

# **JACOB BEAM PUBLIC SCHOOL**

BY-LAWS (based upon Ontario Regulation 612)

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## 1. DEFINITIONS

- The School Council shall be known as Jacob Beam School Council
- “Parent” includes a legal guardian
- “School” refers to Jacob Beam Public School
- “Principal” refers to the principal of Jacob Beam Public School
- “Parent member” is any parent of a student currently enrolled at Jacob Beam Public School
- “Voting member” is an elected member who has committed to attending at a minimum of 4 school council meetings throughout the school year
- School Council Executive are the elected and appointed officers of the school council
- “Board” refers to the District School Board of Niagara
- “Community” refers to the neighbourhood served by Jacob Beam Public School
- “Ministry” refers to the Ontario Ministry of Education

## 2. PURPOSE OF SCHOOL COUNCIL

- The purpose of school council is, through the active participation of parents to improve student achievement and to enhance the accountability of the education system to parents

## 3. RESPONSIBILITIES AND GOALS OF SCHOOL COUNCIL

- School council is an advisory body. The council shall provide advice to the school principal and where appropriate, to the school board on any matters that the council has identified as priorities
- Raise and distribute funds to support academic excellence and an enhanced school environment
- Identify opportunities to enhance communication between the school and families through events, web-sites and other means
- Develop and maintain a strong relationship between home, school and the school community

## 4. SCHOOL COUNCIL CODE OF ETHICS

- A member shall consider the best interests of all students
- A member shall act within the limits of the roles and responsibilities of a school council, as identified by the school’s operating guidelines, the school board and the Ontario Ministry of Education
- A member shall become familiar with the school’s policies and operating practices and act in accordance with them
- A member shall maintain the highest standard of integrity

- A member shall recognize and respect the personal integrity of each member of the school community
- A member shall treat all other members with respect and allow for diverse opinions to be shared without interruption
- A member shall encourage a positive environment in which individual contributions are encouraged and valued
- A member shall acknowledge democratic principles and accept the consensus of the council
- A member shall respect the confidential nature of some school business and respect limitations this may place on the operation of the school council
- A member shall not disclose confidential information
- A member shall limit discussions at school council meetings to matter of concern to the school community as a whole
- A member shall use established communication channels when questions or concerns arise
- A member shall promote high standards of ethical practice within the school community
- A member shall declare any conflict of interest
- A member shall not accept any payment or benefit financially through school council involvement

## 5. MEMBERSHIP

Membership of the Jacob Beam School Council shall include but not limited to:

- Voting members shall be elected parents of students currently enrolled in Jacob Beam Public School with a minimum of 7 members to a maximum of 15 members, comprising of the majority of the council. Voting members are required to attend no less than 4 school council meetings
- Principal of the school
- One teacher representative who is employed at the school who is elected by members of their respective teaching staff
- One non-teaching school employee representative who is elected by members of the non-teaching staff
- One student representative enrolled in the school who is appointed by the principal of the school
- One community representative appointed by the members of council

## 6. ROLE OF SCHOOL COUNCIL

- To reflect the views of the parent body as a whole, to fulfill school council's mandate and to act in the best interests of all students
- Voting members should be will attend all 5 of the scheduled council meetings throughout the year

## 7. ELECTION OF VOTING MEMBERS TO THE COUNCIL

- A voting member is qualified to be a voting member if he/she is a parent of a student who is currently enrolled in the school
- A voting member is not qualified to be a voting member if he/she is employed at the school
- A voting member, who is employed by the board but not at the school, may be elected if he/she takes reasonable steps to inform the electorate of voting members of that employment
- All voting members are entitled to one vote
- Election of voting members shall take place during the first 30 days of each school year, on a date fixed by the chair of the council, in consultation with the principal
- The principal shall, at least 14 days before the date of election of voting members, give written notice of the date, time and location of the election to every parent of a student who is currently enrolled in the school
- The notice of the election may be given by:
  - giving notice to the parents' child for delivery to the parent; and
  - posting the notice in the school in a location accessible to the parents
- The election of voting members shall be by secret ballot or show of hands

## 8. ACCLAMATIONS

- If there are fewer than 15 voting member nominees, all eligible nominees will be acclaimed and no election will be held, although the election of Officers will still take place.

