KCSC Members will adhere to the KCSC Code of Respect that is binding on all Committee Members.

(See Code of Respect, Ethical Behavior Policy).