



CHAPTER 2 GOVERNANCE

Governance refers to the structure and organization used to manage a program's activities.

This chapter provides guidelines for developing a governance structure for your program.

The governance structure

Once you have decided what types of early childhood programs are needed in your community, you will need to set up a governance structure that will be responsible for making decisions about funding, contracts, and program policies.

The governance structure is generally composed of volunteers. It may include parents, Elders, community administrators and other interested community members. If possible, try to include members of your community who have experience writing funding proposals and dealing with governments. They may have the familiarity and patience for dealing with bureaucratic forms and procedures. A broad range of experience will help you succeed.

Several types of structures can be set up to govern an early childhood program. Many on reserve programs use their band or tribal council as the governance structure. If you are on reserve, your chief and council may already have a committee or standing committee (e.g. health, education, culture) responsible for early childhood programs. If this committee is not directly responsible, it should be part of the governance structure in some way. If the committee is directly responsible, you can set-up a community advisory committee to make sure that the community's needs are addressed.

Off reserve early childhood programs often use friendship centres, women's centres, Metis locals, or other community organizations as the main part of their governance structure. Some programs establish themselves as independent not-for-profit societies.

Incorporating as a non-profit society

Some early childhood programs in BC are incorporated as non-profit societies. Non-profit means that any profits made by the program are reinvested into the program to enhance it. Incorporation as a society gives an early childhood program its own legal identity. As a society, the program can do anything an individual can do, such as own property and hire employees. There are two main advantages to incorporation:

1. It limits the personal liability of each member of the society. For example, if the program is sued, the society, not individual members, is responsible.
2. Many funding organizations require that an applicant is a non-profit society.

An incorporated society is run by a Board of Directors, which sets policies and ensures that the objectives of the society are met. The Board of Directors can delegate the day-to-day operations of the program to a director, coordinator, or senior supervisor and staff but the Board of Directors is legally responsible for policy, planning, and the overall management of the program. Some other responsibilities of the Board are:

1. Setting educational, human resources, operational and financial policies;
2. Ensuring appropriate financing;
3. Ensuring that all legal requirements are met, including licensing regulations, employment regulations, and business laws;
4. Hiring and supervising the work of the director/coordinator/supervisor of the program;
5. Ensuring that the society acts ethically, honestly, and prudently in all its activities.

To register as a non-profit society, the committee will have to prepare the articles of incorporation. These will be sent to the Ministry of Finance and Corporate Affairs. The committee should consult a lawyer about the incorporation process. The committee must include the following information in the application for incorporation:

1. Name of the organization.
2. Purpose of the organization.
3. Location of the organization's head office.
4. Names and addresses of at least 3 members of the Board of Directors.

For more information on registering as a non-profit society and Board of Directors, see the *INFORM Guide* published by Westcoast Child Care INFORM, a program of Westcoast Child Care Resource Centre.

Policy and parent circles

You can also use policy and parent circles to govern your program. Some groups find that policy and parent circles reflect their culture better than a non-profit society structure. In this arrangement, two groups administer the program. Each group meets on a monthly basis and should communicate with each other regularly. The two groups are:

1. A formally structured **policy circle**, which is responsible for the legal and financial administration of the program.

On reserve, this would likely include the chief and/or council.

Off reserve, the policy circle could include administrators from friendship centres, women's centres, or other host agencies. It could also be the Board of a non-profit society.

2. A less formally structured **parent circle**, made up of parents, Elders, community resource people, and interested community members. This circle could also be called a "parent advisory committee."

The policy and parent circles should have separate identities, membership and functions.

Policy circle

The Policy Circle is made up of representatives from the main governance body (council, host-agency, or non-profit board), representatives from the community, and parents of currently enrolled children. Program staff (or members of their families) should not serve on the policy Circle. They could participate on an advisory committee.

Responsibilities

The primary responsibility of the policy circle is to develop, review, and approve program policies and procedures. Responsibilities may include the following:

1. Applications for and amendments to program funding, including program budgets and operational plans.
2. Procedures for program planning.
3. Program philosophy and long and short range program objectives.

4. Criteria for recruitment, selection, and enrolment of children.
5. Procedures for annual evaluation of the program.
6. Staff policies and changes to those policies, including standards of conduct for program staff, community resource people, and volunteers.
7. Decisions to hire and terminate any person employed under program funding, including the program director/coordinator/supervisor.

In addition, the policy circle would:

1. Serve as a link between the parent circle, governing body, public and private organizations, and the community they serve.
2. Assist the parent circle in communication with parents of enrolled children.
3. Assist the parent circle in planning, coordinating, and organizing program activities for parents, and ensuring that funds are set aside from the program budget.
4. Assist in recruiting volunteer services from parents, community residents, and community organizations.

