

CONSTITUTION  
OF  
CALGARY SEPARATE SCHOOL LOCAL No 55  
The Alberta Teachers' Association

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## **1. GENERAL PROVISIONS**

### **1.1 Name**

The name of this local association shall be the Calgary Separate School Local No 55, of the Alberta Teachers' Association (the Association or the ATA).

### **1.2 Boundaries**

The area served by this local association shall include the Calgary School Division.

### **1.3 Membership**

All active members of Association employed by the Calgary School Division are members of this local.

### **1.4 Aims and Objects**

The aims and objects of this local association shall be in accordance with those of Association.

### **1.5 Organization**

Final authority of this local association shall reside in a general assembly of its members. The legislative function shall be performed by the council of school representatives. The administrative function shall be fulfilled by the executive committee.

### **1.6 Fees**

This local shall have the power, subject to approval of the Provincial Executive Council of the Alberta Teachers' Association, to levy fees for membership in this local association such as are determined from time to time in a meeting of the general assembly of the local association. Such fees shall be additional to the fees prescribed by the Annual Representative Assembly (ARA).

### **1.7 Rules of Procedure**

- 1.7.1 The proceedings of all meetings—general assembly, executive committee, and those of the council of school representatives shall be regulated by the official Rules of Order and Procedure for the Association, as published in the *Members' Handbook*.
- 1.7.2 Officers of the Association and the district representative(s) of whose geographic district this local association forms a part shall be entitled to attend all meetings of the local association referenced in section 1.7 and any other meetings of local committees, including those portions of any meetings declared to be *in camera*.

### **1.8 Financial Year**

The financial year of this association shall be July 1 to June 30.

## **1.9 Terms of Office**

School representatives shall be elected annually to serve a term from July 1 to June 30.

## **1.10 Notice of Meetings**

1.10.1 Notices of intent to hold a regular or special meeting of the general assembly, of the council of school representatives, or of the executive committee, shall be given by the secretary.

1.10.2 Any regular or special meeting of the Calgary Separate School Local No 55 may be postponed, advanced, cancelled or changed in locale by the president in consultation with the table officers of this local association.

## **1.11 Amendments**

Amendments to the constitution require two months' notice of motion by the conducting of an electoral ballot at a meeting of the council of school representatives with two-thirds of the votes cast. Such amendments are subject to ratification by the Provincial Executive Council of the Alberta Teachers' Association.

## **1.12 Operational Guidelines**

In addition to the provisions of this constitution, activities of the local shall be conducted in accordance with operational guidelines as established and amended by the council of school representatives.

# **2. GENERAL ASSEMBLY**

## **2.1 Composition**

All active members of the Association employed by the Calgary Roman Catholic Separate School Division and the executive assistant of the Calgary Separate School Local No 55 as a nonvoting member.

## **2.2 Duties**

To deal with matters brought before it.

## **2.3 Meetings**

2.3.1 General assemblies shall be called by the president

2.3.1.1 on the president's initiative, or

2.3.1.2 on a motion passed by executive, or

2.3.1.3 on a motion passed by the council of school representatives, or

2.3.1.4 at the request of a table officer of the Association or of a Calgary City district representative or

2.3.1.5 upon receiving a petition signed by at least five per cent of the membership of the local association.

- 2.3.2 The quorum at any regular, special or general assembly (meeting) shall be no less than 250 active members of the local association. In the event that a general assembly (meeting) is held where a quorum is not met, the business of that general assembly shall be conducted at the following Council of School Representatives (CSR) meeting.

### **3. BARGAINING UNIT**

#### **3.1 Teacher Welfare Committee**

There shall be a teacher welfare committee for each employing jurisdiction in the local. Each teacher welfare committee shall operate under a frame of reference approved by the local council and subject to ratification by the Provincial Executive Council of the Alberta Teachers' Association. An amendment procedure shall be specified in the frame of reference.

#### **3.2 Negotiating Subcommittee**

The negotiating subcommittee shall be chosen from and by the teacher welfare committee. It shall be the duty of this subcommittee to engage in collective bargaining with the board of trustees as per the teacher welfare committee frame of reference.

