

Society act presentation November 2016 Liam Lavelle

Earlier this year the provincial government passed legislation that requires all the British Columbian not-for-profit societies to review their Constitution and Bylaws by November 2016 and to fully implement the changes within two years.

This legislation was instituted to distinguish the difference between a Constitution, the Bylaws and Policy due to many societies having these distinctions collapsed, overlapping or in the wrong category.

My intention is to show the three elements of a society, how they differ and how Kindle Arts is structured.

1. The **Constitution** statement describes what the society does (its purpose) and includes its cultural values and vision (how it chooses to operate).

The constitution can be changed but not without significant difficulty, by applying to the government and seeking their approval. (a very unusual occurrence)

2. The **Bylaws** are procedural rules that govern the directors, (staff if any) and the operations of the society.

Bylaws can be added or changed at a General Meeting by a majority vote of the attending membership.

Changes occur infrequently (typically annually) and in response to circumstance and needs in order to improve and streamline how the society is run.

3. **Policy** statements further define and support the purpose, values and vision of the Constitution.

Policy is created or changed by the board in response to circumstances and needs of the membership for the betterment of the society.

Policy is instituted by a majority vote of the directors at a regular (monthly) board meeting.

Questions ???

What I have been working on accomplishing over the past several months is simplifying the constitution statement and refining the bylaws. Ashes worked with me on my final draft and the current directors also worked on a revision. In order to see the big picture and in the interest of transparency, I have also organized all of the policy statements into a table of contents so they can (and will) be posted to the Kindle Arts website in their entirety.

KindleArts - Policy and Agreements - Table of Contents

1. Director's Statement

2. Art Grant Agreement

3. Code of Conduct Agreement

4. Membership Policy

5. Ticketing Policy

6. Waiver of Liability

7. Parental Consent and Supervision Agreement

8. Sound Policy

9. Vehicles and Mobile Art Policy

10. Fire Performance Safety Measures

11. Flame Effects Safety Plan

12. Producer's Agreement

If you would like to see an example of how a society Constitution and Bylaws might look, the Greater Vancouver Interactive Arts Society (GVIAS) has published their new Constitution and Bylaws on their web site. They have chosen to copy and follow the ten principles of Burningman for their Constitution and use standard issue Bylaws.

The original Kindle Arts Society Constitution was inspired by the ten principles of Burningman but written to be unique to Victoria and Vancouver Island. Ashes (with input from the community) preserved the ideas behind the ten principles but condensed them into four values; Self-Expression, Participation, Accountability and Respect. Due to our community ethos and desire, we are proposing to add the fifth value of Consent. Together these values would be known as the acronym S.P.A.R.C. A precise meaning for each will be further articulated in the new Constitution.

Simply put, **What** Kindle Arts does is:

1. Facilitate interactive arts events.
2. Distribute funds for building art.
3. Promote artistic skill development.
4. Arts advocacy (emphasis on Interactive arts, fire arts and safety)

How Kindle Arts does it is **SPARC**:

Self-Expression,
Participation,
Accountability,
Respect,
Consent.

Questions ???

Not-for-profit Societies in BC are divided into either government funded or member funded with different regulations determined by their funding sources.

1. Government funded society:

Strict rules about financial reporting and transparency requirements.

Duty is to serve the greater good of the general public.

2. Member funded society: (such as Kindle Arts)

Funded exclusively by their members.

Not required to do detailed financial reporting.

Duty is only to their membership.

There is a mandatory paragraph included at the end of the Constitution, which states that Kindle Arts is a member-funded society.

In spite of the legal freedom and minimal requirements of a member funded society, the creators and directors are proposing to continue to operate Kindle Arts in a transparent and accountable manner like a regular government funded society.

How this is accomplished is by our policies of:

Board meetings being open to members,

Minutes posted on website,

Town hall meetings,

Event budgets and final reports,

Art grant agreements and selection committees by the members,

Special committee reports. (like this one)

Director's reports including treasurer's financial report at the AGM.

Members are entitled to access these documents from the board and most are posted on the website. **Questions ??**

Notification will be sent of a committee meeting that will be scheduled for February to approve the proposed Constitution and Bylaws, we will examine the document line-by-line and word-by-word to prepare the final draft.

Notification of a General Meeting will be sent out to the members in March of 2017 whom will be invited to vote to ratify the new Constitution and Bylaws.

Final Questions ???