



# Teachers Association for Physical and Health Education Constitution

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## **Article I**

### ***Name***

The Professional Association shall be called the *Teachers Association for Physical and Health Education (TAPHE)* of the *Nova Scotia Teachers Union*.

## **Article II**

### ***Purpose***

The mandate of the *Teachers Association for Physical and Health Education* shall be:

- [1] To improve professional practice by increasing member knowledge and understanding.
- [2] To designate ideas, trends and new developments.
- [3] To provide information to the *NSTU Professional Associations Coordination Committee* and the *NSTU Curriculum Committee*.
- [4] To advise the *Provincial Executive* on matters affecting *NSTU Professional Associations*.

## **Article III**

### ***Membership***

#### [1] ***Regular Membership***

*Regular Membership* in the *Teachers Association for Physical and Health Education* is restricted to active and active reserve members of the Nova Scotia Teachers Union.

An active reserve member is not eligible to hold elected office; however, an active reserve member is eligible to vote and serve on committees.

#### [2] ***Student Intern Membership***

*Student Intern Membership* in the *Teachers Association for Physical and Health Education* is available to full-time university students enrolled in education

programs. A student intern member is not eligible to vote or hold elected office; however, a student intern member is eligible to serve on committees.

[3] ***Subscriber Member***

*Subscriber Membership* is available to an institution or a person who is not a regular or student intern member. A subscriber member is not eligible to vote, hold elected office or serve on committees.

## **Article IV**

### ***Distribution of Powers***

[1] The general membership shall retain all powers of the *Teachers Association for Physical and Health Education* except those delegated in the Constitution to the *Professional Association Executive*.

[2] Any member of the *Teachers Association for Physical and Health Education* shall have the right to address all meetings of the *Professional Association*.

[3] A regular member shall have the right to vote on all motions at general meetings of the *Professional Association*.

## **Article V**

### ***Executive***

[1] The *Professional Association Executive* shall include but not be limited to the following members:

- ? *President*
- ? *Immediate Past President*
- ? *Vice President*
- ? *Secretary*
- ? *Treasurer*

[2] The *Professional Association Executive* shall meet a minimum of three (3) times per year at a location determined by the *President*.

[3] A quorum of the *Professional Association Executive* shall be fifty percent plus one (50%+1) of *Professional Association Executive* members.

## Article VI

# ***Professional Association Regional Representatives / Assistant Regional Representatives***

- [1] The Regional Representative will form a liaison with the *Teachers Association for Physical and Health Education* Executive to improve communication with all school boards in the province. Tenure is for two years (November to November) and is renewable. Regional reps may serve a maximum of two terms. The regional rep will be contacted early in the fall to indicate interest in continuing or to suggest a replacement to contact.
- [2] The Assistant Regional Representative will act as a liaison person between physical education teachers in their school board and their Regional Representative. Tenure is for two years (November to November) and is renewable. The Assistant Regional Rep. will be contacted early in the fall to indicate interest in continuing or to suggest a replacement to contact.

## Article VII

# ***Professional Association Committees***

- [1] The *Professional Association Executive* shall establish the following committees.
- *Communications*
  - *Conference*
  - *Finance*
  - *Nominating*
- [2] The *Professional Association Executive* shall appoint members to each committee on an annual basis.
- [3] The *Professional Association Executive* may appoint ad hoc committees as circumstances dictate.
- [4] The *Professional Association Executive* shall appoint members to other committees as required.
- [5] The *Professional Association President* shall chair the *Communication Committee*.
- [6] The *Professional Association Treasurer* shall chair the *Finance Committee*.
- [7] The *Professional Association Vice-President* or designate shall chair the *Conference Committee*.
- [8] The *Professional Association Immediate Past President* or designate shall chair the *Nominating Committee*.

## **Article VIII**

### ***Professional Association Meetings***

[1] ***Professional Association Annual Meeting***

(a) There shall be an *Annual Meeting* of the *Teachers Association for Physical and Health Education* for:

- i/ receipt of annual reports;
- ii/ presentation of a financial statement;
- iii/ presentation of a proposed budget for the upcoming year;
- iv/ election of officers for the upcoming year.
- v/ consideration of NSTU Annual Council resolutions.

(b) The quorum for a general meeting shall be 5% of the regular membership excluding the members of the *Professional Association Executive*..

[2] ***Professional Association Executive Meetings***

(a) *Professional Association Executive* meetings shall take place a minimum of three (3) times per year during the periods:

- Fall
- Winter
- Spring

(b) The quorum for an *Professional Association Executive Meeting* shall be fifty percent plus one of the *Professional Association Executive*.

