

**Garth Webb Secondary School  
School Council Constitution and By-Laws**

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## 1.0 Interpretation

### 1.1 Definitions

**Association Representative** means a person appointed by an association that is a member of the Ontario Federation of Home and School Associations if the association is established in respect of the school.

**Board** means the Halton District School Board.

**Committee** is a committee established by the School Council for a specific or general purpose.

**Community Representative** means a person from the community who is not a parent of a pupil at the school but who resides in or is employed in the **[catchment area/jurisdiction/enrolment area]** of the School and is appointed by the members of the School Council.

**Day** means school day.

**Employee Member** means a person employed at the school who is not a teacher, and is an elected or appointed voting member of the School Council.

**Matter** means a generic or non-personal issue within the jurisdiction of the School Council.

**Meeting** means a period when the School Council meets in public to discuss or make decisions within the jurisdiction of school councils, but does not include training sessions or events.

**Member** means a member of the school council, whether elected or appointed, voting or non-voting.

**Parent** includes a custodial parent, access parent or guardian, as defined by the *Education Act*, of a pupil enrolled in the School.

**Policies** means policies, procedures, guidelines, or administrative regulations of the Board as may be amended from time to time.

**Principal** means the Principal of the School or his or her designate.

**Pupil** means a pupil attending the School.

**Pupil Member** means a secondary school pupil elected by pupils to represent pupils at the school.

**School Council Chair** includes his or her designate where the elected School Council Chair is unable to act.

**School Council** means the School Council of [name of school] operated in accordance with the *Education Act* and Regulations as well as any applicable Board Policies.

**School** means Garth Webb Secondary School.

**Teacher Member** means a teacher of the school who is not the principal or vice-principal and is an elected or appointed voting member of the School Council.

- 1.2 These Bylaws shall be interpreted in accordance with the *Education Act* and Regulations, Ministry of Education Policy/Program Memoranda and Policies of the Board.

## **2.0 Purpose and Objectives**

- 2.1 The purpose and objectives of the School Council shall at all times be consistent with the Constitution of the School Council. The Garth Webb School Council will function as an advisory body to:
- a. promote and create partnerships within the school community;
  - b. enhance communication within and among the members of the school community;
  - c. provide opportunities for parents to be involved in the education and social development of their children;
  - d. embrace the culture of the school;
  - e. provide an opportunity for an equitable representation of all constituents within the school community;
  - f. sponsor and conduct fundraising for programs not otherwise provided for by the board/school;
  - g. provide advice to (and not seek to direct) the Principal on program issues, operational issues and school budget priorities;
  - h. work together as a team to create an atmosphere of mutual trust, openness and collaboration within the school community; and
  - i. demonstrate accountability to the school community.
- 2.2 The School Council recognizes that the primary means of achieving their purpose is through recommendations made to the School Principal and to the Board in the manner set out in this By-Law.

## **3.0 Composition and Qualifications**

- 3.1 The Composition of the School Council shall at all times be consistent with the *Education Act* and Regulations and all Policies of the Board
- 3.1.1 The composition shall consist of Parent Members, the Principal of the School, one Teacher Member, one Employee Member and one pupil.
  - 3.1.2 The composition of the School Council may include up to three (3) Community Representatives and one (1) Association Representative.

- 3.1.3 A parent is not qualified to be a Parent Member if he or she is employed by the Board and works at the School or if he or she is a member of the Board.
    - 3.1.3.1 A parent is qualified if he or she is not an employee of the Board but on occasion does work at the school as an independent contractor, independent service provider, or volunteer.
  - 3.1.4 A parent who is employed by the Board but does not work at the School is qualified if he or she discloses the nature of his or her employment with the Board prior to becoming a Parent Member.
  - 3.2 The number of Parent Members shall at all times be greater than the number of all other voting school council members together.
    - 3.2.1 The number of Parent Members should be no fewer than six (6) and shall be no greater than seventeen (17).
    - 3.2.2 Where there are fewer than six (6) but more than three (3) Parent Members there shall be no voting Community Representative and no voting Association Representative.
      - 3.2.2.1 The Community Representative and Association Representative may attend and participate in meetings as non-voting members of the School Council.
    - 3.2.3 Where there are fewer than four (4) Parent Members there shall be no voting Pupil Member.
      - 3.2.3.1 The Pupil Member may attend meetings and participate as a non-voting member of the School Council.
  - 3.3 All Community Representatives working at the School, whether or not employed by the Board, must disclose the nature of their employment.
    - 3.3.1 When there are at least six (6) Parent Members but fewer than nine (9) Parent Members there may be one (1) voting Community Representative.
    - 3.3.2 When there are nine (9) or more Parent Members there may be two (2) voting Community Representatives.
  - 3.4 The Principal is automatically a non-voting School Council member and is not appointed.
    - 3.4.1 The Principal shall attend and participate in all School Council meetings.
- 4.0 Elections & Appointments**
- 4.1 The election of Parent Members of the School Council shall be held during the first thirty (30) days of each school year on a date fixed by the Chair or Co-Chairs of the School Council after consulting with the Principal.

