



## ONTARIO POLICE VIDEO TRAINING ALLIANCE CONSTITUTION

**(Original creation: December 17, 2010)  
(Amended April 30, 2015)**

### **ARTICLE #1 NAME OF ORGANIZATION**

Sec. 1:01 This organization shall be named ONTARIO POLICE VIDEO TRAINING ALLIANCE, referred to hereafter as the “OPVTA”.

### **ARTICLE #2 MANDATE & OBJECTIVES**

Sec. 2:01 It is acknowledged that the OPVTA was formed by, and continues to function at the discretion of the Regional Municipality of Niagara Police Services Board and is subject to the direction of the Chief of Police of the Niagara Regional Police Service.

The primary mandate of the OPVTA shall be:

Sec. 2:02 To provide support to Ontario’s police training community through the collaborative production and distribution of high quality training resources on a cost recovery, non-profit basis.

Further, the OPVTA shall endeavour to:

Sec. 2:03 Identify and capitalize on strategic partnerships in the interest of reducing redundancy of efforts and maximizing overall cost and production efficiency.

Sec. 2:04 Continually assess new technologies and identify if/how they may be best applied for maximum benefit to the OPVTA and its partners.

Sec. 2:05 Be non-partisan and shall not be used for dissemination of partisan principles, nor for the promotion or candidacy of any person or party seeking public office or preferment.

### **ARTICLE #3 MEMBERSHIP**

Sec. 3:01 “**Eligible Agency**” shall be defined as an agency that is eligible for OPVTA membership, and shall specifically include:

- Police Services as defined in the Ontario Police Services Act;
- Campus Police, Military Police or Special Constable Services;
- Other organizations or agencies, whose eligibility for membership have been approved by the OPVTA Executive.

Sec. 3:02 “**Member Agency**” shall be defined as an “eligible agency” who has paid membership fees and continues to operate in accordance with the terms and policies set out in their individual membership agreement.

Sec. 3:03 “**Associate Member Agency**” shall be defined as a “member agency” that is geographically situated outside the province of Ontario and who may be subject to a different fee schedule, in accordance with the terms set out in their individual membership agreement.

Sec. 3:04 “**Member Representative**” shall be defined as an employee of a “member agency” who has been designated by that agency to represent their interests in the day-to-day business of the OPVTA. Their duties may include, but are not necessarily limited to: attending meetings, representing their agency in voting and/or elections, communicating with other member agencies in matters of mutual concern, communicating with members of the OPVTA Executive, and hosting OPVTA activities in their jurisdiction. It is acknowledged that, while consistency is desirable, member agencies may find it necessary to substitute member representatives on an as-needed basis, based on the exigencies of the member agency.

#### **ARTICLE #4 MEMBERSHIP FEES**

Sec. 4:01 OPVTA membership fees shall be determined and regulated by the Regional Municipality of Niagara Police Services Board, and subject to the terms and conditions of individual membership agreements.

Sec. 4:02 Failure to pay membership fees in accordance with the terms and conditions of individual membership agreements may result in the revocation of OPVTA membership.

#### **ARTICLE #5 DUTIES OF THE EXECUTIVE**

##### **Sec. 5:01 Executive**

The OPVTA shall have an Executive consisting of no fewer than five (5) and no more than nine (9) Directors. It is recommended that the Executive be comprised of both appointed and elected positions as follows:

- **Ontario Police College (OPC)** - as appointed by OPC;
- **Toronto Police Service (TPS)** - as appointed by TPS;
- **Ontario Provincial Police (OPP)** - as appointed by OPP;
- **Niagara Regional Police Service (NRPS) Video Unit** - as appointed by NRPS;
- **Large agency** (authorized strength exceeding 500 sworn members) - as elected by the OPVTA membership;
- **Medium Agency** (authorized strength exceeding 100 but not exceeding 500 sworn members) - as elected by the membership.
- **Small Agency** (authorized strength not exceeding 100 sworn members) - as elected by the membership.
- **Northern Agency** (north of the French River) - as elected by the membership;

It shall be the duty of the Executive to run the affairs of the OPVTA, subject to popular vote whenever applicable, unless certain responsibilities and duties are otherwise delegated by this Constitution or the Executive. The Executive shall be comprised of the Chair, Vice-Chair, Executive Director, and Directors.

**Sec. 5:02 (a) Chair**

The Chair shall preside at all meetings of the OPVTA, preserve order and decorum, enforce the Constitution and Policies of the OPVTA. The Chair shall provide general supervision of the OPVTA's affairs and shall decide all questions of procedure and interpretation. The Chair shall not be entitled to vote except for the election of executive members, Chair and Vice-Chair; and in the event of a tied vote. The Chair shall be an ex-officio member of all Committees of the OPVTA. The Chair shall sign documents that require proper authentication and shall see that the executive of the OPVTA perform such duties as are required of them by the Constitution and Policies of the OPVTA.