## 9. ELECTION OF OTHER ELECTED MEMBERS TO THE COUNCIL

- The election of the other elected members shall take place during the first 30 days of the school year
- A person is qualified to vote for a teacher representative if he/she is a teacher employed at the school. All teachers are entitled to one vote. The principal may not vote
- A person is entitled to vote for a school employee representative if he/she is an employee of the school. All non-teaching staff members are entitled to one vote. Teachers and the principal may not vote
- The elections shall be by secret ballot or show of hands

## 10. APPOINTMENTS TO THE COUNCIL

- The community representative shall be appointed by the elected members of the council at the first meeting in the school year
- The student representative shall be appointed by the principal of the school at the first meeting in the school year

## 11. TERM OF OFFICE

- A person elected or appointed to the council holds office from the latter of:
  - the date he/she is elected or appointed; and,
  - the date of the first meeting of the council after the elections, until the date of the first meeting of the council after the elections in the following school year
  - the past chairperson shall continue as chairperson until the selection of a new chairperson
  - a member of school council may be reelected or reappointed. The chairperson may serve as chair for a maximum of 2 consecutive years. After a 2 year hiatus, they may again run for the position, however if there is no voting member interested in the position the chairperson has the right to continue

## 12. VACANCIES

- Anyone who is an elected or appointed member, except the principal, may resign his or her position by writing a letter of resignation to the chairperson
- School council voting members who are absent from 4 council meetings within a school year without notification will be considered to have resigned
- Members who are absent from 50% of meetings within a school year, even with notification, may be requested to resign
- The council will fill positions that become vacant due to resignation or removal as soon as possible by:
  - offering the person with the next largest number of votes who was not elected the opportunity to accept the position
  - if that person does not accept the position, the position shall be filled by appointment of the council. The person selected shall serve on the council for the remainder of the school year
- A vacancy on the council does not prevent the council from exercising its authority

## 13. ROLES AND RESPONSIBILITIES OF SCHOOL COUNCIL MEMBERS

### *Voting and Parent Members:*

- Participate on any committees established by the school council
- Contribute to the discussions of the school council

- Solicit the views of other parents and members of the community to share with the school council
- Observe the council's code of ethics and established by-laws

***Principal***

- Distributes promptly to each council member material identified by the ministry for school council members and posts the material in a school location accessible to parents
- Acts as a source to the council on laws, regulations and board policies
- Attends all school council meetings
- Considers each recommendation made by the school council and returns to the council with the action taken in response to the recommendation
- Solicit views on matters pertaining to the establishment or amendment of school policies and guidelines relating to student achievement, accountability of the education system to parents and the communication of those plans to the public
- May participate on any committees established by school council
- May solicit the views of the school council on any matter
- Observes the council's code of ethics and established by-laws

***School Staff Representatives (one each from teaching and non-teaching staff)***

- Contribute to the discussions of the school council
- Solicit views from their staff groups to share with school council
- May participate on any committees established by school council
- Communicate information from the council back to their staff groups
- Observe the council's code of ethics and established by-laws

***Student Representative***

- Contribute to the discussions of the school council
- Solicit views from other students to share with school council
- May participate on any committees established by school council
- Communicate information from the council to other students
- Observe the council's code of ethics and established by-laws

***Community Representative***

- Contribute to the discussions of the school council
- Represents the community's perspective
- May participate on any committees established by school council
- Helps build partnerships and links between the school and the community

- Observe the council's code of ethics and established by-laws

#### 14. OFFICERS

- The members of the council shall elect a chairperson and a vice-chairperson by a majority vote
- The chairperson and the vice-chairperson of the council must be parent representatives
- The council shall have a treasurer, signing officers, a secretary and any other officers deemed necessary by the council
- The members of the council shall elect the treasurer, the signing officers, a secretary and any other officers by majority vote

##### *Chairperson*

- The members of the council shall elect a chairperson or 2 co-chairpersons by majority vote
- The chairperson or co-chairpersons must be a parent of a student enrolled at the school
- The chairperson or co-chairpersons must be elected annually by the parent members of the council
- The chairperson or co-chairpersons shall
  - call school council meetings
  - prepare agenda for school council meetings
  - chair school council meetings
  - ensure that minutes of school council meetings are recorded, maintained and kept on file at the school
  - facilitate the resolution of conflict
  - participate as ex-officio member of all committees established by school council
  - communicate with the school principal on behalf of the school council
  - oversee preparation, in conjunction with the treasurer of the annual report at the end of the school year, as required by the Ministry