- 4.1.1 The Chair and Co-Chairs of the School Council shall discuss possible dates for an election with the Principal on or before June 30<sup>th</sup> of each school year.
- 4.1.2 The Principal shall no later than fourteen (14) days before the date of the election of Parent Members, give written notice of the date, time and location of the election to every parent of a pupil enrolled in the School on the date of notice.
  - 4.1.2.1 Notice shall be given electronically through e-mail to the parents of each student; posted on the web site; posted at the school; and sent by paper for those who request that format.
- 4.2 Where there are more than six (6) parent candidates who are qualified to be Parent Members an election by secret ballot shall be held and supervised by the Principal. All parents are welcome to seek election to the Council. Nomination forms will be sent electronically to all parents or will be available in the office. All nomination forms should be accompanied with a brief information/biography detailing the position they are seeking and the expertise they can offer. Nominations for inclusion in a ballot are open seven (7) days prior to the election.
  - 4.2.1 The School Council shall determine the number of Parent Members' positions available for the new school year based upon the number of parent candidates for School Council positions.
  - 4.2.2 Each ballot will list the first and last name of each parent candidate and the total number of Parent Member positions available. The ballot position will be determined by lottery conducted by the Principal.
  - 4.2.3 Each parent in attendance will be entitled to one ballot and will fill out the ballot by marking each parent candidate they wish to elect as a Parent Member.
    - 4.2.3.1 A ballot will be spoiled as deemed by the Principal, including:
      - if a parent votes for more parent candidates than Parent Member positions available;
      - if a parent does not clearly mark the ballot indicating their vote; or
      - if a parent destroys their ballot.
    - 4.2.3.2 A ballot will not be spoiled if a parent votes for a fewer number of parent candidates than the number of Parent Member positions available.
- 4.4 The election of a Teacher Member, Employee Member and Pupil Member shall be held within the first thirty (30) days of each school year.
  - 4.4.1 The election of a Teacher Member, Employee Member and Pupil Member shall be the responsibility of the Principal.

- 4.4.2 The Principal shall attempt to arrange for the election of the Teacher Member, Employee Member and Pupil Member before the election of Parent Members is held.
  - 4.4.2.1 A Teacher Member shall be elected by teachers, who work at the school, by secret ballot but the principal and/or vice-principal shall not vote.
  - 4.4.2.2 An Employee Member shall be elected by secret ballot by employees, who work at the school, who are not teachers.
  - 4.4.2.3 A Pupil Member shall be elected in accordance with Student Council policies, procedures or rules.
- 4.4.3 Where no teacher or employee comes forward to run for a Teacher Member or Employee Member position, respectively, the Principal shall appoint a member to School Council.
- 4.4.4 The name of the elected or appointed Teacher Member, Employee Member and Pupil Member shall be communicated to parents at the meeting for the election of Parent Members, in the alternative the names shall be communicated by the Principal in a manner determined by him/her at the earliest possible convenience.
- 4.5 At the first meeting of the School Council the School Council Members shall appoint a Community Representative, if any people from the community have come forward expressing interest in becoming School Council Members.
  - 4.5.1 Where no one from the community has come forward expressing interest in becoming a Community Representative, the School Council will decide whether the position of Community Representative should be advertised, and if so, in what manner it should be advertised.
  - 4.5.2 Should a person from the community come forward at any time throughout the school year, the School Council may review the application of the person to become a Community Representative and shall determine at that time whether to appoint the person from the community to the School Council Community Representative position.

## **5.0 Term of Office**

- 5.1 A person elected or appointed as a voting or non-voting member of the School Council shall commence their position from the later of:
  - a. the date he or she is elected or appointed; or
  - b. the date of the first meeting of the School Council after elections have been held for Parent Members, the Teacher Member, the Employee Member and the Pupil Member.
- 5.2 A person elected or appointed as a voting or non-voting member of the School Council shall hold their office until the first meeting of the School Council in the next school year

after the elections for Parent Members, a Teacher Member, an Employee Member and a Pupil Member.

