

# SMPS Council Bylaws



# **1.0 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 initially proposed. Amendments shall be adopted by a two-thirds vote cast by Council members for two (2) readings at two (2) successive meetings.

## **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:

- 1) Improve pupil achievement and to enhance the accountability of the education system to parents;
- 2) Review the school’s action plan for improvement and contribute to the plan by offering advice and actively soliciting feedback from the parent community;
- 3) Assist the Principal in achieving the objectives set out in the school’s action plan for improvement;
- 4) Facilitate effective, two-way communication between the Principal and the parent community;
- 5) Share information with parents and the community members, and seek their ideas and views about matters under consideration by Council;
- 6) Take a lead role in celebrating the successes of the school;
- 7) Conduct fundraising initiatives to support the objectives of the school;
- 8) 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.

## **2.0 Membership**

### **2.1 Composition of Council Executive**

The Council Executive shall include:

- 1) The Principal or Vice-Principal of the school.
- 2) One teacher per grade division if possible (primary, junior, intermediate) to a maximum of three employed in the school, other than the Principal or Vice-Principal. Prior to the first Council meeting of each academic year, the teaching personnel of the school will elect a Council representative.
- 3) 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.
- 4) 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.
- 5) Between 5 and 12 parent members elected as per the procedures detailed in section 3 and form the majority of the Council. The minimum Council size is nine (9) members with five (5) parent/guardian and four (4) staff/other members. A school Council may establish the maximum number of members in the by-laws.

## **2.2 Term of Office**

General elections are held during the first Council meeting in each school year. 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.

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. 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 second Council meeting of the next year.

There is no limit to the number of terms that a Council member may serve provided he or she is duly re-elected or re-appointed each year.

## **2.3 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 and if absent, designate an individual to attend or provide the Chair and/or Vice-Chair with any updates in a timely manner
- 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 Officers**

The officers of Council shall be the Chair, Vice-Chair (or two (2) Co-Chairs), Treasurer, Secretary, Fundraising Coordinator, Volunteer Coordinator, Communications Coordinator/Web Master , OCASC representative, Pizza Coordinator, and Parents-At-Large. All officers must be parent members.

The Council Executive may choose to designate other positions over and beyond those identified herein within Council and will specify roles and responsibilities accordingly.

## **2.5 Responsibilities of Council Officers**

### **2.5.1 Responsibilities of the Chair**

- 1) Act as a primary point of contact representing the Council;
- 2) Call Council meetings;
- 3) Liaise with the Principal at least five (5) days prior to the next scheduled Council meeting in order to review any outstanding or new items requiring attention
- 4) 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;
- 5) Preside over Council meetings;
- 6) Ensures minutes of Council meetings are recorded and maintained;
- 7) Ensure that vacancies on the Council are filled;
- 8) Ensure the Council's Mission Statement and by-laws are maintained, up-to-date, and reviewed annually by Council members;
- 9) Ensure responsibilities of other Council members are being followed;
- 10) Monitor the Council's mail box and ensure that all queries are addressed in a timely manner;
- 11) Participate in information and training programs if possible;
- 12) Communicate regularly with the school Principal;
- 13) Ensure regular communication with the school community;
- 14) Prepare the annual report of the school council as per section 24 of the regulations;
- 15) One of three signing officers on the council's bank account.

### **2.5.2 Responsibilities of the Vice-Chair**

- 1) Assist the Chair;
- 2) Fulfil the Chair's duties in the absence of the Chair;
- 3) One of three signing officers on the Council's bank account.

### **2.5.3 Responsibilities of the Treasurer**

- 1) Ensure Financial Policies and Procedures (section 5.0) are reviewed annually
- 2) Prepare and present the annual Council budget;
- 3) One of three signing officers on the Council's bank account;
- 4) Monitor the finances of the Council on a regular basis
- 5) Issues cheques for invoices of Council-approved expenditures;
- 6) Maintain accurate records of all financial activity of the Council;
- 7) Report on financial activities at each Council meeting;
- 8) Prepare a year-end report to be included in the school Council annual report to the Principal, Superintendent and Directory of Education
- 9) Ensure that all financial records of the Council during his or her tenure are passed on to his or her successor
- 10) Ensure Financial Policies and Procedures as outlined in by-law 5.0 are followed.

#### **2.5.4 Responsibilities of the Secretary**

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

#### **2.5.5 Responsibilities of the Fundraising Coordinator**

- 1) Present fundraising plans to Council for discussion and approval;
- 2) Oversee the implementation of all fundraising activities.
- 3) Ensure Council adheres to the Board's policies and guidelines for fundraising activities;
- 4) Report on fundraising activities.