[3] ***Professional Association Special Meetings***

(a) In the event of an emergency or other need, a special meeting shall be called by the *Professional Association Executive*.

(b) A special general meeting shall be called by the *Executive* upon the written request of five percent (5%) of the regular membership. Five (5) working days notice of such a meeting shall be given to the general membership.

(c) A special meeting shall consider only the business specified in the notice calling such a meeting.

## **IX**

### ***Elections/Voting Privileges***

[1] Only *regular members* of the *Teachers Association for Physical and Health Education* have the right to vote.

- [2] Only *active NSTU members* of the *Teachers Association for Physical and Health Education* have the right to hold office.
- [3] Only *regular members* and *student intern members* of the *Teachers Association for Physical and Health Education* have a right to serve on committees.
- [4] The *Professional Association Executive* shall be elected by secret ballot.
- [5] The term of office for *Professional Association Executive* members shall be two (2) years from Annual General Meeting to Annual General Meeting.
- [6] Excluding candidates for the office of *Professional Association President*, a member of the *Teachers Association for Physical and Health Education* is eligible to hold office as a member of the *Executive* for a maximum of two consecutive terms.
- [7] Should any *Professional Association Executive* position except *Professional Association Immediate Past President* remain vacant following elections at the *Annual General Meeting*, the *Nominating Committee* shall conduct a by-election using a mail-in vote procedure.
- [8] In the event that the *Professional Association President* cannot complete a term of office, the *Professional Association Vice President* shall assume the duties of the *Professional Association President* in the interim. The *Nominating Committee* shall seek nominations for the position and conduct an election using the mail-in vote procedure. The term of office for this position shall be until the completion of the vacated term of office.
- [9] In the event that a *Professional Association Executive* member other than the *Professional Association President* cannot complete a term of office, the position shall be filled through a by-election administered by the *Nominating Committee*. The term of office for this position shall be until the completion of the vacated term of office.

## Article X

### **Finances**

- [1] The fiscal year shall be from August 1<sup>st</sup> to July 31<sup>st</sup>.
- [2] Membership fees shall be determined by the *Provincial Executive* of the *Nova Scotia Teachers Union*.
- [3] The signing officers shall be the *Professional Association Treasurer*, *Professional Association President* and one other member of the *Professional Association Executive*.
- [4] The *Professional Association Executive* shall make expenditures up to \$2,000. without prior approval of the regular membership.
- [5] Members shall be reimbursed expenses at the provincial NSTU rate.
- [6] The financial records of the *Teachers Association for Physical and Health Education* shall be subjected to an annual review in accordance with guidelines provided by the *Finance and Property Committee* of the NSTU.
- [7] All operational expenses (including substitute teacher costs) incurred by the

*Teachers Association for Physical and Health Education* are the sole responsibility of the *Teachers Association for Physical and Health Education* and are not the responsibility of the Nova Scotia Teachers Union.

## **Article XI**

### ***Rules of Order***

Rules of Order shall be the same as those procedures adopted by the *Nova Scotia Teachers Union*.

## **Article XII**

### ***Accountability***

[1] Individuals in an elected or appointed leadership role, NSTU employees and others acting on the *Professional Association's* behalf have the obligation to avoid conflicts of interest; the perception of conflict of interest; and, ensure that their activities and interests do not conflict with their responsibilities to the *Nova Scotia Teachers Union*.

[2] *Professional Association Executive* members are expected to attend as well as actively participate in all meetings of the *Teachers Association of Physical and Health Education*.

[3] *Professional Association Executive* members are responsible to fairly represent Executive decisions when speaking on issues addressed by the *Professional Association Executive*.

## **Article XIII**

### ***NSTU Annual Council***

[1] The *Professional Association* shall have the right to appoint a member or members to attend the Annual Council as a Provincial Observer(s). Provincial Observers have the right to address the Council and speak on any motion with the permission of the chairperson but are ineligible to vote.

## **Article XIV**

### ***Communications***

- [1] Any representation that the *Teachers Association for Physical and Health Education* wishes to make to any organization, person, Government department, Department of Education, school board and any other agency external to the NSTU shall be conducted through the office of the *NSTU President* by way of the staff liaison officer responsible for *NSTU Professional Associations*.

## **Article XV**

### ***Amendments***

- [1] This *Constitution* may be amended by a two-thirds majority of votes cast by the members present at a *General Meeting* or *Special Meeting* convened for that purpose.
- [2] Notice of proposed amendment(s) shall be given to members ten (10) working days prior to the meeting.
- [3] Amendments to this *Constitution* shall be ratified by the *NSTU Provincial Executive* at a scheduled meeting following approval by the Professional Association's general membership.