### **4. COUNCIL OF SCHOOL REPRESENTATIVES**

#### **4.1 Composition**

There shall be a council of school representatives consisting of

- 4.1.1 all members of the executive committee,
- 4.1.2 school representatives,
- 4.1.3 the president or designate of the University of Calgary Education Students' Association, and
- 4.1.4 two representatives of the Substitute Teachers' Association.

#### **4.2 Duties**

- 4.2.1 To deal with any business brought before it by the executive committee or referred to it by a meeting of the general assembly or introduced to it on a motion duly made and seconded by accredited school representatives.
- 4.2.2 To support and facilitate communication for central and local bargaining by ensuring that they report information, which is specific to local and central bargaining, to teachers on staff and further, to report teacher questions and concerns related to bargaining to local council meetings.

### **4.3 Meetings**

- 4.3.1 Meetings of the council of school representatives shall be called by the president
  - 4.3.1.1 on the president's initiative, or
  - 4.3.1.2 on a motion passed by executive, or
  - 4.3.1.3 at the request of a table officer of the Association or of a Calgary City district representative, or
  - 4.3.1.4 at the request of the chair of the teacher welfare committee, or
  - 4.3.1.5 upon receiving a petition signed by at least five per cent of the membership of the local association.
- 4.3.2 Quorum
  - 4.3.2.1 A simple majority of the council of school representatives is required to constitute a quorum.
  - 4.3.2.2 Members of this local who are not members of the council of school representatives may attend council meetings and may speak with approval of the meeting but may not vote.
- 4.3.3 to elect or appoint representatives to the joint health and safety committee and to deal with other matters not inconsistent with this constitution or the General Bylaws of the Association.

## **5. EXECUTIVE COMMITTEE**

### **5.1 Composition**

- 5.1.1 Voting officers  
The president, vice-presidents (2), past president, treasurer, secretary, divisional representatives (4), nonschool-based teacher representative, principals' representative, local communication officer, local political engagement officer, chair of the teacher welfare committee and chair of the professional development committee.
- 5.1.2 Nonvoting members  
District representatives (Calgary City), Calgary Separate School Local No 55 members on Provincial Executive Council, chairs of standing committees and the executive assistant of Calgary Separate School Local No 55.

### **5.2 Duties of the Voting Executive**

- 5.2.1 To administer the affairs of the local association as outlined in the operational guidelines;
- 5.2.2 To be responsible for its actions to the council of school representatives, subject to an appeal to the general assembly;
- 5.2.3 To represent the local at the ARA and to report the proceedings to the local;

- 5.2.4 To exercise general supervision of the conduct of all committees of the local and issue directives where deemed necessary;
- 5.2.5 To assume the functions of the council of school representatives in matters of an urgent nature;
- 5.2.6 To appoint ad hoc committees and specify their terms of reference; and
- 5.2.7 To elect or appoint representatives to the joint health and safety committee.

### **5.3 Duties of Nonvoting Executive**

- 5.3.1 Duties of nonvoting executive (district representatives)  
To report on the activities of Provincial Executive Council.
- 5.3.2 Duties of nonvoting executive (committee chairs)  
To report on the activities of their standing committees on the request of the executive.

### **5.4 Meetings**

- 5.4.1 Meetings of the executive shall be called by the president
  - 5.4.1.1 on the president's initiative, or
  - 5.4.1.2 on a motion passed by executive, or
  - 5.4.1.3 on a motion passed by the council of school representatives, or
  - 5.4.1.4 at the request of a table officer of the Association or a Calgary City district representative, or
  - 5.4.1.5 at a request of the chair of the teacher welfare committee, or
  - 5.4.1.6 upon receiving a petition signed by at least five per cent of the membership of the local association or
  - 5.4.1.7 at the request of eight voting members of the executive.
- 5.4.2 Quorum  
Eight voting members of executive committee are required to constitute a quorum.

### **5.5 Election of Executive**

Elected members, excepting past president, principals' representative, and nonvoting members, shall serve a two-year term for a maximum of two consecutive terms.

## **6. TABLE OFFICERS**

### **6.1 Composition**

President, vice-presidents (2), past president, treasurer, secretary, and executive assistant of the Calgary Separate School Local No 55 (nonvoting).

### **6.2 Duties**

- 6.2.1 to administer the affairs of the local as outlined in the operational guidelines,
- 6.2.2 to assume the functions of the executive committee in all emergent matters in local association affairs, and



6.2.3 to prepare agendas and set meeting dates for the coming year.

