

**CONSTITUTION
OF
THE PHYSICAL AND HEALTH EDUCATORS OF MANITOBA
OF
THE MANITOBA TEACHERS' SOCIETY**

In accordance with the provisions of Bylaw VI Part IV Sections 4.1 – 4.14 of the Manitoba Teachers' Society's Constitution, Bylaws and Policies, the Physical and Health Educators of Manitoba (Éducateurs d'éducation physique et à la santé Manitoba) is permitted to formulate this Constitution.

ARTICLE 1 – DEFINITIONS

- (a) "PHE Manitoba" means Physical and Health Educators of Manitoba (Éducateurs d'éducation physique et éducation à la santé Manitoba).
- (b) "EPS" Manitoba means (Éducateurs d'éducation physique et éducation à la santé Manitoba).
- (c) "Officers" means the President, Vice President, Secretary, Treasurer and Past President.
- (d) "Board of Directors" means the Officers of the Association and five (5) to ten (10) Members-at-Large; herein referred to as "the Board".
- (e) "Liaison representative" means one representative each of the Institutional Members including the Faculty of Kinesiology and Recreation Management (University of Manitoba), Faculty of Kinesiology and Applied Health (University of Winnipeg), Physical Education Studies (University of Brandon), Manitoba Education and Training (Physical Education/Health Education), Healthy Schools Manitoba and the Manitoba Movement Skills Committee.
- (f) "Regional Representatives" means a representative from every region (as per Provincial Regional Zone) in Manitoba who shall act as a contact and liaison person for the PHE Manitoba.

ARTICLE 2 – NAME AND AFFILIATION

2.01 The name of the Association shall be the Physical and Health Educators of Manitoba (Éducateurs d'éducation physique et éducation à la santé Manitoba) hereinafter referred to as "the Association." The Association shall exist as a Special Area Group of Educators (SAGE) and is affiliated with The Manitoba Teachers' Society, hereinafter referred to as "the Society."

2.02 Objectives

The objectives of the Association shall be:

- a. To promote and advance the teaching of physical and health education in Manitoba schools;
- b. to safeguard and advance the importance of physical and health education in Manitoba schools;
- c. to provide a professional network for educators and those interested in physical and health education;
- d. to provide and promote professional development opportunities for Manitoba teachers in the area of physical and health education at all levels of the Manitoba school system;
- e. to disseminate information about current physical and health education developments;
- f. to promote continued and improved relationships with all affiliate agencies who are associated with physical and health education.

ARTICLE 3 – MEMBERSHIP

- 3.01 Membership in the Association shall be open to members of the Society and others who have an interest in physical and health education in the Province of Manitoba.
- 3.02 A minimum of sixty percent (60%) of the members of the Association shall be Active members of the Society as per MTS Bylaw I Part III section 3.6.
- 3.03 Membership shall be voluntary.
- 3.04 Membership shall come under one of the following categories of membership:
- (a) **Full Member** – a person who is currently employed as an educator in a Manitoba school and other persons who share an interest in physical and health education within Manitoba;
 - (b) **Student Member** – a student who is enrolled in a post-secondary program and has an interest in physical and health education in Manitoba schools;
 - (c) **Institutional Member** – a representative of a group, association or university faculty who has an interest in physical and health education in Manitoba schools as approved by the Association Board;
 - (d) **Retired Member** – a teacher who has retired from the profession, and maintains an interest in the field of physical and health education.
- 3.05 Regional Chapters may be formed by applying to and being accepted by the Board of Directors of the Association.
- a. Each member of a chapter must be a regular member of the Association and pay the annual fee. Each member is entitled to the privileges and rights of a Full Member.
 - b. Each Chapter must comply with Bylaw VI Part IV Sections 4.1 – 4.14 of the Society’s Constitution, Bylaws and Policies and those of the Association.
- 3.06 All Full Members have the right to attend all General and Board Meetings of the Association, to exercise full voting privileges, to hold elected office, receive all publications of the Association and to access the Association PD fund.
- 3.07 Student, Institutional and Retired Members shall have all the privileges and responsibilities of a Full Member except the right to hold office or access to the Association’s PD funds.
- 3.08 The membership year shall be September 1st – August 31st annually.
- 3.09 All Members are required to actively support the Association and promote the objectives as outlined in this Constitution.

