

SMPS Council Bylaws



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1. General

1.1 Purpose of this Document

This document describes principles and procedures specific to the Steve MacLean Public School Council (the "Council"). The Council is a school Council subject to provisions established in the Ontario Education Act under regulations 612/00 and 613/00.

1.2 Amendments

All proposed amendments to these bylaws must be included with the notice and agenda of the meeting at which the amendments will be proposed. Amendments shall be adopted by a two-thirds vote cast by Council members.

1.3 Annual Review

Each school year the incoming Council shall review the by-laws. This should be done and accepted by the November meeting.

1.4 Definitions

Throughout this document:

"the School" is Steve MacLean Public School;

"the Council" is the Steve MacLean Public School Council;

"the Board" is the Ottawa-Carleton District School Board;

"OCASC" is the Ottawa-Carleton Association of School Councils;

"the regulation" is regulation 612/00 of the Education Act;

"Parent" includes a guardian as defined in section 1 of the Ontario Education Act 612/00.

1.5 Purpose of the Council

The Council exists to:

- Improve pupil achievement and to enhance the accountability of the education system to parents;
- Review the school's action plan for improvement and contribute to the plan by offering advice and actively soliciting feedback from the parent community;
- Assist the Principal in achieving the objectives set out in the school's action plan for improvement;
- Facilitate effective, two-way communication between the Principal and the parent community;
- Share information with parents and the community members, and seek their ideas and views about matters under consideration by Council;
- Take a lead role in celebrating the successes of the school;
- Conduct fundraising initiatives to support the objectives of the school;
- Promote parental involvement in the school's success in as many areas as possible to enrich the school's environment for its students.

1.6 Limitations

Council will maintain a school wide focus on all issues. Council meetings are not forums for discussion about individual parents, teachers, staff, trustees, or Council members.

Under the Municipal Freedom of Information and Privacy Act (1989), Councils cannot access information on individual students or staff. Individual members of the school community shall deal directly with staff members and the principal to resolve specific concerns; Council will not act as a vehicle for this purpose.

2. Membership

2.1 Composition of Council

The minimum Council size is nine (9) members with five (5) parent/guardian and four (4) staff/other members. At this time there is no maximum, however a School Council may establish the maximum number of members in the future through amendment of the By-Laws.

The Council shall include:

- 1) Between 5 and 12 parent members elected as per the procedures detailed in section 3 (parent members must form the majority of the Council).
- 2) The Principal or Vice-Principal of the school.
- 3) One teacher per grade division, if possible (primary, junior, intermediate), to a maximum of three employed in the school, in addition to the Principal or Vice-Principal, provided parent members still form the majority. Prior to the first Council meeting of each academic year, the teaching personnel of the school will elect at least one Council representative.
- 4) One non-teaching employee of the school. Prior to the first Council meeting of each academic year, the non-teaching personnel of the school will elect a council representative.
- 5) One community representative. The community representative must not be a parent of a pupil at the school and must not be an employee of the board. The community representative will be appointed by the chair and ratified by majority vote of the Council.

2.2 Term of Office

A person elected to Council during the general election holds office from the date of the second Council meeting in the school year to the second Council meeting in the next school year. There are no maximum terms a person may be elected to Council.

Members that are appointed to Council at other times during the year hold office from the point at which the appointment is ratified by Council until the next election of the Council members in the following year.

2.3 General Responsibilities of Council Members

The responsibilities of school Councils are established provincially and jurisdictionally in:

- The Ontario Education Act under regulations 612/00 and 613/00
- Board Policy P.014.SCO
- School Council Procedure PR.509.SCO.

All Council members must:

- 1) Make best efforts to attend all Council meetings. If absent, and as needed, members may provide updates to the Chair and/or Vice-Chair that can be shared at an upcoming meeting;
- 2) Endeavor to gain a thorough understanding of the Ontario Education System and the operation of schools in particular;
- 3) Participate in information and training programs if available;
- 4) Act as a link between the school Council and the community;
- 5) Maintain a broad focus on issues of a school-wide concern;
- 6) Encourage the participation of parents from all groups and of other people within the school community.