### **6.3 Meetings**

6.3.1 Meetings of the table officers will be called by the president

6.3.1.1 on the initiative of the president, or

6.3.1.2 on a motion passed by executive, or

6.3.1.3 on a motion passed by the council of school representatives, or

6.3.1.4 at the request of the chair of the teacher welfare committee, or

6.3.1.5 at the request of an officer of the Association or of a Calgary City district representative.

6.3.2 Quorum

Three table officers (voting members) shall constitute a quorum.

### **6.4 Election of Officers**

Table officers, excepting the past president, shall serve a two-year term for a maximum of two consecutive terms.

## **7. DUTIES OF VOTING MEMBERS OF EXECUTIVE**

### **7.1 President**

7.1.1 to serve as chief executive officer of the local;

7.1.2 to exercise general supervision over the affairs of the local association as defined in the operational guidelines;

7.1.3 to represent the local, either personally or through delegates;

7.1.4 to represent the local at school board meetings; and

7.1.5 to visit the teaching staff at a school when so requested by the council of school representatives.

### **7.2 Vice-presidents**

7.2.1 to assist the president in the discharging of their duties;

7.2.2 to take charge of the affairs of the local association in the absence of the president;

7.2.3 to perform the duties of the vice-president in accordance with the operation guidelines; and

7.2.4 upon the nomination and election by executive, a vice-president may serve as president if that office becomes vacant and remain in that office until such time as a by-election can be held.

### **7.3 Past president**

7.3.1 to assist the president in carrying out assigned duties;

- 7.3.2 to take charge of the affairs of the local association in the absence of the president and vice-presidents; and
- 7.3.3 to perform the duties of past president in accordance with the operational guidelines.

**7.4 Treasurer**

- 7.4.1 to ensure that accurate financial records of all accounts of this local association are kept in order in accordance with the operational guidelines;
- 7.4.2 to ensure that accurate records of all assets and accounts of the local association are adequately maintained and secured;
- 7.4.3 to ensure that the executive committee and the council of school representatives are informed of the financial status of the local association on a regular basis; and
- 7.4.4 to exercise all functions of the treasurer in accordance with the operational guidelines.

**7.5 Secretary**

- 7.5.1 to ensure that accurate records of all proceedings of this local association are kept in order in accordance with the operational guidelines;
- 7.5.2 to ensure that statements and reports that may be required from time to time by the head office of the Association are prepared and sent in accordance with the operational guidelines;
- 7.5.3 to ensure that notices calling all meetings whether regular, special, local council or council of school representatives are prepared and sent in accordance with the operational guidelines; and
- 7.5.4 to exercise all functions of the secretary in accordance with the operational guidelines.

**7.6 Divisional and Nonschool-Based Teachers' Representatives**

To provide liaison between the teachers in their respective divisions and the executive of this local association as outlined in the operational guidelines.

**7.7 Principals' Representative**

To act as liaison between the executive and principals.

**7.8 Local Communication Officer**

To exercise all functions of the local communication officer in accordance with the operational guidelines.

**7.9 Local Political Engagement Officer**

To exercise all functions of the local political engagement officer in accordance with the operational guidelines.

**7.10 Chair of Teacher Welfare Committee**

To exercise all functions of the chair of the teacher welfare committee in accordance with the operational guidelines.

**7.11 Chair of Professional Development Committee**

To exercise all functions of the chair of the professional development committee in accordance with the operational guidelines.

**8. DUTIES OF THE NONVOTING MEMBERS OF THE EXECUTIVE**

**8.1 District Representatives**

To act as liaison between the local and Provincial Executive Council.

**8.2 Chairs of Standing Committees**

- 8.2.1 to direct activities of committees in accordance with the operational guidelines, subject to the approval of the executive;
- 8.2.2 to attend meetings of the executive when requested by the president and to report on the activities of their committee; and
- 8.2.3 to attend meetings of the council of school representatives for the purpose of reporting on activities of the committee.

**8.3 Executive Assistant**

To fulfill the obligations of the job description and the terms of the contract of employment.

**9. STANDING COMMITTEES**

**9.1 Composition**

There shall be standing committees as designated by the council of school representatives within the operational guidelines.

**9.2 Duties**

To deal with matters as identified in the operational guidelines.

