

**CONSTITUTION**

**OF**

**THE NEW BRUNSWICK**

**FOSTER FAMILIES ASSOCIATION INC.**

**L'ASSOCIATION DES FAMILLES D'ACCUEILS DU**

**NOUVEAU BRUNSWICK INC.**

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Dianne Lutes  
President

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Raymond Englehart  
Chair of the Constitution Committee

Revised April 25, 2006

**Constitution and By-Laws**  
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**Article I - NAME OF THE ASSOCIATION**

The name of the organization shall be the “New Brunswick Foster Families Association Inc. / L’association des familles d’accueils du Nouveau Brunswick Inc.”

**Article II - DEFINITIONS:**

- a. “**Association**” refers to the New Brunswick Foster Families Association Inc./ L’association des familles d’accueils du Nouveau Brunswick Inc.
- b. “**assembly**” means the assembly of the active members of the Association.
- c. “**board**” means the Board of Directors of the Association.
- d. “**director**” means an active member who has been designated by a local association to represent that association on the Board of Directors and also who meets the criteria under the Constitution of the New Brunswick Foster Families Association.
- e. “**executive**” means the elected officers of the Association being the President, 2 Vice-Presidents (one Anglophone and one Francophone), Secretary and Treasurer.
- f. “**local association**” means an association representing foster families in a local area in of New Brunswick.
- g. “**voting delegates**” means an active member who has been designated by their local association and who meets the established criteria under the Constitution of the New Brunswick Foster Families Association.

**Article III - PURPOSE AND GOALS**

**1. Affiliations**

The New Brunswick Foster Families Association Inc./ L’association des familles d’accueils du Nouveau Brunswick Inc shall be democratic and shall not directly or indirectly be affiliated or connected with any political party or any other political affiliation.

This article shall not be amendable.

**2. Aims and Objectives**

- a The aims and objectives of the Association relate to the challenges and aspirations of the foster parents and foster children of New Brunswick.
- b The Association may act on matters of provincial or national scope on its own initiative, subsequent to consultation with provincial leaders.

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- c. The Association may offer assistance, upon request, to other similar organizations in matters of mutual concern.
  
- d. The Association will:
  - i. endeavor to promote human and social development of foster families in New Brunswick through personal growth and development, community involvement and leadership;
  - ii. keep in contact with Federal and Provincial Government departments and agencies on matters pertaining directly or indirectly to interests of the Association;
  - iii. support and work closely with other organizations and associations that foster the same objectives;
  - iv. promote and develop local foster families associations in regions or in areas where none exist;
  - v. act as an advisory body on matters pertaining to fostering in New Brunswick.

***Article IV - MEMBERSHIP***

- 1. All foster parents in New Brunswick approved by the Department of Family and Community Services are considered members of the New Brunswick Foster Families Association Inc./ L'association des familles d'accueils du Nouveau Brunswick Inc.
  
- 2. The Association draws its active membership from local associations.
  
- 3. Membership in the Association is **active**, **inactive**, or **honorary**.
  - a. An **active** member is a foster parent who is approved by the Department of Family and Community Services, is actively fostering and is active in their local foster families association supporting the aims and objectives of the Association.
  
  - b. An **inactive** member is a foster parent who is approved by the Department of Family and Community Services, is fostering but not active in their local foster families association or have fostered and have closed their home in good standing with the Department of Family and Community Services.
  
  - c. An **honorary** member is a person who has demonstrated exceptional support towards the aims and objectives of the Association and not described in section 1c of Article III appointed by the Executive of the Association.

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4. Persons complying with section 3(a) of Article IV and who live in an area where there is no active association shall be considered active members by notifying the Secretary of the Association.
5. No member uses the name of the Association for private schemes, personal profit or commercial enterprise.
6. No member of the Association acts as a representative of the Association, unless duly authorized to do so by the Executive.
7. Any member may withdraw from membership at any time upon a notice in writing to the Secretary of the Association.
8. Membership lists are updated yearly.

**Article V - LOCAL ASSOCIATIONS**

**1. Formation of Local Associations**

The formation of a local association is approved by a majority vote of the Association's Board of Directors.