2.4 Council Executive and Designated Member Roles

2.4.1 General

All officers and designated council roles must be held by parent members of Council.

The Council Executive is composed of the Council Officers: The Chair, Vice-Chair (or two (2) Co-Chairs), Treasurer, and Secretary.

Additional Council member roles include Volunteer Coordinator, Communications Coordinator/Web Master, OCASC representative, Pizza Coordinator, and Parents-At-Large.

The Council Executive may choose to designate other member roles over and will specify roles and responsibilities accordingly.

2.4.2 Council Executive

Responsibilities of the Chair

- Act as a primary point of contact representing the Council;
- Call Council meetings;
- Liaise with the Principal at least five (5) days prior to the next scheduled Council meeting to review any outstanding or new items requiring attention
- Prepare the Council meeting agenda and distribute the agenda and any other relevant materials to Council members at least two (2) days prior to the next meeting;
- Preside over Council meetings;
- Ensure:
 - Minutes of Council meetings are recorded and maintained;
 - Vacancies on the Council are filled;
 - Council's Mission Statement and by-laws are maintained, up-to-date, and reviewed annually by Council members;
 - Responsibilities of other Council members are being followed;
 - Regular communication with the school community;
- Monitor the Council's mailbox and ensure that all queries are addressed in a timely manner;
- Participate in information and training programs if possible;

- Communicate regularly with the school Principal;
- Prepare the annual report of the school council as per section 24 of the regulations;
- Act as one of three signing officers on the council's bank account.

Responsibilities of the Vice-Chair

- Assist the Chair;
- Fulfil the Chair's duties in the absence of the Chair;
- Act as one of three signing officers on the Council's bank account.

Responsibilities of the Treasurer

- Prepare and present the annual Council budget;
- Monitor the finances of the Council on a regular basis;
- Issue cheques for invoices of Council-approved expenditures;
- Maintain accurate records of all financial activity of the Council;
- Report on financial activities at each Council meeting;
- Prepare a year-end report to be included in the school Council annual report to the Principal, Superintendent and Director of Education
- Ensure:
 - Financial Policies and Procedures (section 5.0) are followed;
 - Financial Policies and Procedures are reviewed annually
 - All financial records of the Council during his or her tenure are passed on to his or her successor
- Act as one of three signing officers on the Council's bank account;

Responsibilities of the Secretary

- Attend all Council meetings, in case of absence, designate an alternate Council member to take minutes;
- Take written record of proceedings during Council meetings;
- Prepare meeting minutes in a timely manner;
- Ensure that meeting minutes that have been approved by Council are made available to parents, teachers, and the community.

2.4.3 Designated Member Roles

Volunteer Coordinator

- Present plans for initiatives related to parent volunteerism to Council for discussion and approval;
- Oversee the implementation of all initiatives related to parent volunteerism.
- Report on results related to parent volunteerism.

Communications Coordinator/Web Master

- Prepare a communications plan and present it to Council for approval;
- Ensure that there are effective vehicles in place to communicate the activities of the Council to the school community, the main forum being the Council's website;
- Ensure that there are effective vehicles in place by which the school community can provide feedback to the Council;

- Assist the Chair in monitoring the Council's mailbox and ensure that all queries are addressed in a timely manner;
- Ensure Council website is up to date as required.

OCASC Representative

- Attend monthly OCASC (Ottawa Carleton Association of School Councils) meetings
- Ensure membership fee form is provided to the Chair and Treasurer for payment from Council funds
- Report to Council on updates, current events and other information presented in the OCASC meetings.

Pizza Coordinator(s)

- Coordinate annual program at the start of each school year by liaising with School Administration to set-up School Cash Online and providing relevant details regarding dates, fees, and payment;
- Lead communication to parents and families regarding the start of the pizza program and provide details regarding the ordering process;
- Respond to all inquiries from parents, guardians, students and staff regarding any facet of the program;
- Ensure attendance at every scheduled pizza day to receive and distribute pizza to classrooms and registered participants;
- Attend all Council meetings and provide updates as required;
- Set-up weekly delivery program, liaise weekly with pizza supplier, and handle all requests from other suppliers as required.