**9.3 Meetings**

Meetings shall be called in accordance with the operational guidelines.

**10. HUMAN RIGHTS STATEMENT**

10.1 The following Human Rights statement is required to be read aloud and/or distributed

electronically and/or provided in print at the outset of all Association meetings, events and activities.

As an organization that promotes and is committed to respecting human rights and ensuring a safe, secure, and healthy environment for all, the Alberta Teachers' Association (ATA) works to ensure that all present at or participating in ATA programs and events are protected from violence and harassment.

All ATA members are therefore expected to promote and defend the fundamental human rights of everyone engaged in ATA programs, activities, or other ATA work. ATA members are expected to treat one another with fairness, respect, and dignity and to uphold the highest standards of professionalism, accountability, competence and integrity as representatives of the provincial Association as well as their respective locals and subgroups.

Furthermore, ATA members are obliged to act to prevent violence and harassment wherever possible and report to the appropriate person in authority any suspected breaches of this statement that come to their attention.

- 10.2 An appropriate person at each subgroup meeting will be identified as an authority to receive complaints. Typically, this will be a district representative, staff officer or local official.
- 10.3 The Association president and the presidents of locals, specialist councils and convention associations or persons designated by the presidents, are authorized to warn, reprimand and/or remove from a meeting, event, activity, or representative role any participant whom they reasonably believe to be in breach of the statement.
- 10.4 Any further investigation or measures would be undertaken in accordance with other existing policies and procedures and processes.

## **11. PROVINCIAL ASSOCIATION INTERVENTION**

### **Definition of Terms**

11.1 In this section

- 11.1.1 *investigated local officer* means a local officer whose conduct is under investigation pursuant to Section 11.2;

- 11.1.2 *investigator* is the individual appointed by the table officers pursuant to section 11.2;
- 11.1.3 *local officer* means the president, vice-president, past president or secretary-treasurer (or secretary or treasurer) of a local association or any other officer appointed or elected by a local association;
- 11.1.4 *Provincial Executive Council* means the executive council as defined in section 11 of the *Teaching Profession Act*;
- 11.1.5 *table officers* means the Association's officers as defined in Bylaw 37;
- 11.1.6 *executive secretary* means the chief executive officer of the Association or a person designated by the executive secretary; and
- 11.1.7 *executive staff officer* means a member of executive staff designated by the executive secretary.

### **Suspension or Removal from Office of Local Officers**

11.2 Where the table officers have or receive information that leads them to believe a local officer

- 11.2.1 has neglected their duties to the extent that the proper operation of the local association is being negatively affected,
- 11.2.2 is mentally incapacitated,
- 11.2.3 is engaging in corrupt practices,
- 11.2.4 is engaging in financial malpractice, or
- 11.2.5 has undertaken activities inconsistent with the principles and policies of the Association,

the table officers may initiate an investigation into the conduct of the local 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.

11.3 In the course of the intervention under section 11, an investigated local officer is entitled to have access to a staff officer for advice.

11.4 The table officers may, taking into account the nature of the alleged conduct, the urgency of the matter in question and any submission from the investigated local officer, suspend an investigated local 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.

11.5 The table officers may appoint another individual to assume the duties of the investigated local officer during the period of the suspension.

11.6 The investigated local officer may appeal a suspension from office under section 11.4 to the Provincial Executive Council by filing a notice of appeal with the executive secretary within 30 days of being notified of the suspension.

11.7 If an investigated local officer appeals the suspension, Provincial Executive Council shall, as soon as practicable, consider representations of the table officers and the investigated local officer and shall determine if the suspension should be continued pending the conclusion of the investigation or should be set aside.

11.8 During the investigation, the investigated local officer shall be provided with an opportunity to provide a response to the investigator with respect to the concerns about the investigated local officer's conduct.

11.9 An investigated local officer may, in the course of the investigation, submit a resignation to the executive secretary.

11.10 Where an investigated local officer resigns in accordance with section 11.9, 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 that occurred during the period the office was held.

11.11 The investigated local officer has a duty to cooperate during the investigation, and the investigator may direct the investigated local officer or any other member of the Association to

11.11.1 answer any inquiries the investigator may have relating to the investigation;

11.11.2 produce any records or other property in the investigated local officer's possession or under their control that are or may be related in any way to the investigation;

11.11.3 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

11.11.4 attend before the investigator for the purpose of complying with (a), (b) or (c) of this section.