ARTICLE 4 – GENERAL MEETINGS

- 4.01 A General Meeting shall be open to the Members of the Association;
- 4.02 An Annual General Meeting shall be held annually between May 15th and June 15th for the following purposes:
- (a) to hear reports from the Board or from any committee or committees;
 - (b) to provide a forum for the views of individual members;
 - (c) to make recommendations to the Board;
 - (d) to elect members to the Board;
 - (e) to set the annual membership fees.
- 4.03 Initial notification to the Members of the Annual General Meeting shall be provided at least two months (2) prior to the meeting.

4.04 A Special General Meeting may be called with 24 hours notice to deal with an urgent, specific matter:

- (a) at the request of the Board; or
- (b) by any member of the Association who states his/her reasons in writing and who is supported by the signatures of 10% of the members of the Association.

Such meeting shall deal with the urgent matter only.

4.05 To conduct business, a General Meeting shall be 20% of the members of the Association. If the General Meeting has been called for the dissemination of information only, no quorum is required.

ARTICLE 5 – BOARD OF THE PHYSICAL AND HEALTH EDUCATORS OF MANITOBA

5.01 To be eligible to become a Board member or Officer, a candidate must have been a Full Member of the Association for at least two (2) years.

5.02 Powers and Duties of the Board are:

- (a) to administer the day-to-day affairs of the Association;
- (b) to serve as chairpersons of standing or other committees and do such other duties as are determined by the Board;
- (c) to appoint members to committees;
- (d) to supervise the activities of committees;
- (e) to make appointments in the case of vacancies on the Board;
- (f) to establish ad hoc or special committees and appoint the members of those committees;
- (g) to delegate any of its powers to any one or more of its members as may be deemed practical or advisable from time to time;
- (h) to appoint annually, and at least two months before the Annual General Meeting, a member of the Board, who is not a candidate for election, as Chair of the Nomination Committee and Chief Returning Officer.

5.03

- (a) The Board shall meet a minimum of three times during the school year.
- (b) The President shall call meetings of the Board and may call emergency meetings at any time.
- (c) A minimum of five (5) calendar days' notice must be given for all meetings of the Board. The quorum for a Board meeting shall be fifty percent (50%) plus one (1) and must include a minimum of three (3) Officers.

5.04 Whenever a member of the Board absents himself/herself from more than two (2) consecutive regular meetings of the Board without reasons satisfactory to the Board, they shall cease to be a member of the Board.

5.05

- (a) President's term of office shall be two (2) years with an option to run for a consecutive two-year (2) term.
- (b) The term of Past President shall be one year only.

- (c) If a vacancy occurs in a Board position before the term is complete, the Board shall appoint an interim member at the next meeting of the Board. This person shall fulfill the term of office until the next Annual General Meeting. This appointment will not limit the member's eligibility to stand for subsequent elections.
- (d) If a vacancy occurs for the position of Past President, the Board may choose a former Past President to complete the term.
- (e) The Board shall establish a rotation of elections to ensure continuity of experience.
- (f) Voting members of the Board shall include the Officers, Members-at-Large and Institutional Members.

ARTICLE 6 – RULES OF ORDER

The Rules of Order for Executive or General Meetings shall be those set out by *Robert's Rules of Order*.

ARTICLE 7 - FINANCES

- 7.01 The fiscal year of the Association shall be from September 1st – August 31st annually.
- 7.02 Officers and Board members shall receive remuneration as follows upon approval of the Council at the Annual General Meeting:
 - (a) President - \$499.00 per year;
 - (b) Vice President, Secretary, Treasurer, Journal Editor and Standing Committee Chairs shall each receive \$100.00;
 - (c) Should a position be shared, the remuneration will be divided equally.