**Sec. 5:02(b)** In the event an urgent or time-sensitive issue arises, and it is not practicable to obtain input from the full Executive, the Chair, in consultation with the Vice-Chair or Executive Director, may act with the full authority of the Executive.

**Sec. 5:03** The position of Chair shall be elected by the Executive from within the body of the Executive.

**Sec. 5:04** The Executive Director and the Directors representing OPC and OACP Training Committee are ineligible to hold the position of Chair.

**Sec. 5:05 Vice-Chair**

It shall be the duty of the Vice-Chair to assist the Chair in the discharge of duties, and assume full responsibility of the Chair when absent. The Vice-Chair shall assume the responsibilities, discharge the duties of the Chair in the event of the Chair's office becoming vacant, and shall attend all meetings of the Executive and perform such other duties as may be required.

**Sec. 5:06** The position of Vice-Chair shall be elected by the Executive from within the body of the Executive.

**Sec. 5:07** The Executive Director and the Directors representing OPC are ineligible to hold the position of Vice-Chair.

**Sec. 5:08 Executive Director**

The Executive Director shall be appointed by the Chief of Police of the Niagara Regional Police Service. The Executive Director shall be responsible for managing the daily operations of the OPVTA as indicated by their employment with the Niagara Regional Police Service. He shall provide/receive advice and recommendations to/from the Chair. The Executive Director shall manage the OPVTA budget and, in consultation with the Chair, make recommendations regarding fee structure, membership and deliverables to the Regional Municipality of Niagara Police Services Board, as per the direction of the Niagara Chief of Police. The Executive Director shall sign documents that require proper authentication. The Executive Director shall attend meetings and represent the OPVTA where it is in the best interests to do so. The Executive Director shall archive and maintain all matters of correspondence. The Executive Director shall not be entitled to vote.

**Sec. 5:09 Directors**

Directors shall, first and foremost, represent the interests of the OPVTA and its member agencies. Directors shall attend all regular and Executive meetings of the OPVTA, plus any special meetings that may require their participation. They shall perform duties as assigned by the Chair and/or the Executive.

**Sec. 5:10 Reimbursement of Expenses**

No Director shall be paid for services rendered in their capacity as a Director. While it is expected that member agencies will, where practicable, provide adequate time and transportation for Directors to attend meetings, Directors shall be reimbursed by the OPVTA and/or Niagara Regional Police Service for actual meal and/or accommodation expenses that are related to their attendance. Reimbursement shall be in accordance with OPVTA policy or, in the absence of policy, with the majority approval of the Executive. All reimbursements will be conditional on the submission of receipts.

**Sec. 5:11 Conflict of Interest**

A conflict of interest will be deemed to exist whenever a Director is in the position to approve or influence the policies or actions of the OPVTA which involve or could ultimately harm or benefit financially: (a) the individual; (b) any member of his immediate family (spouse, parents, children, brothers or sisters, and spouses of these individuals); or (c) any organization in which he or an immediate family member is a Director, trustee, officer, member, partner or shareholder.

**Sec. 5:12** A Director shall disclose a conflict of interest: (a) prior to voting on or otherwise discharging his or her duties with respect to any matter involving the conflict which comes before the Executive or any committee; (b) prior to entering into any contract or transaction involving the conflict; and (c) as soon as possible after the Director learns of the conflict.

**Sec. 5:12 Past Chair**

Where a Director's term as Chair has come to an end, that person shall, for a one year period, have the opportunity to advise and participate in a non-voting capacity at Executive meetings and activities as "Past Chair". This provision shall be considered moot where a past Chair continues to serve as a Director.

**ARTICLE #6 NOMINATIONS FOR DIRECTORS**

**Sec. 6:01** The Executive shall use all reasonable means to ensure that all member agencies have an equal opportunity to put forward their member representative for consideration.

**Sec. 6:02** Nomination for all legally constituted Directors shall be subject to a 30 day nomination period, as directed by the Executive.

**Sec. 6:03** The Executive shall establish the process for receiving nominations and communicate same to all member agencies prior to the opening of the nomination period.

**Sec. 6:04** Any member representative whose member agency is deemed to be a member in good standing shall be eligible to stand for election to the position of Director.

- Sec. 6:05 Member Representatives wishing to stand for election must have the support and endorsement of their agency's senior management.
- Sec. 6:06 Current-serving Directors are eligible for re-election and will be subject to established nomination and election procedures.
- Sec. 6:07 Directors shall notify the Chair a minimum of 30 days prior to the end of their term of their intent (or lack thereof) to seek re-election.