3. Elections of Parent Members of Council

3.1 Timing

Annual elections of parent members of School Council members must take place at the first meeting of School Council which must be within the first 30 calendar days of the first day of the school year. The election must be the first order of business following approval of the minutes of the previous meeting. The newly elected Council comes into effect at the second Council meeting of the year: during the period between the first and second Council meetings of the school year, Council members work with newly elected Council members to ensure a smooth transition.

3.2 Management of Elections

A Nominating Committee, composed of the outgoing Chair plus one Council Executive member, manages the notice, nominations, and elections' processes.

3.3 Notice

In consultation with the Principal, the Nominating Committee shall provide written notice of the date, time, and location of the election to every parent of a pupil who, on the date the notice is given, is enrolled in the school. Notice will be provided at least 14 days before the date of the election of parent members. The

notices must describe the responsibilities of Council Executive and Roles of other Parent Members as described in Section 2.0. The notice shall be accompanied by nomination forms for parent members as described in section 3.4

3.4 Nominations Process

Parents wishing to present themselves for election to Council must complete and submit a Self-nomination form. On the form the parent must:

- Confirm they are a parent of a pupil enrolled in at Steve MacLean Public School,
- Confirm they are not employed by the school
- Disclose on the form if they are employed by the Board so that this information can be disclosed to the voters prior to the election
- Identify which Council positions they are interested in filling – they may identify as many positions as they wish to (but should ideally include first, second and third preferences) from the following list: Chair, Vice-Chair, Treasurer, Secretary, Volunteer Coordinator, Communications Coordinator/Webmaster, OCASC Representative, Pizza Coordinator, Parent-at-Large.

The nominating committee shall set a deadline for nominations to be received. This deadline should be as close as possible to the date of the first meeting while still leaving sufficient time to prepare ballots.

3.5 Elections Process

Prior to the election night, the nominating committee will collate self-nomination ballots to include parent name and the positions they are interested in. The nominating committee may enlist the help of a staff member to conduct the voting process and count votes.

On Election night, the nominating committee will:

- Welcome those in attendance and outline the evening's purpose and process;
- Invite the nominees to speak for a three (3) minute maximum prior to the commencement of voting – this should include which positions they have identified as first, second and third choice preferences;
- Where there are more nominations than available positions for parents (maximum of 12), a voting process will be undertaken:
 - The nominating committee will ensure that only parents of pupils enrolled at the school receive ballots. Each parent will receive a ballot with a list of nominees, from which they can choose 12 representatives;
 - No voting by proxy is permitted;
 - Voting will be done by secret ballot;
 - The nominees with the highest number of votes (top twelve) are the elected parent members of Council;
 - If there is a tie for twelfth place, voting will be repeated with only the names of those two candidates. Should this second round of voting not resolve the tie, the Principal shall decide the winner by lot;
 - The Nominating Committee will announce the results of the voting by listing only the names of the successful candidates.

- Where there are less than the required number of parent member nominees, all eligible nominees will be acclaimed and no general election will be held.

Once the new slate of parent members of Council is confirmed, those members will determine Council Executive and Member Roles by reviewing original nomination form preferences (Chair, Vice-Chair, Treasurer, Secretary, Volunteer Coordinator, OCASC Representative, Communications Coordinator/Web Master and, if necessary, parent member at large in that order) to ensure that all roles are filled. The outgoing Chair will facilitate this discussion.

3.6 Vacancies

In the event of a vacancy in a parent member office, the Chair shall find and appoint a parent volunteer to hold the office for the remainder of the term. If the vacancy is an Officer position, the appointment requires ratification by a simple majority vote of the council at the council meeting that follows the appointment.

Should the office of chair be vacant, the responsibility of finding and appointing a replacement will fall to the vice-chair. Should both chair and vice-chair offices be vacant, this responsibility will fall to the treasurer and so on.

4. Council Meetings

4.1 Regular Meetings

A minimum of four (4) Council meetings must be held each year. Meetings will typically be scheduled for a two-hour time period.

4.2 Special Meetings

A special meeting is one that was not part of the schedule of meetings published at the beginning of the school year. Special meetings will be called when deemed necessary by one-third of the Council members.