- 5.3 A School Council member may be re-elected, and there is no limit to the number of consecutive or cumulative years they may be re-elected.

## **6.0 School Council Meetings**

- 6.1 All School Council Meetings shall be held at the School and shall be open to the public.

6.1.1 The Principal will notify all parents of the date and time of all upcoming School Council Meetings no later than ten (10) days prior to the School Council meeting.

6.1.1.1 Notice shall be given electronically through e-mail to the parents of each student; posted on the web site; posted at the school; and sent by paper for those who request that format.

6.1.2 The School Council shall hold at least four (4) Meetings and may hold as many as deemed necessary by the School Council, from time to time.

6.1.2.1 The first Meeting shall be held within thirty-five (35) days of the school year.

6.1.2.2 At the first Meeting the School Council will arrange no fewer than three (3) additional Meetings to be held throughout the year.

- 6.2 A Meeting cannot be held unless,

- a. the Principal is present;
- b. a majority of the School Council Members present are Parent Members; and
- c. the Principal has provided notice to parents confirming the date and time of the Meeting.

- 6.3 Each voting member of the School Council is entitled to one vote in votes taken by the School Council.

6.3.1 All votes of the School Council shall be conducted in public.

6.3.2 A majority of voting members, who must include a majority of Parent Members, shall be required to pass regular motions.

6.3.3 The approval of two-thirds (2/3) of the voting members, which must include two-thirds (2/3) of the Parent Members, shall be required to approve or amend these Bylaws.

6.3.4 The approval of two-thirds (2/3) of the voting members, which must include two-thirds (2/3) of the Parent Members, shall be required for the reconsideration of any motion in the current school year.



- 6.3.5 The approval of two-thirds (2/3) of the voting members, which must include two-thirds (2/3) of the Parent Members, shall be required to pass any Rules governing the operation of the Student Council, which must be consistent with the *Education Act*, Regulations, Ministry of Education Policy/Program Memoranda, Board Policy, the School Council Constitution and these Bylaws.
- 6.4 Any Meeting may be cancelled by the Principal before or during the meeting, if in the Principal's sole opinion the Meeting should be cancelled for any reason in order to protect the well-being or interests of the School, a staff member or members, a student or students, a parent or parents or a community member or members.
  - 6.4.1 The Principal shall have authority to ask any School Council member or person in attendance at the Meeting to leave the Meeting at once where in the Principal's sole opinion the person should leave for any reason in order to protect the well-being or interests of the School, a staff member or members, a student or students, parent or parents and community member or members.
- 6.5 The agenda will be sent to the Principal five (5) days ahead of the meeting and set and circulated to all members by e-mail three (3) days ahead of the monthly meeting by the Chair or Co-Chair with copies distributed at the meeting. Unfinished business and question time should be allocated on the Agenda. Time frames for issues should be adhered to with extra meeting time allocated at a different date if necessary.

## **7.0 Officers and Committees**

- 7.1 The voting members of the School Council shall elect from among its Parent Members a qualified Chair, or Co-Chairs as determined by the voting members of the School Council.
  - 7.1.1 A Parent Member is not qualified to be a Chair or Co-Chair if he or she is employed by the Board.
- 7.2 The election of a Chair or Co-Chairs shall take place during the first meeting of the School Council.
  - 7.2.1 The Chair or Co-Chairs shall remain in the position until the earlier of the first Meeting of the School Council in the next school year or the member is no longer qualified.
- 7.3 The voting members of the School Council shall elect from among its members qualified officers, which may include Chair, Co-Chair, Treasurer and Secretary (Refer to pages 3 & 4 of handbook.)
  - 7.3.1 A School Council member is not qualified to be an Officer if he or she does not have the skill set to perform that duty.
- 7.4 The School Council may establish and dissolve Committees for specific or general purposes or events as deemed necessary by the voting members of the School Council.
  - 7.4.1 The Committees will be organized as required and may include: Fundraising, communication, etc.