#### **2.5.6 Responsibilities of the Volunteer Coordinator**

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

#### **2.5.7 Responsibilities of the Communications Coordinator/Web Master**

- 1) Prepare a communications plan and present it to Council for approval;
- 2) 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;
- 3) Ensure that there are effective vehicles in place by which the school community can provide feedback to the Council;
- 4) Assist the Chair in monitoring the Council's mail box and ensure that all queries are addressed in a timely manner;
- 5) Ensure Council website is up-to-date as required

#### **2.5.8 Responsibilities of the OCASC Representative**

- 1) Attend monthly OCASC meetings
- 2) Ensure membership fee form is provided to the Chair and Treasurer for payment from Council funds
- 3) Report to Council on updates, current events and other information presented in the OCASC meetings.

### **2.5.9 Responsibilities of Pizza Coordinator(s)**

- 1) 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;
- 2) Lead communication to parents and families regarding the start of the pizza program and provide details regarding the ordering process;
- 3) Respond to all inquiries from parents, guardians, students and staff regarding any facet of the program;
- 4) Ensure attendance at every scheduled pizza day to receive and distribute pizza to classrooms and registered participants;
- 5) Attend all Council meetings and provide updates as required;
- 6) Set-up weekly delivery program, liaise weekly with pizza supplier, and handle all requests from other suppliers as required.

### **2.5.10 Parent(s)-at-Large**

- 1) Participate and coordinate in various topics/initiatives/scheduled events (ie. Travel Planning, year-end BBQ)
- 2) Provide timely updates to Council

## **3.0 Elections of Parent Members**

### **3.1 Timing**

Annual elections of school Council members must take place at the first meeting of Council in each school 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.

### **3.2 Term**

The term of office for all elected school Council members is one (1) year. A person elected to Council during the general election holds office from the date of the second Council meeting of the school year to the second Council meeting of the following school year. A school Council member may be re-elected for another term.

### **3.3 Notice**

A nominating committee comprised of the Chair plus one executive member of Council in consultation with the Principal shall, at least 14 days before the date of the election of parent members, on behalf of the school Council, give 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. The notices must describe the responsibilities of Council members as listed in section 2.3 as well as the responsibilities of Council officers as per section 2.5. The notices shall be accompanied by nomination forms as described in section 3.4.

### **3.4 Election Process**

Parents wishing to present themselves for election to Council must complete and submit a Self-nomination form. On form the parent must confirm that he or she is a parent of a pupil enrolled in at Steve MacLean Public School, and that he or she is not employed by the school. In addition, the parent must disclose on the form if he or she is employed by the Board so that this information can be disclosed to the voters prior to the election. The form must make it clear that a candidate may put forth his or her name for as many Council positions as he or she wishes, those positions being Chair, Vice-Chair, Treasurer, Secretary, Fundraising Coordinator, Volunteer Coordinator, Communications Coordinator/Webmaster, OCASC Representative., Pizza Coordinator, Parents-at-Large made up of committee heads (such as special events as determined by the council).

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 Campaigning**

Candidates will be given the opportunity to give a brief verbal presentation to those attending at the first meeting of Council prior to voting. This presentation may include visual aids, hand-outs, or other presentation material.

### **3.6 Voting Process**

The nominating committee shall be responsible for overseeing the voting process for parent members and may enlist the help of a staff member to conduct the voting process and count votes.

The nominating committee will ensure that only parents of pupils enrolled at the school receive ballots.

On Election night, the nominating committee will:

- Welcome those in attendance and outline the evening's purpose and process
- Introduce the candidates and invite them to speak for a three (3) minute maximum prior to the commencement of voting
- Announce the results of the voting by listing only the names of the successful candidates.

Each parent in attendance shall receive one ballot per position being contested. Elections shall take place one contested position at a time starting with the Chair and followed by Vice-Chair, Treasurer, Secretary, Fundraising Coordinator, Volunteer Coordinator, OCASC Representative, Communications Coordinator/Web Master and, if necessary, parent member at large in that order.

No voting by proxy is permitted. Voting will be done by secret ballot.



Since there can be up to 5 parent members at large on the council, voting for this position will only be necessary if more than 5 parents wish to serve in that capacity. The results of each election will be announced prior to the start of voting on the next position, at which point the elected parent's name shall be removed from the ballots for remaining positions.

### **3.7 Acclamations**

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

This process may result in acclamations for subsequent positions, in which case the acclaimed parent's name shall be removed from the ballots for remaining positions and so on.