4.3 Notice of Meetings

Notice of the first meeting of the school year must be provided to all parents at least 14 days prior to the meeting. As soon as possible after the first meeting of the school year, a schedule of all remaining school Council meeting dates for the year shall be provided to all parents. It is suggested that meetings take place at consistent times and days (for example, 7:00pm on the third Wednesday of each month).

4.4 Meeting Agenda

The chair will distribute the meeting agenda to all council members at least two (2) days prior to each meeting.

4.5 Regular Meeting Procedure

The Chair, or their designate, will preside over all Council meetings. All Council meetings are open to the public; however, parent members of Council will regularly hold a pre- or post-Council meeting roundtable in-camera session.

A typical meeting will proceed as follows:

- Call to Order
- Welcome and Introductions - this may be done by circulating a sign-in sheet
- Approval of the Meeting Minutes from the last Council meeting
- Adoption of the Agenda
- Business Arising - Follow-up discussions on topics introduced previously and tabled
- Reports - The principal shall make a report at every meeting. In addition, other Council members or volunteers responsible for ongoing programs or special events may be asked to give brief status reports on their activities
- Motions
- Announcements
- Question Period / Roundtable Discussion

4.6 Decision-Making

Quorum for all decision-making must meet the following criteria:

- 1) At least half of Council members are present.
- 2) At least half of the members present are parent members.
- 3) The principal (or their designate) is present;

Should a meeting not have quorum, it may proceed with reports and discussion points, but all motions or other decisions will be tabled. Should a meeting lose quorum before it adjourns, any remaining motions will be tabled, and the point at which quorum was lost will be recorded in the minutes.

Outside of financial expenditures, the Council will typically work according to a consensus-based model of decision-making. Any parent or Council member may identify items for discussion at upcoming meetings to the Chair. The Chair will do their best to accommodate these requests based on agenda items and timing.

Notice of expenditure motions over \$300 must be given to the Chair at least five (5) days in advance of the meeting so that the exact wording of the motion as well as supporting information can be distributed to Council members with the agenda. If an agenda has already been sent out, the Chair shall distribute a revised agenda at the meeting. Motions for amounts under \$300 can be made directly at the meeting.

At the meeting, there is no need for motions to be seconded. The mover may make a brief presentation to Council, after which the Council members and the public may ask clarifying questions about the motion. When there are no more questions, the Chair will ask for debate on the motion before calling a vote. During debate, the Chair will keep a speakers list and give priority to participants that have not already spoken.

The wording of a motion may be amended by a vote of two thirds of the Council, but only if the amendment does not change the character of the original motion and the amendment is accepted by the mover. For a motion to carry, it must receive support of two thirds of those voting. Abstentions shall not be considered in calculating the two thirds.

The Principal is not entitled to vote.

4.7 Decision making in between meetings

On occasion, Council will be required to make decisions in between regular Council meetings. This will be accomplished in one of two ways:

- Setting a special meeting to be held virtually,
- Voting by email on a specific decision,

In both cases, Council members will be provided with relevant background information, and the decision that needs to be made, together with sufficient time to comment by email, or to attend the special meeting. A two-third majority of Council members must respond (as per decision-making general rules). In both cases, the decision that is made will be brought back to the next regular Council meeting and noted in the meeting.

4.8 Minutes

The Secretary will keep Minutes of all Council meetings. Copies of the minutes will be kept in the school's main office for the previous seven (7) years and may be viewed on request, and most recent minutes are maintained on the Council website.

Minutes must include

- A list of Council members and any other participants attending;
- Arrival or departure of any Council member during the meeting (outside of start and finish times);
- A clear summary of the discussions that took place at the meeting without including the discussions themselves;
- The exact wording of all motions as proposed and as amended;
- Whether a motion was carried or defeated, as well as the number of abstentions;
- The exact wording of decisions and actions agreed on by consensus.

Minutes of meetings should be made available to Council members with the agenda for the subsequent meeting or earlier.

5. Financial Policies and Procedures

5.1 Expenditures

All expenditures must be pre-authorized by way of a budget or event plan that is presented, voted on, and approved at a Council meeting.

