

Constitution of the Indigenous Education Council of the Alberta Teachers Association

1. **NAME:** The name of this organization shall be the Indigenous Education Council of the Alberta Teachers' Association (ATA).

2. **OBJECTS:** The objects of this council shall be:
 - 2.1 Promote effective professional development related to First Nations, Métis and Inuit education.
 - 2.2 Advocate for students and their issues.
 - 2.3 Facilitate communication and networking among teachers and education stakeholders.
 - 2.4 Develop and promote resources for Alberta classroom teachers.
 - 2.5 Foster relationships with community Elders and spiritual leaders.
 - 2.6 Enhance the profession by providing Indigenous ways of knowing.

3. **MEMBERSHIP:**
 - 3.1 **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.
 - 3.2 **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 vote and hold office.
 - 3.3 **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 vote and hold office. There is no fee for student members of the Association to become student members of a specialist council.

- 3.4 **Honorary Membership**—Honorary members of the ATA, as specified in ATA bylaws, shall be entitled to all benefits and services of council membership except the right to vote and hold office.
- 3.5 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:** Persons who are ineligible for active or associate membership in the ATA, such as community liaison workers, school support staff, parents 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 provided notice has been given 45-days in advance. The fiscal year shall be July 1 until June 30.
6. **OFFICERS:**
 - 6.1 All officers and executive members (including regional representatives) must be active or associate members of the Alberta Teachers' Association and regular members of the council.
 - 6.2 **Table Officers Committee**—The table officers committee shall consist of the following voting members: the president, president-elect, past president, secretary, treasurer, communications director, ATA staff advisor and Provincial Executive Council liaison.
 - 6.3 **Executive Committee**—The executive committee shall consist of the following voting members: members of the table officers committee, the regional representatives, the membership/CASL coordinator, the conference director, the conference director-elect and any members-at-large.
 - 6.3.1 Any liaison representatives appointed by the table officers committee to sit on the executive as per section 8.7, shall be nonvoting advisory members.

- 6.4 The Provincial Executive Council liaison and staff advisor shall be voting members of the table officer committee and executive committee.

7. **ELECTION OF OFFICERS AND EXECUTIVE MEMBERS:**

- 7.1 The ATA staff advisor will serve as the returning officer for all elections and shall accept nominations in advance of the annual general meeting and from the floor during the annual general meeting.
- 7.2 Nominations will be advertised at least 45-days prior to the annual general meeting with nomination forms posted on the council website. Nominations will also be accepted from the floor during the annual general meeting.
- 7.3 Individuals can only be nominated for one position at a time.
- 7.4 Voting shall be conducted by secret ballot at the annual general meeting.
- 7.5 **Vacancies**—In the event any elected position is not filled during the annual general meeting or if an executive officer resigns before the end of their term, the table officers committee shall meet to appoint an individual to serve the remainder of the original term.
- 7.6 At least half (fifty percent plus one member) of the executive committee will be individuals who are Indigenous (ie, who identify as a member of a First Nations, Métis or Inuit community).
- 7.6.1 Nomination forms for executive positions will include a question where individuals can indicate that they are Indigenous.
- 7.6.2 During elections, any nominees from the floor will be asked to state if they identify as Indigenous.
- 7.6.3 Following the elections, if the table officers committee determines that the level of Indigenous representation on the executive has not been met, they will:
- (a) determine the appropriate number of additional Indigenous members needed on the executive to either meet the council's operational needs or the identified majority threshold, and
 - (b) appoint this number of Indigenous individuals from the council's existing membership to serve as members-at-large on the executive committee for one-year terms until the next annual general meeting.

8. **TERMS OF OFFICE:**

8.1 **President-Elect, President and Past President**

- 8.1.1 The President-elect shall be elected for a one-year term and shall be appointed to the position of President in the following year.
- 8.1.2 After a one-year term, the President shall be appointed to the position of Past President for a one-year term.
- 8.1.3 Ideally, a new president-elect shall be elected annually so the council always has a sitting president-elect, president and past president.

8.2 The Secretary shall be elected in odd numbered years for a two-year term.

8.3 The Treasurer shall be elected in even numbered years for a two-year term.

8.4 The Communications director shall be elected for a two-year term.

8.5 The Conference Director-Elect shall be elected for a one-year term and shall be appointed to the role of Conference Director in the following year for a one-year term.

8.6 The following Regional Representatives shall be elected for a two-year term:

- 8.6.1 Treaty 6 Territory Representative
- 8.6.2 Treaty 7 Territory Representative
- 8.6.3 Treaty 8 Territory Representative

8.7 **Liaison Representative**—When the table officers committee determines that external guidance would be beneficial to support the council's operations, it can appoint individuals to fill the following liaison representative positions for one-year terms:

- 8.7.1 A representative from a First Nation School Authority;
- 8.7.2 A representative from Alberta Education and
- 8.7.3 A representative from an Alberta Faculty of Education.

9. **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.

10. **ADVOCACY:** Any representations, action or communication 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.

11. **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 (nonvoting) 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.

Annual General Meeting—This council shall hold an annual general meeting for which a 45-day notice will be provided and the agenda shall provide for the topics listed below:

- 11.1 Adoption of minutes from the preceding annual general meeting and any special general meetings held in the interim.
- 11.2 Annual reports from the president and the treasurer.
- 11.3 Reports of committees.
- 11.4 An audited financial statement for the preceding fiscal year.
- 11.5 A proposed annual budget.
- 11.6 Revisions to the fees for a membership for which the required notice of motion has been served.
- 11.7 Amendments of this constitution for which the required notice of motion has been served.
- 11.8 Election of officers.
- 11.9 Other business.