### **3.8 Ties**

In the event of a tie for the most votes, voting for the position will be repeated with only the names of those candidates that tied for first place remaining on the ballots. Should this second round of voting not resolve the tie, the Principal shall decide the winner by lot.

### **3.9 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. The appointment of an officer to fill a vacancy 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 are vacant, this responsibility will fall to the treasurer and so on.

## **4.0 Council Meetings**

### **4.1 Frequency**

A minimum of four (4) Council meetings must be held each year.

### **4.2 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 parents. It is suggested that meetings take place at consistent times and days (for example, 7:00pm on the third Wednesday of each month).

### **4.3 Meeting Agenda**

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

### **4.4 Meeting Procedure**

The Chair will preside over all Council meetings. A typical meeting will proceed as follows:

- 1) Call to Order.
- 2) Roll Call. This may be done by circulating a sign-in sheet.
- 3) Approval of the Meeting Minutes from the last Council meeting.
- 4) Adoption of the Agenda. The Chair will quickly go over the agenda, which may have been revised since the advance copy was initially distributed. The Chair will answer questions, make corrections to the agenda, and re-order the agenda items if necessary.
- 5) Approval of the Minutes from the previous meeting.
- 6) Old Business. Follow-up discussions on topics introduced previously and tabled.
- 7) 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.
- 8) Motions. See section 4.5.
- 9) Announcements.
- 10) Question Period.
- 11) All in attendance are invited to ask questions.

### **4.5 Motions**

Any parent or Council member may have a motion added to the agenda on request by notifying the Chair. Except for procedural motions, notice of motions 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.

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.

#### **4.6 Duration**

In the event that a meeting runs longer than three hours, any participant or observer may interrupt the meeting with a point of personal privilege, and request that the meeting be adjourned. At that point, any outstanding motions that have not been dealt with will be tabled to a future regular meeting or a special meeting if required (see section 4.8).

#### **4.7 Public Meetings**

All council meetings shall be open to the public.

#### **4.8 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.

#### **4.9 Quorum**

To be legitimate and official, a council meeting must meet the following criteria:

- 1) The Principal is present;
- 2) At least half of Council members are present;
- 3) At least half of the members present are parent members.

Should a meeting not have quorum, it may proceed with reports and discussion points, but all motions 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.

#### **4.10 Minutes**

The Secretary will keep Minutes of all Council meetings and ensure that the minutes are available for examination by anyone without charge for a minimum of seven (7) years. Copies of the minutes will be kept in the school's main office or on the Council website, and may be viewed on request.

Minutes must include a list of Council members and any other participants attending. The minutes must log the arrival or departure of any Council member during the meeting. Minutes must give a clear summary of the discussions that took place at the meeting without including the discussions themselves.

Minutes must include the exact wording of all motions as proposed and as amended. It is not necessary to record the number of yeas and neas for the votes, but it is required to indicate whether the motion was carried or defeated, as well as the number of abstentions. Minutes of meetings should be made available to Council members with the agenda for the subsequent meeting or earlier.

## **5.0 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 in excess of \$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.

## **6.0 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.

## **7.0 Conflict Resolution**

In the event of an internal Council dispute, every council member will be given an opportunity to express his or her concern or opinion about the issue. Speakers to an issue will maintain a calm and respectful tone at all times. Speakers will be allowed to speak without interruption.

The Chair will act as arbiter in the dispute or, 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 as the arbiter. The arbiter will clarify the statements made by all speakers, identify common ground among the points of view raised, and set out the joint interests of all members. If no common ground can be identified, the arbiter will seek to clarify preferences among all members before proceeding further.

## 8.0 Committees

- a) Council may appoint one (1) or more committees either standing or special committees, at any meeting.
- b) The charge of the committee shall be clearly stated in the motion that creates the committee and shall be recorded in writing. In the case of a standing committee, the charge of the committee shall be included in the by-laws. The statement of the charge to the committee shall include, but not limited to, the specific task(s) assigned to the committee.
- c) 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.
- d) The Council may appoint members to the committee.
- e) Members of the committee may be parents of students enrolled in the school, school faculty including the Principal, school staff, students and members of the community. Parents of students enrolled in the school must form a majority of the members.
- f) At least one member of the committee shall be a parent member of the school Council.
- g) 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.
- h) The school Council bank account shall be used for all committees and overseen by the Council Treasurer.
- i) Committees shall be permitted to hold new fundraisers for specific projects upon the approval of Council.
- j) 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/Slanderous 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 in the course of a school Council meeting or published (including by electronic means) by or on behalf of the school Council.