**2. Responsibilities of a Local Associations**

The local association:

- a. Draws its membership from qualifying persons in that area as indicated in Article IV 3(a) and (b);
- b. Operate on their own but within the Constitution and By-Laws of the Association;
- c. Forms an executive consisting of a President, Vice-President, Treasurer and Secretary;
- d. Designates from its active membership a director to the Board of Directors of the Association for a minimum of 2 years;
- e. Designates from its active membership two (2) voting delegates, one being the director, to attend the Annual Assembly of the Association.

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**Article VI - OFFICERS**

**1. Executive of the Association**

- a. The Executive of the association consists of;
  - i. President
  - ii. Two Vice-Presidents, one representing the Francophone community and one representing the Anglophone community.
  - iii. Secretary
  - iv. Treasurer
- b. The Executive are active members of the Association
- c. The Executive is elected at a General Assembly comprised of any number of the active members.
- d. The elections of officers of the Executive and the removal of officers of the Executive are by secret ballot.

**2. Duties of the Executive Officers**

**a. President:**

- i. Presides over all meetings of the Association.
- ii. Administers programs as formulated by the Executive and Directors.
- iii. Evaluates the effectiveness of the Association's programs and makes recommendations to the rest of the Executive and Directors.
- iv. Consults with the directors and executive to establish Association objectives, formulate and approve policies and programs of the Association
- v. Assists in the selection of the Association's staff.
- vi. Reviews staff and Executive recommendations and reports.
- vii. Directs, motivates and develops skills of Executive and personnel to foster productivity, growth and high morale.
- viii. Maintains awareness of developments affecting objectives and policies of the Association.
- ix. Provides for administration controls, such as reports and audit.
- x. Analyzes economics, social and legal trends as they might relate to the Association.
- xi. Represents the Association in negotiations, at conventions, seminars and other official functions of the Associations.
- xii. Meets and consults with Department of Family and community services and other Federal and Provincial Government Departments and agencies on behalf of the Association.

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**b. Vice-Presidents:**

- i. Presides over meetings in the absence of the President and assumes all the delegated responsibilities, as designated by the president.
- ii. Assists in the formulation, promotion and implementation of policies and objectives of the Association.
- iii. Promotes membership participation in the Association's activities.
- iv. Consults and collaborates with representatives of other agencies or organizations.
- v. With the other Executive, plans, organizes and promotes activities of the Association.
- vi. Reviews and advises on the requirement and procurement of new equipment and materials, and ensure that facilities and equipment are kept in good condition.
- vii. Assists in the preparation of budgets.
- viii. Assists in the organizing of meetings, seminars and workshops of the Association.

**c. Secretary:**

- i. Assists in the co-ordination of programs as developed by the Executive, Directors and members to promote and implement policies and objectives of the Association.
- ii. Circulates program criteria to members and public.
- iii. Co-ordinates the production of the Association's publications and assists in the preparation of publicity releases.
- iv. With the approval of the executive, organizes committees and aids them in attaining objectives.
- v. Maintains official records.
- vi. Assists in the preparation of Association's reports.
- vii. Maintains an accurate record of all organizations meetings and distributes minutes of said meetings within 30 days of the next meeting.
- viii. Assists in answering correspondence for the Association.
- ix. Makes arrangements for the Association's meetings and assists in the preparation of agendas and gives notice of the Association's meetings.
- x. Assures the availability of the Association's approved policy statements and regulations to the Executive, Directors and membership General and to other persons or groups with interests in the Association.

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- xi. Acts as custodian of the Association's documents, contracts, minutes, and all general records other than those kept by the Treasurer.
- xii. Maintains current register of names and addresses of all members and keeps membership directory up to date
- xiii. At the end of term of office, turns over all records in an up to date and orderly fashion

**d. Treasurer:**

- i. Plans and administers with the approval of the Executive, the Association's accounting system.
- ii. Provides to the Association, records of assets, liabilities and financial transactions.
- iii. Advises the Association's Executive and Board on accounting problems.
- iv. Assists in preparation of budgets.
- v. Maintains an accurate record of organizations transactions such as cash disbursements, travel, salaries, insurance charges, office supplies, purchases, overhead expenses, etc.
- vi. Prepares financial statements for presentation to the Executive board and membership of the Association.
- vii. Assists in the formulation, promotion and implementation of the policies and objectives of the Association.
- viii. Acts as custodian of all financial records of the Association.

