



## School Council By-law Sample A

### Apple Seed School Council Bylaws

The Education Act and Ontario Regulation 612/00/613 states that “school councils shall create by-laws that govern parent election procedures and the filling of vacancies in the membership of the council, establishes rules for participation in council proceeding in cases of conflict of interest and outlines a conflict resolution process for internal school disputes.

These by-laws are for the establishment of the Apple Seed School Council and are declared in effect from September 2014.

#### 1. Name

The name of this organization shall be Apple Seed School Council (herein referred to as Council)

#### 2. Membership

Council shall be composed of:

- a) Twenty five parents/guardians of children in the school who are elected to the Council.
- b) One teacher employed in the school, to be elected by the teaching staff of the school.
- c) One person who is employed at the school, other than the principal or vice-principal or any other teacher.
- d) The Principal or his/her designate.
- e) Two community representative appointed by the elected Council.
- f) One student representative, where feasible.
- g) One person appointed from the Ontario Federation of Home and School Associations, where feasible.

#### 3. Objective

In addition to the mandate of school Councils as defined by the Education Act, and in accordance with Ontario Regulation 612/00 regarding school Councils, the objectives of the Council shall be to:

- a) Contribute to the improvement of student achievement and school performance and enhance accountability of the education system to parents.
- b) Provide a meaningful forum for discussion of topics of interest to all parents and teachers, and promote mutual understanding between the home and the school.
- c) Engage/outreach to all parents to create a strong school community.

#### 4. Election of Parent / Guardian Members

- a) Elections shall occur within the first 30 (school) days of the school year in accordance with Ontario Regulation 612/00.
- b) The Principal on behalf of the Council shall at least 14 days before the date of the election of parent/guardian members, give written notice of date, time and location of the election to every parent/guardian of a student in the school.



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- c) Each parent/guardian seeking election must be a parent/guardian of a student in the school to be nominated or self-nominated in writing and must declare if s/he is employed by the Toronto District School Board and summarize their reasons for seeking election. Nominations will not be accepted from the floor on the evening of elections.
- d) Nomination forms supplied by the school/council shall be filed by all parent/guardian candidates to the school (principal or designate).
- e) Information about each candidate supplied by the candidate him/herself shall be made available to the school community at least one week prior to the election.
- f) If the number of declared candidates is less than or equal to the number of positions, the candidates will be acclaimed at the first Council meeting of the academic year.
- g) If the number of declared candidates is higher than the number of positions, then an election will be called.
- h) Elections for school Council shall be supervised by the Principal (or designate) and parents/parent member(s) of council not seeking election.
- i) The Principal shall conduct a lottery of candidate names to determine randomly selected ballot positions for each candidate.
- j) Voting shall be by secret ballot and neither proxy nor absentee voting is permitted.
- k) Only parent/guardian of a student enrolled in the school shall be entitled to one vote for each vacant parent/guardian position on the Council.
- l) Only the names of the successful candidates shall be made public (in the school's newsletter).
- m) Elections for teaching and non-teaching staff representative on council will be held during the first 30 days of each school year.
- n) A vacancy in the parent membership of the council shall be filled by election using the process outline in 3(a-n).

### 5. Term of Office

- a) The term of office for all school Council representatives is one academic year, (September until end of June) and any member may, if qualified, seek re-election or re-appointment.
- b) A person elected or appointed to council will hold office until the first meeting of the school council after elections.

### 6. Executive Officers

- a) The following officer positions are elected at the first meeting of the school council:
  - A Chair or if determined by the Council, two Co-Chairs (Must be a parent member)
  - A Secretary (recommended to be a parent member)
  - A Treasurer (recommended to be a parent member)
- b) Voting shall be by secret ballot and neither proxy nor absentee voting is permitted.



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- c) Vacancies in the position of any officer shall be filled by election of another Member of Council.