5.2 Contractual Obligations

No member of Council shall obligate Council contractually unless that obligation has been presented and approved in advance by a vote of Council.

5.3 Financial Record Keeping

The Treasurer is responsible for maintaining accurate and complete financial records. The Chair is responsible for ensuring that such records are properly maintained.

5.4 Financial Reporting to Council

At every Council meeting, the Treasurer shall make a brief report to inform the Council of all financial transactions that took place since the previous meeting at which a report was made.

5.5 Availability of Financial Records

All financial records shall be available to any Council member or parent on request. Financial records must be kept for no less than seven (7) years.

5.6 Financial year

The Financial year for school Council shall be from August 1 to July 31.

5.7 Expenditures

Requests for expenditures more than \$200.00 for any one item and all gifts shall be presented to Council in the form of a motion and voted on by Council. Requests for expenditures under \$200.00 do not require a motion but must be approved by the Chair and Vice-Chair (or Co-Chairs).

If the request is made by a staff member, it will be tabled through the Principal who in turn will bring it to Council's attention for consideration.

All receipts/invoices must be provided to the Treasurer within two (2) months of purchase.

A working capital of \$2000.00 shall be available at the beginning of each financial term.

6. Conflict of Interest

Each Council member shall avoid situations that could result in an inconsistency between the overall goals and vision of the Council and a personal or vested interest, that arise in connection with his or her duties as a Council member.

Should an issue or agenda item arise during a council meeting where a Council member is in a conflict of interest situation, he or she shall declare conflict of interest immediately and decline from the discussion and resolution.

If a Council member could gain financially from a decision made by Council, that Council member should declare a 'conflict of interest' and not vote. Council members should not accept gifts from outside organizations/businesses that could be deemed as an incentive to use his or her influence with students, parents and/or staff.

7. Conflict Resolution

In the event of an internal Council dispute, the Chair will meet with involved council members, to resolve the dispute. If the Chair feels that he or she cannot fill that role for the issue at hand, the Chair will select another Council member to act in this role. If this meeting is unsuccessful in finding common ground to move forward, the Chair will follow next steps as set out in OCDSB policy and procedures.

8. Committees

- Council may appoint standing or special committees, at any meeting.
- Mandates of special committees shall be clearly stated by the Council, as part of its decision-making process in appointing the committee and will be contained in the minutes.
- Mandates of standing committees shall be included in the by-laws.
- Council can appoint a Chair of the committee. The Chair of the committee must be a parent of a child currently enrolled in the school and may be an employee of the OCDSB. The Chair of the committee may be a member of Council but is not required.
- The Council may appoint members to the committee.
- Committee members can be drawn from across the community (school faculty, community members, and parents of enrolled students).
- At least one member of the committee shall be a parent member of the school Council.
- A committee shall report to school Council on a regular basis. The frequency and scope of the reports shall be decided by Council upon the appointment of the committee.
- The school Council bank account shall be used for all committees and overseen by the Council Treasurer.
- Committees shall be permitted to hold new fundraisers for specific projects upon the approval of Council.
- Council may direct monies from established fundraisers to projects of committees.

Appendix A – Council Liability

Last revisions noted by OCDSB POLICY P.014.SCO

Council Liability:

Board Coverage for School-Sanctioned Activities:

- a) Members of a school Council who are participating in school sanctioned activities are in the same situation as school volunteers.

Board policy provides that the Director shall ensure that school volunteers are covered by the Board's liability insurance while they are performing their assigned tasks, which would include supervision of school sanctioned activities organized by the school.

- b) the Chair will be responsible for keeping the principal up to date on all council sponsored activities and acquiring permission prior to the event/activity.

Liability of Individual Council Members:

While school Councils have status in law under Bill 160, until provincial regulations are provided, they could not be sued as a body. However, the individual members of school Councils are not immune from liability for illegal or negligent actions on the same basis as would apply if these actions were taken outside the context of their school council role.

Liability for Libelous/Slandorous Statements by Members:

As indicated by the foregoing, individual members of a school Council could be held liable for statements which may be considered libel or slander made during a school Council meeting or published (including by electronic means) by or on behalf of the school Council.