12. **QUORUM:**

- 12.1 **Annual General Meeting**—The quorum for the annual general meeting shall be the members in attendance.
- 12.2 **All Other Meetings**—Quorum shall consist of a majority of voting members of the committee.
- 12.3 Notwithstanding the above, an ATA staff officer must be present at all table officers committee, executive committee meetings, and annual general meetings for quorum to be met.

13. **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.
14. **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.

15. **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:

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

- (a) "investigated officer" means an officer of the specialist council whose conduct is under investigation pursuant to subsection 15.2;
- (b) "investigator" is the individual appointed by the table officers pursuant to subsection 15.2;
- (c) "specialist council officer" means the president, vice-president (president-elect), 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 37;
- (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.

15.2 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.

- 15.3 In the course of the intervention under subsection 15.1, an investigated officer is entitled to have access to a staff officer for advice.
- 15.4 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.
- 15.5 The table officers may appoint another individual to assume the duties of the investigated officer during the period of the suspension.
- 15.6 The investigated officer may appeal a suspension from office under subsection 15.4 to the Provincial Executive Council by filing a notice of appeal with the executive secretary within 30 days of being notified of the suspension.
- 15.7 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.
- 15.8 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.
- 15.9 An investigated officer may, in the course of the investigation, submit his or her resignation to the executive secretary.
- 15.10 Where an investigated officer resigns in accordance with subsection 15.9, 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.

- 15.11 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.
- 15.12 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.
- 15.13 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.
- 15.14 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.
- 15.15 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.
- 15.16 The investigated officer may appeal the decision of the table officers under subsection 15.14 by filing a notice of appeal with the executive secretary within 30 days after being notified of the decision.

- 15.17 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 if the decision of the table officers shall be confirmed, varied or set aside.
- 15.18 In an appeal under subsection 15.7 or 15.17, the table officers may make submissions to Provincial Executive Council respecting the outcome of the appeal.
- 15.19 **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 section 5.11;
 - (b) when the specialist council fails to comply with the requirements of section 5.12;
 - (c) when the Provincial Executive Council considers it in the interests of the Association to do so.
- 15.20 The specialist council may appeal the appointment of an official trustee to a representative assembly.
- 15.21 An official trustee appointed under subsection 15.19 has the powers and duties conferred by the General Bylaws on a specialist council and conferred by this constitution.
- 15.22 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.
- 15.23 An official trustee continues in office until the Provincial Executive Council or a representative assembly determines that the official trusteeship is no longer necessary.
16. **MATERNITY, PARENTAL AND ADOPTION LEAVE:**
- 16.1 Executive and committee members who request a leave of absence for maternity, parental and/or adoption leave shall be granted this leave by the executive for up to one-year or the end of their term, whichever occurs first.

- 16.2 The executive may opt to fill the role in an acting capacity in accordance with the established procedures for that role.
 - 16.3 Any benefit, access or privilege associated with the position is suspended during the period of leave and shall be reinstated once the member resumes their position, except for contractual obligations with respect to a seconded position.
 - 16.4 This leave is not contingent on any decisions made with respect to a leave of absence from employment.
17. **AMENDMENTS:** After a 45-day notice of motion to amend the constitution has been provided to the members of the council, 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.
 18. **EMERGENCY GOVERNANCE:** In the event that Provincial Executive Council declares a governance emergency to be in effect, directives issued by Provincial Executive Council under that declaration shall supersede any other provision in this constitution or any related policy or regulation and shall be binding as if the directives formed part of this constitution or any related policy or regulation.
 19. **CONTRACTS:** Effective 2021 09 30 and notwithstanding any other provision in this constitution or in related policies or frames of reference, the Specialist Council shall not enter into or renew any contract of employment, collective agreement or contract for the provision of personal services without submitting the proposed terms of the contract or agreement to the Executive Secretary of the Alberta Teachers' Association or an Association official designated by the Executive Secretary for review and approval prior to its execution; and The Executive Secretary or other signing officer of the Alberta Teachers' Association shall be a required signatory to any contract of employment or contract for the provision of personal services entered into by the Specialist Council; and The most recent, fully executed copy of contract of employment or contract for the provision of personal services and or related collective agreement shall be filed with the Alberta Teachers' Association and shall be deemed to be the authoritative copy of the contract or collective agreement.

20. **NATIONAL/INTERNATIONAL ORGANIZATIONS:** After a 45-day notice of motion has been provided to members of the council, council may, by a majority vote of those present at the annual general meeting, 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.

Approved 2009 03 21, by Inaugural Meeting of the First Nations, Métis and Inuit Education Council

Approved by ATA Table Officers, 2009 04 24

Amended by Provincial Executive Council 2011 06 16–17

Amended by ATA Table Officers, 2014 09 09

Amended by ATA Table Officers, 2015 05 25 (student membership fee change)

Amended by Provincial Executive Council, 2017 04 07 (maternity, parental and adoption leave)

Amended by Provincial Executive Council 2020 04 29 (emergency governance)

Amended 2019 04 12–13 (Exec meeting), 2019 11 15 (AGM) and 2021 02 20 (Exec meeting)

Approved by TOC, 2021 03 19 (name change)

Amended by Provincial Executive Council 2021 09 16 (contract signatory change)

Amended at Annual General Meeting 2022 11 18

Approved by ATA Table Officers, 2023 06 02