ARTICLE 8 – OFFICERS OF THE PHYSICAL AND HEALTH EDUCATORS OF MANITOBA

8.01 Duties of Officers

- (a) President shall:
 - i. call and chair all Board and General Meetings;
 - ii. prepare the agenda for all Board and General meetings;
 - iii. be the official contact with Manitoba Education and Training, and Health, Seniors and Active Living;
 - iv. perform all duties as customarily devolve upon a President;
 - v. be one of three signatories of the Association's bank account(s);
 - vi. be an ex-officio member of all committees;
 - vii. perform such other duties as directed by the Board;
 - viii. oversee the work of the Schools Physical and Health Activity Coordinator of the Association;
 - ix. be the official representative of the Association on the PHE Canada Council of Provinces and Territories;
 - x. monitor the attendance of Board members at Board and general meetings;

(b) Past President shall:

- i. assist the President and act as a resource person to the Board;
- ii. perform duties as designated by the Board;
- iii. recruit Association members to fill vacant Board positions;

(c) Vice President shall:

- i. take charge of the affairs during the absence of the President or when requested to do so by the President;
- ii. perform duties as designated by the Board;
- iii. recruit Association members to fill vacant Board positions;

(d) Secretary shall:

- i. keep an accurate record of all the proceedings of the Association;
- ii. provide the agenda and minutes for all Board and general meetings;
- iii. keep all official notes and communications;
- iv. send notices to members of all regular and special meetings;
- v. keep a record of attendance at all meetings of the Board;
- vi. sign Board minutes;
- vii. provide all minutes to the Treasurer at the end of the school year;
- viii. collate all motions and submit them to the Officers and Board members prior to the Annual General Meeting;

(e) Treasurer shall:

- i. maintain control of the Association's finances in liaison with the Schools Physical and Health Activity Coordinator;
- ii. be one of three signatories of the Association's account(s);
- iii. keep such funds in a financial institution approved by the Board and the Schools Physical and Health Activity Coordinator;
- iv. be prepared to provide interim financial updates at any meeting;
- v. prepare a budget for approval at the Annual General Meeting;
- vi. make an annual report to Annual General Meeting as part of a financial review by an auditor appointed by the Board and approved by the previous Annual General Meeting;
- vii. ensure that the annual financial review is completed and submitted to the Society and the Association annually in compliance with the Society's Terms of Affiliation.

ARTICLE 9 – DUTIES OF MEMBERS-AT-LARGE

9.01 Members-at-Large shall be appointed annually as Chairpersons of the following Standing Committees at the first Executive meeting:

- (a) Awards
- (b) MTS PD Day Conference

- (c) Journal Editor
- (d) Liaison Representative
- (e) Professional Development
- (f) Grants/funding
- (g) Safety
- (h) Public Relations
- (i) Nominations
- (j) Health - Promoting Schools

The Association may establish more committees if necessary and with the approval of the Board.

- 9.02 A member of the Board of the Association is encouraged to join other committees.
- 9.03 The Chairpersons of the Association's Standing Committees shall:
- (a) carry out the aims and duties of their respective committees and deal with all items of business referred to their committees by the Board;
 - (b) recommend appointments to their respective committees to the Board;
 - (c) report on the work of the committees to the Board at each meeting, and provide a written annual report to the Annual General Meeting;
 - (d) operate within the financial allocation given by the Board for their respective committee;
 - (e) be responsible for the formation of sub-committees if necessary.

ARTICLE 10 – ELECTION OF THE BOARD

- 10.01 The Nominations Committee shall oversee nominations of candidates for the Board at least one month prior to the Annual General Meeting.
- 10.02 The Nominations Committee shall solicit nominations of at least one member for each of the positions of President, Vice President, Secretary, Treasurer and up to ten (10) members as Members-at-Large.
- 10.03 Nominations for the Board may be accepted from the floor at the Annual General Meeting.
- 10.04 The election of the Board shall take place at the Annual General Meeting by those members present with voting privileges.
- 10.05 Voting shall be by secret ballot.

ARTICLE 11 – AMENDMENT OF THE CONSTITUTION AND BYLAWS

The Constitution of the Association shall be amended by the following procedure:

- 11.01 Any member may submit a proposed amendment to the Constitution to the Secretary sixty (60) calendar days before a general meeting designated for this purpose.
- 11.02 The membership shall be notified by electronic messaging of the amendment(s) thirty (30) calendar days prior to the general meeting designated for this purpose
- 11.03 The vote on the amendment(s) shall be held during the general meeting designated for this purpose.