**3. Conduct of Executive Officers**

- i. All Executive officers conduct themselves in a manner as not to undermine the aims, objectives and philosophies of the Association.
- ii. Executive officers ensure the Constitution and By-Laws of the Association are adhered to.
- iii. Any officer of the Executive who misses two (2) consecutive Board Meetings of the Association without good cause is deemed incompetent or disinterested and is removed from office by a  $\frac{3}{4}$  majority vote of those present at a Directors' meeting.

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**5. Duties of Directors**

The directors are the liaison between the local associations and the Association. They act as a board to direct the Association, within the powers delegated by the Constitution and By-Laws. They perform the following duties:

- i. Attend board meetings to discuss Association business.
- ii. Assist the Executive by working on committees, set up to achieve the Association's aims and goals.
- iii. Present ideas and concerns of their local association to the Association.
- iv. Report to their local association the results of meetings and activities of the Association.
- v. Oversee sound financial management, including accountability to the members and any funding agency.
- vi. Facilitate all staff employed are adequately trained and qualified for the duties to which they are assigned.
- vii. Oversee the conduct of all Association employees and ensure adherence to these conditions and other applicable regulations.
- viii. Take disciplinary action as required in the event of an employee failing to comply with the regulations.
- ix. Take necessary steps to investigate any misuse of the Association's funds.

*Article VII – BOARD OF DIRECTORS*

1. The Association has a Board of Directors consisting of one Director designated by each approved local association.
2. If a Director is unable to attend a meeting of the Board, the local association appoints an alternate from its active membership accompanied by a letter from the local association's executive.

*Article VIII – MEETINGS*

1. The Executive and the Board of Directors of the Association hold a board meeting three (3) times a year.
2. The General Assembly of the Association meets at least once a year.

*Article IX – LANGUAGE OF OPERATION*

The Association strives to function in both official languages and whenever possible respects the language preference of the membership.



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**Article X- FINANCES**

**1. Financial Records**

The Association shall maintain a bookkeeping system that is audited and available for perusal by request of any active member of the Association.

**2. Fiscal Year**

The 31<sup>st</sup> day of October is the end of the fiscal year of the Association

**3. Profits**

Any profits derived from carrying on the affairs and businesses of the Association are applied in promoting and carrying out its aims and objectives and are not used for personal gain.

**4. Financial Statements**

The annual financial statement is submitted to a meeting of the annual assembly for approval.

**5. Fund Raising**

The Association and local associations support their activities by raising funds.

**Article XI - AMMENDMENTS AND RATIFICATIONS.**

1. The Executive of the Association is empowered to make amendments to the Constitution and By-Laws for the purpose of regulating the conduct of the affairs of the Association.
2. All changes or additions to the Constitution or By-Laws must be ratified by a majority of active members at the next General Assembly.

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**BY-LAWS**

<b>Number 1</b>	<b>Responsibilities of the Executive of the Association</b>
<b>Number 2</b>	<b>Meetings of the Executive and Board of Directors</b>
<b>Number 3</b>	<b>Meetings of the General Assembly</b>
<b>Number 4</b>	<b>Election of Officers of the Executive</b>
<b>Number 5</b>	<b>Voting</b>
<b>Number 6</b>	<b>Head Office</b>
<b>Number 7</b>	<b>Financials</b>
<b>Number 8</b>	<b>Fees</b>
<b>Number 9</b>	<b>Inventory</b>
<b>Number 10</b>	<b>Amending and Ratifying the Constitution and By-Laws</b>
<b>Number 11</b>	<b>Resolutions</b>
<b>Number 12</b>	<b>Memorial Fund</b>

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**By-Law Number 1**

**Responsibilities of the Executive of the Association**

1. With respect to the administration of all the programs or projects of the Association, the Executive and Board are responsible for:
  - a Planning, estimating and negotiating all activities of the Association, including proper budgeting processes;
  - b Ensuring sound financial management, including accountability to the members and any funding agency;
  - c Ensuring that all staff employed are adequately trained and qualified for the duties to which they are assigned;
  - d Overseeing the conduct of all Association employees and ensuring adherence to these conditions and other applicable regulations;
  - e Taking disciplinary action as required in the event of an employee not complying with the regulations;
  - f Taking necessary steps in investigating any misuse of Associations funds.
  