### 7. Role of Council Members

All titled Executive of Council are co-signing officers. Required signatures will be 2 of any 3 OR must include the chair and any other executive.

a) Role of Chair/Co-Chairs

- Arrange for Council meetings;
- Prepare agendas for Council meetings;
- Chair Council meetings;
- Ensure that minutes of Council meetings are recorded and maintained;
- Facilitate conflict resolution;
- Communicate with the Principal on behalf of the Council;
- Consult with senior board staff and trustees as required on behalf of the Council;
- Act as joint signing officer;
- Chair, or their representative, shall sit on school committees, not limited to but including: School Budget Committee; School Improvement Plan Committee; School Staffing Committee; and School Safety Committee.

b) Secretary

- Complete records of all meetings in a timely manner;
- Assist the Chair in the distribution of minutes to all Council Members, posts minutes, (once approved) on the Council bulletin board, and have them available to the parent body;
- Responsible for upkeep of all Council social media and communications to the parent body; (e.g. blog, twitter, email, newsletters etc.)
- Act as a Joint Signing Officer.

c) Treasurer

- Act as custodian of the funds of the Council;
- Handle receipt and disbursement of Council monies;
- Keep proper records of all financial transactions;
- Arrange for verification of the Council's financial records in June of each year;
- Act as a Joint Signing Officer
- Prepare annual Public School Accounting Board (PSAB) report

d) Principal

- Provide guidance to Council;
- Facilitate and support its operation;
- Provide such information and advice as would enable members to function effectively in their respective roles.



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### e) Elected Council Members

- All elected Members of Council represent the views and opinions of the parent community and are encouraged to attend and participate in all meetings;
- All elected Members are encouraged to participate in sub-committees, such as fundraising;
- All elected Members are encouraged to participate and facilitate any events that the Council holds during the school year.

## 8. Meetings

- A minimum of four meetings per year and meet within the first 35 days of the school year.
- An Annual Meeting of the Council prior to the end of the school year.
- All committees including the fundraising Committee will meet as required throughout the year to carry out the strategic plans for Council's objectives and will make recommendations to, and report to Council, on its activities.
- Should a member of Council miss three consecutive meetings without sufficient notification to council, the executive may call a meeting with the member to determine the members interest in the council.
- All Council members are required to attend a majority of the Council meetings.
- A meeting of the Council cannot be held unless:
  - A majority (51%) of the current elected Members of the Council is present at the meeting including the principal or his/her designate.
  - A majority of the Members (51%) of the Council who are present in the meeting are elected parent/guardian Members
- All meetings of the Council shall be open to the public and be held at a location that is accessible to the public.

## 9. Voting

- Each elected member of the School Council is entitled to one vote in votes taken by the Council.
- Each elected Council committee/sub-committee member is entitled to one vote in votes taken at the committee/sub-committee level.
- The Principal of the school is not entitled to vote in votes taken by the Council or by a committee of the school Council.

## 10. Quorum

Quorum will be a simple majority (51%) of elected Council Members.

## 11. Finances

- All expenditures of the Council require prior approval of the Council.
- All expenditures are to be reported in a financial statement to be made available at each council meeting.
- The Council will not borrow funds or enter into any financial commitment for which funds are not already in hand.
- The Council shall maintain a bank account to which Council funds shall be deposited and from which payments by the Council shall be made. Cheques drawn on the bank account of the Council shall require the signature of three elected member of the executive, two of the three must be the treasurer and Chair/Co-Chair.



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### 12. Committees

- a) The Council may establish committees as required to make recommendations to Council and to carry out projects of Council on an as need basis.
- b) Council shall have a fundraising and parent outreach/engagement standing committee, that will be Chaired by an elected Member of the Council and will recommend and report to Council on fundraising and parent engagement activities and expenditures to meet the objectives of the Council.
- c) All committees must be chaired by an elected Member of the Council and are open to parent/guardians of the school.
- d) Standing Committee meetings like the Fundraising Committee must be open and accessible to the public.

### 13. Conflict of Interest

A conflict of interest may be actual, perceived or potential. Members of Council shall declare any conflict of interest in matters that they, members of their families, or business entities in which they may have an interest, stand to benefit either directly or indirectly by decisions of Council.

A Member shall exclude herself/himself from discussions which:

- A conflict of interest is likely to result.
- The Member's ability to carry out his/her duties and responsibilities as a Member of school Council may be jeopardized.
- The Council Member, his/her relatives, or a business entity in which the Member may have an interest, may gain or benefit either directly or indirectly as a result of actions that may be taken by the Principal or board in response to advice that the Council provides to the Principal or board.
- A Member shall not accept favours or economic benefits from any individual organizations, or entities known to be seeking business contracts with the school.