- 11.04 The amendment(s) or any modification(s) thereof, shall require a two-thirds majority of members present at the general meeting.
- 11.05 The amendment(s) becomes effective on the date the Society approves said amendment(s).

ARTICLE 12 – PROFESSIONAL DEVELOPMENT FUNDING

- 12.01 The PHE Manitoba Professional Development Fund shall consist of a minimum of \$5000.00 to a maximum of 10 percent (10%) of the MTS PD Day profits as of November 1st each year.
- 12.02 The Association shall provide funding to members according to the guidelines set out by the Grants and Funding Committee.
- 12.03 The Board may create new funding categories dedicated to specific events and will require at least a 2/3 vote of the Board to approve such funding. This special funding will not impact regular funding.
- 12.04 To be eligible to apply for funding of professional development through the Association, the applicant must be a member in good standing of the PHE Manitoba for at least two consecutive years or be a member in their first year of teaching.

ARTICLE 13 – AWARDS AND SCHOLARSHIPS

PHE Manitoba Awards:

- 13.01 PHE Manitoba Physical Educator Award (up to 3 awards – 3 plaques)
 - (a) To honor outstanding Physical educators in the following categories - Early, Middle and Senior Years in the Province of Manitoba
- 13.02 Builder Award (1 award-plaque)
 - (a) For outstanding dedication and promotion of physical education for the Youth of Manitoba.
- 13.03 PHE Manitoba Health Educator Award (plaque awarded)
 - (a) To honor outstanding Health Educators in Manitoba Schools.
- 13.04 Dick LaPage Scholarship University of Manitoba (2 Scholarships of \$200.00 and a plaque)
 - (a) To honour an outstanding first year Physical Education student. Award winner to be determined by the Faculty of Kinesiology and Recreation Management.
 - (b) To honour an outstanding BPE graduate in their final year of the After-degree program. Award winner to be determined by the Faculty of Education.
- 13.05 Dick LaPage Scholarship University of Winnipeg (2 Scholarships of \$200.00 and a plaque)
 - (a) To honor an outstanding fourth year Physical Education student. Award winner to be determined by the Faculty of Kinesiology and Applied Health.
 - (b) To honor an outstanding fifth year Physical Education student. Award winner to be determined by the Faculty of Kinesiology and Applied Health.
- 13.06 Dick LaPage Scholarship Brandon University (2 Scholarships of \$200.00 and a plaque)
 - (a) To honor an outstanding first year Physical Education student. Award winner to be determined by the Department of Physical Education.

- 13.07 Innovator Award (Plaque awarded)
 - (a) Awarded to a physical educator for outstanding innovative and creative programming in the area of physical education/health education.
- 13.08 Coalition Award (Plaque awarded)
 - (a) Awarded to groups, companies, associations which promote the significance and importance of physical education and/or health programs in Manitoba schools.
- 13.09 PHE Canada Andy Anderson Young Professional Award (PHE Canada plaque awarded)
 - (a) This award recognizes an outstanding physical education teacher in the early stages of their career (35 years or younger).
- 13.10 Stu Sieme Award (Recipient receives \$100.00 and a plaque)
 - (a) Awarded for an Urban or rural program with a focus on environmental or outdoor education.
- 13.11 Andy Power Student Leadership Award (Recipient receives \$100.00 and an engraved plaque)
 - (a) For a graduating high school student who has provided a service in outdoor or environmental education.
- 13.12 Golden Apple Award (Recipient receives an engraved plaque)
 - (a) For an urban and rural school which has excelled at various healthy school ~~in motion~~ and health-related activities.
- 13.13 Award nomination forms and process will be administered by the Awards Committee as outlined in the PHE Manitoba guidelines and approved by members of the Board at the annual Fall Planning Meeting.

Article 14 - Dissolution of PHE Manitoba

In the event that the Association ceases to be active (has not formed an Executive for two successive years) assets, after payment of debts and liabilities, shall be turned over to a recognized non-profit organization in the area whose objectives most closely accord with those of the Association as determined by the Association's members at dissolution.

Approved by Provincial Executive on: September 13, 2017.

President

Secretary

General Secretary

Special Area Group Educators
The Manitoba Teachers' Society