- 7.4.2 The voting members of the School Council shall appoint members to the Committees.
- 7.4.3 The School Council shall appoint at least one Parent Member to each Committee.
- 7.4.4 The voting members of the School Council need not appoint only School Council members to the Committees, but may also appoint school staff, volunteer parents, students or people from the School community.
- 7.4.5 The Committees may only act in accordance with the authority provided to them by the School Council.
  - 7.4.5.1 Each Committee member shall have one vote.
  - 7.4.5.2 The Committees established by the School Council shall report their activities to the School Council at each School Council Meeting and shall respond to any questions from the School Council or parents in attendance at the meeting.
  - 7.4.5.3 The Committee must report all decisions made and the results of each vote taken.
  - 7.4.5.4 The Committees may meet off school property or electronically as determined by the School Council.

## **8.0 Vacancies**

- 8.1 Where there is a Teacher Member, Employee Member or Pupil Member vacancy the Principal in his or her sole discretion may, as soon as practical, appoint a new member or schedule an election to elect a new member.
  - 8.1.1 The newly elected or appointed member, if any, shall hold office from the date of the first meeting following their election or appointment until the first Meeting of the School Council in the next school year.
  - 8.1.2 As soon after the vacancy is filled, the Principal shall provide notice of the name of the newly elected or appointed member.
    - 8.1.2.1 Notice shall be given electronically through e-mail to the parents of each student; posted on the web site; posted at the school; and sent by paper for those who request that format.
- 8.2 All Parent Member vacancies on the School Council shall be filled by appointment.
  - 8.2.1 As soon as practicable the Chair of the School Council and the Principal shall discuss the earliest convenient opportunity to schedule a Meeting of the School Council for the purpose of appointing a Parent Member to fill a vacancy.
  - 8.2.2 The School Council Chair shall canvass the availability of School Council Members to determine when they are available for the School Council meeting.

8.2.3 The Principal shall no later than ten (10) days before the date of the Meeting provide notice of the date and time that the School Council will be meeting to address the appointment of a Parent Member to fill the new vacancy on the School Council.

8.2.3.1 Notice shall be given electronically through e-mail to the parents of each student; posted on the web site; posted at the school; and sent by paper for those who request that format.

8.2.4 During the Meeting scheduled to address the issue of a Parent Member vacancy the School Council shall receive oral applications, which may include written material, from interested candidates qualified for the position.

8.2.4.1 During the School Council meeting scheduled to address the issue of a Parent Member vacancy voting members of the School Council shall choose the most appropriate qualified candidate and appoint that candidate as a new Parent Member to hold office until the first meeting of the School Council in the next school year.

## **9.0 Conflict of Interest**

9.1 A conflict of interest includes any actual or perceived pecuniary interest, as well as a personal relationship with a person who will be affected by a specific, not generic, School Council decision

9.2 Any School Council member who has a conflict of interest must disclose their conflict to the School Council.

9.3 A School Council member who has disclosed a conflict of interest is prohibited from participating in discussion regarding the matter for which they have a conflict of interest and the School Council member, if a voting member, is prohibited from voting on the matter for which they have a conflict of interest.

9.3.1 The School Council member may remain as a member of the public during the discussions of the School Council and during the voting by the School Council.

## **10.0 Conflict Resolution**

10.1 Any dispute between members of the School Council, including Parent Members, the Employee Member, the Teacher Member, Community Representatives, the Association Representative, and the Principal, which cannot be resolved by the parties, shall be referred to the Superintendent of Schools for review and direction.

10.2 Where a conflict has been referred to the Superintendent of Schools and no resolution has been possible the Superintendent of Schools may require the resignation of one or more members of the School Council.

- 10.2.1 If a member refuses to resign when requested, the Superintendent of Schools may vacate the position or if necessary dissolve the School Council.
- 10.2.2 When a position has been vacated the Principal shall arrange to have the vacancy filled in accordance with article 8 of these bylaws.
- 10.2.3 When a School Council has been dissolved the Principal shall arrange for new elections and appointments consistent with article 4 of these Bylaws where applicable.
- 10.3 If the Superintendent of Schools is unable to resolve the outstanding dispute, the Board, in its sole discretion, expense and direction, may appoint a single independent third party mediator to resolve the outstanding dispute in accordance with Board timelines and policies.