Parent circle

The Parent Circle will be comprised of all parents of children currently enrolled in the program, Elders, and other people interested in the child care program. The parent circle may also be called a parent advisory committee.

Responsibilities

The Parent Circle is an opportunity for parents to take responsibility for their children's education and well-being, and to improve their decision making and advocacy skills. The circle would be responsible for:

1. Advising staff in implementing local program policies and services.
2. Planning, conducting, and participating in formal and informal programs and activities for parents and staff.
3. Within guidelines established by the policy circle, participating in the hiring of staff.

4. Assisting program staff with the day-to-day operations of the program.
5. Establishing an active link with the policy circle.

Accountability

The governance structure is accountable to the children in the program, their families, and the broader community. It is ultimately responsible for:

1. The health and welfare of children while they are in the program.
2. Managing program finances responsibly.
3. Ensuring that the objectives of the program are met.

A governance committee can demonstrate accountability by keeping community members up to date on program activities. This includes holding open houses, providing annual reports to funders and other interested community members, and considering suggestions from people interested about your program.

Liability

The governance committee is legally required to act in the best interest of the program. Members of the governance committee can be held liable if an injury is caused by negligence, if committee members tolerate criminal activity, or if the committee commits financial fraud.

It is a good idea for board members to have insurance to protect themselves from liability claims that are associated with the early childhood program.

Constitution and by-laws

Governance committees must develop a constitution and by-laws that outline the purposes and rules of the organization. For more information, consult with other early childhood programs and see the sample constitution in appendix 2-II.

Committee meetings

Committees work because people volunteer their time and energy to make things happen. Meetings can be lively, but they must have some order. The committee should elect a chair and one or two co-chairs to ensure that meetings run smoothly. During the meeting, the chair will ensure that everyone has a fair chance to speak and be heard.

Before the meeting, ensure that everyone has a draft copy of the agenda and, if relevant, provide documents (i.e. resumes, newspaper articles) that they will need to read in preparation. Committee members should be given an opportunity to add items to the agenda.

It is important to keep records of all decisions made at committee meetings. These records are legal documents. Appoint a secretary to take minutes during the meeting. Minutes from one meeting can be reviewed and approved at the following meeting.

Commitment

It is important for the governance committee to maintain a reasonable level of consistency. Since governance committees are made up of volunteers, there is often a high turnover rate. You can reduce the turnover rate by asking committee members to commit to a limited term, such as one or two years. Committee members should also be aware of the responsibilities that they commit to undertake. Responsibilities of each member should be clearly outlined in the committee terms of reference.

Terms of reference

All committees need terms of reference to guide their actions and decisions. Terms of reference are written by the committee to outline the roles and responsibilities of each committee member. See a sample Term of Reference in appendix 2-1.

Board training

However you plan to administer your child care program, you will find it useful to participate in a board training workshop. Workshops are available to help boards of directors and advisory committees work effectively. Training is offered through the Aboriginal Head Start and BC First Nations Head Start programs, Westcoast Child Care Resource Centre, and the BC Aboriginal Child Care Society. Be sure to set aside training funds in your program budget.

REFERENCES

** Indicates resources available on loan through the BC Aboriginal Child Care Society.*

*Morissette, Lucie B. 1994. *Starting and Operating a Native Child Day Care Centre*. Anjabowa Daycare Services Center.

*Westcoast Child Care INFORM, a program of Westcoast Child Care Resource Centre. 1999. *Inform Guide: An Administrative Manual for Non-Profit Child Care in B.C.* Author.

McLeod, Darrel. 1999. (Unpublished.) *Establishing a First Nations Child Care Program*. Vancouver: BC Aboriginal Child Care Society.

Ministry of Finance. Phone: 250 387-3347, Fax: 250 356-2822, <http://www.gov.bc.ca/fin/>

The Non-Profit Organization Self-evaluation Checklist. 2000. Ontario: Ginsler & Associates. To order call: 519-579-9040. http://www.ginsler.com/documents/self_evaluation_checklist.pdf

Westcoast Child Care INFORM, a program of Westcoast Child Care Resource Centre. 1999. "Developing a Constitution and By-Laws for a Non-Profit Society, A Worksheet." Contact Westcoast Child Care Resource Centre for availability. Toll free: 1-800-565-3445 or 604-709-8077.