11.12 In the event that the investigated local officer fails or refuses to cooperate with the investigator, the failure to do so shall be noted by the investigator in the report to the table officers.

11.13 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 local officer.

11.14 The table officers, upon consideration of the report of the investigator, may make one or more of the following orders:

11.14.1 remove the investigated local officer from office;

11.14.2 restrict the investigated local officer's eligibility for office in the future; and/or

11.14.3 if the investigated local officer was suspended during the investigation, reinstate

the investigated local 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.

11.15 If the table officers remove the investigated local officer from office, then the table officers may appoint another individual to assume the duties of the investigated local officer until a new local officer is elected or appointed to the position in accordance with this constitution.

11.16 The investigated local officer may appeal the decision of the table officers under section 11.14 by filing a notice of appeal with the executive secretary within 30 days after being notified of the decision.

11.17 If an investigated local 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 local officer and shall determine if the decision of the table officers shall be confirmed, varied, or set aside.

11.18 In an appeal under section 11.7 or 11.17, the table officers may make submissions to Provincial Executive Council respecting the outcome of the appeal.

### **Official Trustee**

11.19 Subject to a two-thirds majority vote, Provincial Executive Council may appoint an official trustee to conduct the affairs of the local, subject to any terms and conditions the Provincial Executive Council considers necessary

- 11.19.1 when a local council fails to comply with the requirements of section 5.2, or
- 11.19.2 when the Provincial Executive Council considers it in the interests of the Association to do so.

11.20 The local may appeal the appointment of an official trustee to a representative assembly.

11.21 An official trustee appointed under section 11.19 has the powers and duties conferred by the General Bylaws on a local and conferred by this constitution.

11.22 On appointment of an official trustee to the local association, the officers of the local cease to hold office as officers of the local.

11.23 An official trustee continues in office until the Provincial Executive Council, or a representative assembly determines that the official trusteeship is no longer necessary.

## **12. GOVERNANCE EMERGENCY**

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.

For the duration of the governance emergency and for a period of 40 operational school days thereafter, Provincial Executive Council directs

12.1 that the local may, by a majority vote of its executive committee, extend the terms of office of elected office holders for a duration and subject to conditions acceptable to the table officers committee of the Association;

12.2 that the local may, by a majority vote of its executive, extend the terms of appointed office holders, committee members and local delegates to representative assemblies of the Association that would otherwise end during the period of the emergency for a period of time not to exceed what would have been their normal term had the office been filled conventionally during the period of the emergency;

12.3 that, should a vacancy occur in an elected or appointed office or on a committee, the local may, by a majority vote of its executive committee, appoint a member to fill the vacancy to the expiry of its normal term;

12.4 that, absent other relevant provisions in the local constitution or policy, the local may, by a majority vote of its executive committee, authorize meetings and votes (including meetings and votes of the executive committee) that would otherwise be conducted by conventional means at meetings with persons in attendance, to be conducted by mailout ballots, online conferencing, telephone or other means;

12.5 that, for the period of the emergency, the executive committee of the local may exercise the authority of a general meeting of the local; and

12.6 that, without restricting the general application of section 12.5, the executive committee of the local may, by majority vote, set a local budget, allocate funds, authorize expenditures and make application to Provincial Executive Council for changes in the local levy for the duration of the emergency.

12.7 Effective 2021 09 30 and notwithstanding any other provision in this constitution or in related policies or frames of reference,

12.7.1 the local 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 Association or an Association official designated by the executive secretary for review and approval prior to its execution;
- 12.7.2 the executive secretary or other signing officer of the Association shall be a required signatory to any contract of employment or contract for the provision of personal services entered into by the local; and
- 12.7.3 the most recent, fully executed copy of a contract of employment or contract for the provision of personal services and/or related collective agreement shall be filed with the Association and shall be deemed to be the authoritative copy of the contract or collective agreement.

Amendments ratified by TOC on behalf of PEC 1991 04 15, 1992 11 23, 1995 06 05, 2001 06 12, 2007 01 12, 2008 01 11, 2011 01 07, 2014 01 06

Revised as per 2012 06 14–15 PEC requirements

Revised as per 2017 06 08–09 PEC requirements

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