## **ARTICLE #7 ELECTIONS**

- Sec. 7:01 The election process shall be overseen by the Executive Director, who will ensure a fair and equitable process.
- Sec. 7:02 The Executive shall establish the process for conducting elections and communicate same to all member agencies prior to the opening of the nomination period. Elections may take place using open or closed ballots.
- Sec. 7:03 At the conclusion of the voting, closed ballots (if used) shall be counted and results made known to the membership by three (3) scrutineers. Scrutineers are to be appointed prior to balloting. Scrutineers will be responsible for destruction of the ballots after the results are announced.
- Sec. 7:04 The installation of duly elected executive members shall take place as soon as practicable following the publication of elections results.
- Sec. 7:05 Notwithstanding Article 8 of this Constitution, the term of office for all elected Directors shall be two years.
- Sec. 7:06 Notwithstanding Article 8 of this Constitution, the term of office for Chair and Vice-Chair shall be one year.

## **ARTICLE #8 RESIGNATION OF EXECUTIVE MEMBER(S) AND POSITION(S) DECLARED VACANT**

- Sec. 8:01 The resignation of a Director or Vice-Chair shall be submitted to the Chair in writing.
- Sec. 8:02 The resignation of a Chair shall be submitted to the Executive Director.
- Sec. 8:03 Any Director who, in the opinion of the Executive, fails to offer constructive input to the process of the Executive's business and consistently interferes with the success and progression of the OPVTA, may be removed from their position after having been given the opportunity to defend their position and voted on by the entire Executive. A majority vote is required to remove a Director for cause.
- Sec. 8:04 If any Executive member of the Association is wilfully absent from more than two (2) consecutive meetings without good and sufficient cause, the member shall be directed to show cause as to why their position should not be declared vacant.
- Sec. 8:05 When a Director's position becomes vacant, the remainder of their term may be served by a member representative by way of a majority vote of the presiding Executive.

Sec. 8:06 Where an Executive member ceases to be a member representative, that person may be replaced, or asked to complete their term at the discretion of the Executive.

#### **ARTICLE #9 EXECUTIVE MEETINGS**

Sec. 9:01 The location, dates and times of all meetings shall be determined by the Executive.

Sec. 9:02 A Quorum for meetings of the Executive requires the presence of half plus one of all confirmed Directors.

Sec. 9:03 Special meetings may be called by the Chair when deemed necessary. Notice must be given for a special meeting.

#### **ARTICLE #10 VOTING**

Sec. 10:01 Pursuant to Article #3, each member agency shall be entitled to one vote. Any agency with more than one "member representative" present at a meeting shall be entitled to only one vote.

Sec. 10:02 There shall be no voting by proxy.

Sec. 10:03 Where deemed necessary or appropriate by the Executive, voting via electronic means (e.g. e-mail or e-survey) or traditional mail shall be acceptable.

#### **ARTICLE #11 JURISDICTIONS AND AUTHORITY**

Sec. 11:01 Resolutions passed, decisions made and policies enacted by the OPVTA and/or its Executive shall not be binding on a "member representative" where these resolutions or decisions may affect or be contrary to rules, regulations, procedures and/or by-laws of that representative's agency.

#### **ARTICLE #12 GENERAL FUNDS**

Sec. 12:01 Collection or dispersal of any funds for any purpose in connection with the ongoing function of the OPVTA shall be overseen by the Regional Municipality of Niagara Police Services Board and is subject to the direction of the Chief of Police of the Niagara Regional Police Service.

Sec. 12:02 It is recommended that a reserve fund be established, in which excess revenues and/or funds derived from projects that are "double-funded" may be held on behalf of the OPVTA membership. While this fund will be administered by the Regional Municipality of Niagara Police Services Board, deposits and withdrawals are subject to approval of the OPVTA Executive.

#### **ARTICLE #13 FINANCIAL REPORTING**

Sec. 13:01 The Executive Director shall provide and make available for inspection an annual financial report containing information as directed by the Executive. Further, a special financial report may be requested by the Executive at any time.

Sec. 13:02 The fiscal year of the OPVTA shall begin on the first day January and end on the last day of December within the calendar year.

#### **ARTICLE#14 AMENDMENTS**

Sec. 14:01 Proposed written amendments to the Constitution shall be submitted to the Chair by any member representative two weeks prior to the Annual General Meeting. The Executive will then consider these proposed changes and present them with recommendations at the Annual General Meeting. A two-thirds majority vote of the members at that meeting shall be necessary to adopt an amendment to the Constitution.

#### **ARTICLE #15 RULES OF ORDER**

Sec. 15:01 All issues not herein provided for, shall be resolved in accordance with the principles laid down in *Roberts Rules of Order*. When the ruling of the Chair is so based it cannot be appealed.

#### **ARTICLE #16 ORDER OF BUSINESS FOR THE ANNUAL GENERAL MEETING**

Sec. 16:01 All meetings, including the Annual General Meeting shall be held at the discretion of the Executive.