## **11.0 Minutes, Financial Records and Annual Report**

- 11.1 The School Council shall keep minutes of all Meetings.
  - 11.1.1 The Secretary of the School Council shall be responsible for keeping minutes of all Meetings.
  - 11.1.2 The minutes shall record at a minimum all topics discussed and all issues voted upon and the result of all votes taken.
  - 11.1.3 The minutes shall be kept at the School in the care of the Principal for four (4) years.
    - 11.1.3.1 The minutes shall be accessible at the School for review by any person.
- 11.2 The School Council shall keep records of all financial transactions, related to School Council activities, in accordance with the policies to the Board.
  - 11.2.1 The Treasurer of the School Council shall ensure that the financial records related to School Council funds are up-to-date and available for review upon request by any parent or Board employee.
  - 11.2.2 The financial records of the School Council will be a subset of the financial records of the School, and will be maintained separately by both the Treasurer and the Manager of School Administrative Operations of the School. Such records will be reconciled/balanced by the Treasurer, and approved by the School Council.
    - 11.2.2.1 The financial records will be stored by the Principal for four (4) years.
    - 11.2.2.2 The Treasurer's role is to:

- verify current expenses and track future commitments in order to present, at each monthly meeting, an accurate report of School Council funds held within the School's bank account;
- approve, in conjunction with the School Council Chair/Co-Chair, all expenses for which payments will be made from School Council funds held within the School's bank account; and
- be an active advisor on School Council during budget and expenditure discussions.

11.3 The School Council shall submit an annual report to the Principal each year, before June 1.

11.3.1 The annual report shall describe all matters reviewed and all recommendations made to the Principal or the Board.

11.3.2 The annual report shall include:

- the opening balance in all School Council bank accounts;
- all money raised;
- the purposes for which money was raised;
- how money was raised for each identified purpose;
- on what the School Council money was spent and for what purpose;
- how much money was remaining in the School Council account as of June 1;
- the projected expenditures for the period June 1 to September 1, if any.

## **12.0 Recommendations by the School Council**

12.1 The School Council may make recommendations to the Board or to the Principal on any Matter within the jurisdiction of the School Council.

12.1.1 The School Council recognizes that it has jurisdiction to discuss and review only generic issues.

12.1.2 The School Council recognizes that personal issues may not be discussed or reviewed by the School Council and that the School Council cannot submit recommendations to the Board or the Principal regarding personal issues.

12.2 Any member of the School Council may propose that the School Council review a Matter for the purposes of making a recommendation to either the Board or the Principal.

- 12.2.1 A majority of the voting members of the School Council must approve the Matter to be reviewed prior to the review being undertaken by the School Council or a Committee of the School Council.
- 12.3 The School Council or Committee appointed by the School Council shall conduct a review of an approved Matter to determine an appropriate recommendation to be made to the Principal or Board as a result of the findings of the School Council or Committee. Before each Matter is reviewed the Council will create a process for consultation and report structure.
  - 12.3.1 The School Council or Committee shall consult with parents at no fewer than two (2) meetings in order to solicit parent views regarding the approved Matter.
  - 12.3.2 The School Council shall appoint one or more members of the School Council to draft a report of the findings and recommendations of the School Council.
- 12.4 The School Council shall submit a report approved by two-thirds (2/3) of the voting members of the School Council, which must include two-thirds (2/3) of the Parent Members, to the Principal or Board for consideration and response.
  - 12.4.1 The School Council shall make copies of the report and the response of the Board or Principal available to all parents who request a copy of the Board or Principal response to the Matter and recommendation submitted for consideration.

### **13.0 Fundraising**

- 13.1 The School Council may fund raise for the purposes identified by the Board or School and in accordance with Board policies.
- 13.2 The School Council must disclose the purpose for all fund-raising activities to all students, parents and members of the public providing funds, resources or effort for the purpose or benefit of the fund-raising activity. This may be done at a council meeting; by electronic notification; newsletter; announcements, etc. Results will be disclosed in the monthly School Council report following the event and also in the Annual Report.
- 13.3 The School Council must record and disclose all fund-raising activities in accordance with article 11.2 and 11.3 of these Bylaws and any Board Policies.

### **14.0 Amendments**

- 14.1 This constitution may be amended by approval of council members present at a regular council meeting. A request for such an amendment should be identified at a regular council meeting for council members to consider, providing it is within the guidelines of Regulation 612/00. At the following council meeting, a motion can be made to accept the change(s) to the constitution.
- 14.2 A majority of two-thirds (2/3) to accept the amendment is required from the parent members in order to make the change in the constitution. Should a consensus not be

reached, changes may be suggested to the motion for the council to consider at the following monthly meeting.

- 14.3 The constitution will be reviewed by council every two (2) years and updated if necessary by the Garth Webb School Council.