2. The Executive of the Association ensures that there is a person or persons who is responsible for:
  - a. Recording all resolutions, decisions and proceedings of the Association;
  - b. Keeping the financial accounts of the Association and ensuring the implementation of financial conditions;
  - c. Establishing and maintaining a filing system that keeps all minutes of the proceedings of the Association, original or certified copies of all vouchers, documents, correspondence and bank statements with cancelled checks which support the transactions recorded in the bookkeeping system;
  - d. Receiving, recording and safely keeping all monies received by the Association, and paying out those monies to such persons and institutions and in such manner as provided by the Association's By-Laws, regulations, policies or resolutions.
  
3. To provide any member of the Association access to view the minutes of any Association meetings, By-Laws, Constitution, resolutions, the Association's budget and monthly financial statements for the current year, when given reasonable notice.

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4. In the case of a vacancy in the Executive or the absence or inability of the appointee to perform their duties, the Association ensures another person or persons are put into an acting capacity:
  - a. Directors have the power to select an interim officer from active members of the Association until the next General Assembly.
  - b. An Executive Administrator is selected by at least three of the Executive of the Association.
  - c. Any officer of the Executive who is found to be incompetent or disinterested is removed from the office by a  $\frac{3}{4}$  majority vote of those present at a directors meeting.
  - d. In the event of a resignation, dismissal or vacancy in any of the Executive positions, replacements are made at a director's meeting and the interim person holds office until the next Annual meeting.

**By-Law Number 2**

**Meetings of the Executive and the Board of Directors**

1. The Executive and the Board of Directors of the Association determine additional meetings as the business of the Association requires.
2. Board meetings include one Director from each approved local Association, the duly elected Executive and a Liaison officer from the Department of Family and Community Services.
3. A quorum consists of one half plus one of the Executive and one half plus one of the Directors from approved local Associations.
4. Any other person wishing to address the Board at a Director's meeting may do so by sending a written request to the President of the Association stating their purpose and the reason.

**By-Law Number 3**

**Meeting of the General Assembly**

1. A meeting of the General Assembly (membership) is held at least once a year in October to elect new officers of the Executive, review the Association's business for the past year and commemorate the founding of the Association. The Board of Directors approves exceptions to this date.
2. A 15-day notice is given before any meeting of the Executive and the Board of Directors.

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3. A 30-day notice is given to each Local Association before any General Meeting of the Association.

**By-Law Number 4**

**Election of Officers of the Executive**

1. Election of officers takes place every year at the Annual meeting.
2. The positions of officers to be elected are as follows:
  - a. President
  - b. Vice-Presidents (2) (1 Anglophone & 1 Francophone where applicable)
  - c. Secretary
  - d. Treasurer
3. Terms of office are for two years.
4. A past President is considered ex-officio for one (1) year after the election of a new President.
5. Any active member of the Association is eligible to be nominated and elected to the positions of Vice-President, Treasurer and Secretary.
6. Active members nominated for the President's position must have served on the Associations' board of Directors for a minimum of one year.
7. Any active member of the Association is eligible to make nominations for the purpose of elections for the positions indicates in section 2 of this By-Law.
8. Each Local Association selects up to two (2) active members as voting delegates for a term of two years.

**By-Law Number 5**

**Voting**

1. Any active member has the right to vote on resolutions at any Annual General Meeting of the Association.
2. Only voting delegates have the right to vote on constitutional amendments and election of officers at the Annual Meeting of the Association

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3. Any Director or his /her alternate has the right to vote at a meeting of the board of directors.
4. Inactive and honorary members do not have the right to vote.
5. Voting in the election of officers is by secret ballot.
6. Voting for the purpose of removal of an incompetent Executive Officer is by secret ballot.
7. Voting for all other purposes is by show of hands.
8. In the case of a Director's meeting, voting for all purposes is by show of hands or by secret ballot upon the request of the majority.

**By-Law Number 6**

**Head Office**

The head office of the New Brunswick Foster Families Association Inc./L'association des familles d'accueils du Nouveau Brunswick is located in the residence of either the President or Secretary as determined by the President.