Websites

National Centre for Non-profit Boards. www.ncnb.org

RESOURCES

The Effective Board Members Orientation Manual. 2000. Ontario: Ginsler & Associates. To order call: 519-579-9040. <http://www.ginsler.com/documents/bdman.pdf>

The Effective Not-for-Profit Board. 1999. Deloitte & Touche. World Wide Web. <http://www.deloitte.ca/en/Pubs/AA/default.asp>

MacLeod, Flora. 1986. *Forming and Managing a Non-profit Organization in Canada*. Vancouver: International Self-Counsel Press.

APPENDIX 2-I

PARENT ADVISORY COMMITTEE

TERMS OF REFERENCE

Comox Valley Aboriginal Head Start Program
Parent Advisory Committee

PARENT ADVISORY COMMITTEE

TERMS OF REFERENCE

Purpose

The purpose of the Parent Advisory Committee (PAC) is to act as a liaison between parents, program staff and the host agency, Upper Island Women of Native Ancestry.

Responsibilities and Tasks

1. To make recommendations to program staff about the program.
 - 1a. Collaborate on problem solving for program issues.
 - 1b. Assist in developing goals and objectives for the program.
2. To make decisions about how to spend the PAC budget.
3. To participate in hiring decisions for program staff.
4. To develop and implement ways to involve parents in the program, including
 - 4a. Orientation for new parents; and,
 - 4b. Social activities for AHS families.
5. To keep parents informed about what is happening in the program.
 - 5a. Develop a Parent Handbook and revise it as necessary
 - 5b. Write agendas and minutes, and do phoning for meetings
 - 5c. Phone parents to invite them to PAC meetings and other activities
 - 5d. Write and distribute a newsletter.
6. To do fundraising.

Authority

- To make decisions about the PAC budget.
- To advise Program staff and the host agency regarding program decisions, including classroom programming and hiring program staff.

Structure

- All parents of children attending Comox Valley Aboriginal Head Start Program are members of the PAC, and form the general membership.
- There is an Executive, consisting of two Co-chairs, a Secretary and a Treasurer, elected from the general membership. Three of these must be filled by people of Aboriginal ancestry.
- There are three standing committees: the Immediate Response Team, Telephone Committee and Fundraising Committee.
- Ex-officio members are the Program Coordinator, a representative of the host agency and a representative of School District No. 71.

Meetings

- Meetings are held monthly.
- Quorum for the PAC is 5 members.
- Decisions are made using majority voting. Proxy voting is allowed.

Commitment

For members to fully participate, 2 hours per month.
Parents do not have to attend any minimum number of meetings to remain members in good standing.

APPENDIX 2-II

SPLATS'IN DAYCARE CENTER SOCIETY CONSTITUTION

FORM 3

SOCIETY ACT

CONSTITUTION

OF

SPLATS'IN DAYCARE CENTER SOCIETY

1. The name of the Society is "Splats'in Daycare Center Society".
2. The purposes of this Society shall be:
 - (a) to operate exclusively as a non-profit organization, to administer and employ its assets and rights for the sole purpose of promoting or aiding in the promotion of the welfare of all children;
 - (b) to establish, maintain and promote day care programs which seek to meet the individual needs of children and their families;
 - (c) to work closely with the parents and day care workers whenever possible in furthering the emotional, physical, educational and behavioral development of children;
 - (d) to offer support and assistance to individuals or groups who are members of the Society involved in the provision of day care programs;
 - (e) to encourage and promote the education and training of day care workers in the field of child development;
 - (f) to encourage the co-operation of, and lend support to, all organizations and agencies, professional, public or private, who have an interest for the purpose of making day care comprehensive, complete and effective.

3. If the Society is wound up or dissolved then the funds and assets of the Society remaining after the satisfaction of its debts and liabilities shall be given or transferred to such organization or organizations concerned with the social problems or organizations promoting the same purposes of this Society as may be determined by the members of the Society at the time of winding up or dissolution. If effect cannot be given to the aforesaid provisions, then such funds shall be given or transferred to some other organization referred to in this paragraph which shall be a charitable organization or charity recognized by the Department of National Revenue as being qualified as such under the provisions of the Income Tax Act of Canada from time to time in effect.
4. The above purposes of the Society shall be carried out without purpose of gain for its members, and any profits or other accretions to the Society shall be used for promoting its purposes, and all of the above purposes shall be carried out exclusively on a charitable basis.
5. No Director or Officer shall be remunerated for being or acting as a Director or Officer, but a Director or Officer may be reimbursed for all expenses necessarily and reasonably incurred by him while engaged in the affairs of the Society.
6. Clauses 3, 4 and 5 and this clause 6 are unalterable in accordance with the Society Act, s. 22. Clauses 1 and 2 are alterable.