Naturalization Spaces: Funding and Support Provisions

Excerpt.from.the.Bylaws.of.the.[Sherwood.School.Society]¡.Section.numbers.match.the.full.draft¡.Items.in.[square.brackets].are.placeholders¡.This.is.a.draft?not.legal.advice·.have.a.lawyer.review.it.before.filing¡

Purpose (Article 1)

1.2(b) One of the Society's purposes is creating, maintaining and caring for the School's naturalized outdoor learning spaces (the "Naturalization Spaces"), including native plantings, pollinator and habitat gardens, tree and shrub areas, outdoor classrooms, pathways, and related features.

1.4(d) "Special Resolution" has the meaning given in the Act, being a resolution passed by at least three-quarters of the votes cast at a general meeting of which proper notice was given.

Budget (Article 5)

5.3 Annual budget. At or before its first meeting of each Fiscal Year, the Board shall approve a budget that includes the Naturalization Fund allocation required by Article 6.

Article 6: Naturalization Fund

6.1 Establishment. The Society establishes a restricted fund called the **Naturalization Fund** (the "Fund"), to be held for the sole purpose of maintaining the Naturalization Spaces at Sherwood School.

6.2 Mandatory annual allocation. In each Fiscal Year, the Board shall allocate to the Fund not less than **$500** and not more than **$1,000**. The Board shall set the exact amount by resolution when approving the annual budget, having regard to the condition and needs of the Naturalization Spaces and the Society's finances. The allocation shall be made from the Society's general revenues, and shall be recorded in the minutes and in the Society's books by the end of the first quarter of the Fiscal Year.

6.3 Shortfall. If the Society's available funds in a Fiscal Year are insufficient to allocate $500, the Board shall allocate whatever amount is available, shall record the shortfall in the minutes, and shall make up the shortfall from the Society's revenues in the following Fiscal Year in addition to that year's allocation, provided the combined amount may exceed $1,000 for that purpose only.

6.4 Additional contributions. Donations, grants and other contributions that are designated for the Naturalization Spaces shall be deposited into the Fund and do not count toward the annual allocation in section 6.2, unless the donor expressly permits otherwise.

Nothing in this Article prevents the Society from contributing more to the Fund than the annual range in section 6.2 with the approval of the Board.

6.5 Permitted uses. Money in the Fund may be used only for the maintenance, care, repair and reasonable renewal of the Naturalization Spaces, including:

- (a) plants, seeds, trees, shrubs, soil, mulch and compost;
- (b) tools, equipment, watering supplies and storage;
- (c) repair or replacement of pathways, signs, seating, fencing, raised beds and other features;
- (d) weed, pest and invasive species management;
- (e) hiring or contracting for seasonal horticultural or landscaping help, or for professional advice; and
- (f) supplies and materials for volunteer work days and for student learning in the Naturalization Spaces.

6.6 Prohibited uses. Money in the Fund shall not be used for any other purpose, lent to the Society's general account, or used to pay the Society's general administrative costs, unless the Board has first obtained the approval of the members by Special Resolution.

6.7 Carry-forward. Any unspent balance in the Fund at the end of a Fiscal Year remains in the Fund and carries forward to the next Fiscal Year. Unspent balances do not reduce the annual allocation required by section 6.2.

6.8 Separate accounting. The Treasurer shall account for the Fund separately in the Society's books, and may hold it in a separate bank account or sub-account.

6.9 Reporting. At each AGM, the Treasurer shall report the opening balance of the Fund, the amount allocated and received, the amounts spent and their purposes, and the closing balance.

6.10 Duration. The obligation to maintain the Fund and to make the annual allocation under section 6.2 has no expiry date. It continues for so long as the School exists and operates as a school, and continues to bind every successive Board of the Society.

6.11 Entrenchment. Article 6 (including this section) may be amended, suspended or repealed only by Special Resolution, and only if the notice of the meeting specifically identifies the proposed change to Article 6. The Board has no power to amend, suspend or waive Article 6 by Board resolution.

6.12 Access and cooperation. The Board shall use reasonable efforts to maintain a written understanding with the School's principal and the school authority that owns or operates the School, confirming that the Society may maintain the Naturalization Spaces and that any changes to those spaces will be made in cooperation with them.

6.13 If the School changes. If the School is renamed, amalgamated, relocated, or replaced by a successor school serving substantially the same community, the Fund continues for the benefit of the Naturalization Spaces at the successor school or location, as determined by the Board with notice to the members.

6.14 If the School closes. If the School permanently ceases to operate as a school, the annual allocation under section 6.2 ends. The Board shall then, within [12] months, apply the remaining balance of the Fund either (a) to maintain the Naturalization Spaces for as long as they remain accessible to the community, or (b) as directed by Special Resolution, to a similar outdoor learning or naturalization project at another school, or to a registered charity or other organization whose purposes are similar to the Society's, in accordance with Article 8.