**By-Law Number 7**

**Financial**

**1. Audit and Inspection of Financial Documents**

- a. A qualified accountant or person audits the books, accounts and records of the Treasurer at least once a year. The statement of such audit will be submitted to the membership on the financial position of the Association at the end of the fiscal year.
- b. The Executive signs the audited financial statements.
- c. The audited financial statements are available for examination by any active member of the Association
- d. Each member of the Executive and Directors has access to the books and records of the Association at all times.
- e. Contributions to the Association from a funding agency are used in specified projects.
- f. The annual financial statement is submitted at the Annual General Meeting for approval and its acceptance is recorded in the minutes.
- g. The President and either the Treasurer, Vice-Presidents, or Secretary signs all documents requiring the signature and seal of the Association.
- h. This article is not amendable.

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**2. Accounting**

An accurate bookkeeping system is maintained to facilitate recording of all financial transactions affecting assets and liabilities including:

- a. Receipts- where all receipts and receivables are recorded;
- b. Disbursements-where all payments are shown;
- c. Purchases recording of liabilities incurred for services or goods or assets;
- d. Payroll-where detail of all employees' earnings and deductions are kept;
- e. General Journal-used in recording where only those transactions which are not applicable to be recorded elsewhere.
- f. A general ledger is maintained to record in individual accounts, the Association's financial standing such as:
  - i. Giving detail of assets and liabilities, updated monthly.
  - ii. Recording the information accumulated, so as to have a continual accounting of revenue received, expenses incurred and changes to assets and liabilities.

**3. Receipt of Funds**

- a. A numbered receipt is issued in duplicate for all funds received. The original is given to the PAYER and the duplicate retained as a permanent record of the amount received, the date, the source and the purpose or reason
- b. All funds received are deposited in a chartered bank designated by the Association.
- c. A Petty cash fund determined by the Executive is kept.
- d. Funds received by the Association are not deposited to the credit of an individual.
- e. Payments to individuals are through disbursement records.
- f. Funds held in trust by the Association are deposited in a separate Association Trust Account.

**4. Purchasing and Payroll Agreements**

- a. All purchases must have the approval of the Association's Executive and Directors and are recorded in the minutes of the appropriate meeting.
- b. All purchases or expenditures or funds expended or committed for any purpose must be with the Association's programs or policies.
- c. Cash advances are allowed for purposes specified by the Association such as travel, costs, etc, but must be approved beforehand by the Executive.
- d. Loans are not made from Government of Canada, Province of New Brunswick or any other funding agency's contributions

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**5. Disbursements of Funds**

- a. Disbursements are made with certified documentation
- b. All disbursements are made by check.
- c. All checks drawn on the Association's account are numbered and there is an accounting of all numbers.
- d. The Association authorizes four persons, all of whom are members of the Executive, to sign checks on the account, and all checks are signed by at least two of the authorized persons, one being the Treasurer unless circumstances prevent him/her from signing.
- e. Association checks are not post-dated or signed blank.
- f. Where a check is reported lost, stolen or destroyed, it is cancelled and a stop payment notice sent to the bank.

**6. Travel Expenditures**

- a. The Executive approves travel expenses before the trip is made.
- b. Travel expenses are paid based on an itemized travel claim that adheres to the provincial guidelines.
- c. Mileage submitted is based on the most direct route unless otherwise agreed to by the Executive.
- d. All accounts are paid on or before the due date.

**7. Petty Cash**

The treasurer will keep a petty cash on hand of not more than two hundred dollars (\$200.00)

**By-Law Number 8**

**Fees**

There is no membership fee to the Association. Donations are accepted.

**By-Law Number 9**

**Inventory**

1. Inventory records are kept and maintained for all equipment, buildings and other assets where the original purchase price exceeds twenty-five dollars. (\$25.00)
2. The Association ensures that there is adequate insurance coverage to protect these assets against loss or destruction through fire, theft, etc.



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**By-Law Number 10**

**Amending and Ratifying the Constitution and By-Laws**

1. The Board of Directors at a duly called meeting amends all By-laws of the Association.
2. A 2/3 majority of the Board members present at such a meeting is required before any By-Law can be amended.
3. This Constitution and By-laws is ratified by a ¾ vote of the voting delegates at the annual General Meeting of the Association.

**By-Law Number 11**

**Resolutions**

All resolutions at any meeting of the Association or local associations are passed upon a majority vote of all voting members present at such meeting.

**By-Law Number 12**

**Memorial Funds**

The Memorial fund covers the cost of sympathy cards sent at the time of bereavement for active members of the Association and their immediate family. This fund is effective as of January 1, 2006.