### 14 Conflict Resolution

#### a) General Principles

The intent of this section is to provide a process for resolving conflict between school council members, members and chairs/co-chairs, school council and administration that affects the function and/or the physical or social environment of the council at Appleseed School.

It is the intent of this process to encourage school council members to resolve conflicts and foster good will through direct dialogue whenever possible, before following this formal resolution procedure.

It is also the intent of this process to keep relations at the school and school council constructive so that parents/council members can carry out its purpose.

This policy is intended to work in tandem with existing TDSB laws/policies including the Employment Standards Act and the Human Rights Act, and not to supersede those laws or any policies of the TDSB.



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### b) Definitions

*Conflict:* A strong disagreement or a dispute between school council members, members and chairs/co-chairs, school council and administration or between parents and the school council resulting from.

- differences of opinion, belief or understanding, or
- differences of personality or behaviour, or
- violation of council by-laws/school code of conduct.

*Council Member:* Any parent/Guardian of the school who has been elected/identified as a member of the school council.

*School Council Chair/Co-Chair:* Member of the school council elected by membership as chair/co-chairs of the council.

*Administration:* The principal or his/her designate.

*Mediation:* A process where a neutral third party assists two conflicting people to come to agreement. This could involve the mediator speaking individually to the two people but ultimately must include the mediator facilitating a meeting between both of the conflicting people (s).

*Resolution:* An agreement by parties that solves the conflict.

### c) Procedure

- (i) In light of a conflict between school council members, members and chairs/co-chairs, school council and administration council members the chair/co-chairs with support of administration will:
- (ii) Request a private meeting with the parties to try and resolve the conflict
- (iii) If conflict is within the entire council a special meeting will be called by the chair/co-chairs with the support of administration to mediate the conflict. At such a meeting:
  - Every Council Member and Member at Large will be given an opportunity to express his/her concern or opinion about the issue and impact of the dispute.
  - The Chair's/co-co-chairs responsibility is to clarify the statements made by all speakers, to identify common ground among the points of view raised, and to set out the joint interests of all Members.
  - If no common ground can be identified, the Chair will seek to clarify preferences from all members before proceeding.
  - If all attempts at resolving the conflict have been exhausted without success, the Chair shall request intervention of an independent third party to assist in achieving a resolution.
  - An independent third party may be a board official or another individual mutually agreed on by the parties involved in the dispute.
- (iv) If the conflict is with or between the chair/co-chairs and council then an executive member will lead the outlined process.



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- (v) If the conflict is with the administration and the school council the chair/co-chairs will lead the outlined process.
- (vi) If the conflict is between the co/chairs and administration, an executive member will lead the outlined process.
- (vii) If the conflict is with the chair/co-chair members of the executive, beginning with chair/co-chairs, followed by Treasurer and secretary, the administrator may identify an external mediator to lead the process
- (viii) If the conflict occurs at council meeting and a Council Member or meeting attendee become disruptive during a meeting, the Chair after unsuccessfully asking for order, shall seek council approval for removal from the meeting, citing reasons for the request. This does not prevent the Member(s)/attendee from participating in future meetings of Council.
- (ix) When the Chair has requested the removal of a Member(s) from the meeting, the Chair shall request that the disputing Members of Council participate in a special meeting, the purpose of which will be to arrive at a mutually acceptable solution to the dispute. Such a meeting may be a private meeting, and shall not be construed as a meeting of the Council.

### 15. Annual Report

- a) The Council shall annually submit a written report of its activities to the Principal of the school and the Toronto District School Board.
- b) If the school Council engages in fundraising activities, the annual report shall include a report of those activities.
- c) The Principal shall, on behalf of the Council, give a copy of the report to every parent of a student who is enrolled in the school.
- d) Subsection (3) may be complied with by:
  - Giving the report to the student for delivery to their parent, and
  - Posting the report in the school in a place that is visible to the parents

### 16. Social Media/on-line communication

Council at its discretion will utilize any social media (twitter; Facebook; Instagram etc.) that will assist in fulfilling its purpose. All social media and on-line communication will:

- Be coordinated and managed by the secretary and co-chairs only;
- Adhere to all Anti-spam legislation and TDSB on-line Code of Conduct;
- Not compromise privacy of any parent/guardian of council or the school; and
- Be shut down at the discretion of council.

### 17. By-law Reform

Amendments to this by-law require a two-thirds majority of elected Members present at a meeting of the Council.