##### *Vice Chairperson*

- The members of the council shall elect a vice chairperson by majority vote
- The vice chairperson must be a parent of a student enrolled at the school
- The vice chairperson must be elected annually by the parent members of the council
- The vice chairperson shall
  - assist the chairperson in preparing agendas for school council meetings
  - chair school council meetings as required

*Secretary*

- The members of the council shall elect a secretary by majority vote
- The secretary must be a parent of a student enrolled at the school
- The secretary must be elected annually by the parent members of the council
- The secretary shall:
  - cause minutes of the school council meetings to be made of all proceedings at meetings and is charged with the safekeeping of such minutes in books or files kept for that purpose

## 15. REMUNERATION

- A person shall not receive remuneration for serving as a member of council
- The school council shall reimburse members of the school council for expenses they incur as members

## 16. MEETINGS

- School council may meet as often as necessary but not less than 4 times each school year
- School council shall meet within the first 35 days of the school year, after the elections, on a date fixed by the principal
- All parent members are invited to attend
- Voting members who have not attended a school council meeting throughout the school year without notification will be considered to have resigned
- Voting members who are absent from 50% of meetings throughout the school year, even with notification, may be requested to resign
- A meeting of school council cannot be held unless,
  - a majority of the voting members of the council are present at the meeting
  - a majority of the members of the council who are present at the meeting are voting members
- All meetings of school council shall be open to the public
- School council is entitled to hold its meetings at the school
- The principal shall, on behalf of the school council, give written notice of the dates, times and locations of the meeting to every parent of a student who is currently enrolled in the school
- The required notice may be given by
  - giving notice to the parent's child for delivery to his/her parent and



- posting the notice in the school in a location that is accessible to parents
- It is the responsibility of the school council members to notify the chairperson at least 2 days prior to the meeting if they wish to make a formal presentation to the school council or bring up an item for discussion
- Meetings will be held on the 2<sup>nd</sup> Thursday of each month or as the majority suggests

#### 17. COMMITTEES

- The council may establish committees to make recommendations to the council
- Every committee must include at least one voting member of the council
- A committee may include persons who are not members of the council

#### 18. VOTING AND MOTIONS

- Each member of the council, except the principal, is entitled to one vote in votes taken by council
- Each member of a committee of school council, except the principal, is entitled to one vote in votes taken by the committee of school council
- The principal is not entitled to vote in votes taken by school council or a committee of school council
- Any member of council may make a motion
- Another member must second the motion
- Once a motion has been seconded, the chairperson restates the motion for clarity purpose. From this point on all discussion must focus solely on the motion
- The chairperson must ensure that no one person speaks more than twice before each member has a chance to speak once
- The originator of the motion may withdraw it at any time prior to the vote
- If no one wants to speak further to the motion, the chair shall conduct the vote
- The vote shall be conducted by a show of hands
- A minimum of 60% is required to affect a vote
- In case of a tie, the motion is defeated

#### 19. CONFLICT OF INTEREST

- A conflict of interest may be actual, perceived or potential:
  - **actual:** when a school council member has a private interest that is sufficiently connected to his/her duties and responsibilities as a council

member that it influences the exercise of these duties and responsibilities

- ***perceived:*** when reasonably well-informed persons could reasonably believe that a school council member has a conflict of interest, even, where, in fact, there is no real conflict of interest
- ***potential:*** when a school council member has a private interest that could affect his/her decision about matters proposed for discussion
- School council members shall declare a 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 school council
- Should an issue or agenda item arise during a school council meeting or committee meeting where a council member is in a conflict of interest situation, he/she shall declare a conflict of interest immediately and leave the room for that portion of the meeting (or decline from the discussion and resolution). The member shall not vote on any decision made on the issue

## 20. RESOLUTION OF CONFLICT

- Every school council member will be given an opportunity to express his/her concern or opinion about the issue at dispute and how the dispute has affected him/her
- Speakers to an issue will maintain a calm and respectful tone at all times
- Speakers will be allowed to speak without interruption
- The chairperson's 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 among all members before proceeding further
- The chairperson may request the intervention of an independent third party to assist in achieving a resolution to the dispute
- An independent third party may be a school board official or another individual mutually agreed on by the parties involved in the dispute
- Any resolution reached at the meeting to resolve the conflict shall be signed and respected in full by all parties to the agreement

## 21. MINUTES AND FINANCIAL RECORDS

- School council shall keep minutes of all of its meetings and records of all of its financial transactions for 4 years
- The minutes and records shall be available at the school for examination without charge by any person
- Minutes of meetings should be sent to each school council member no later than 5 days before the next scheduled meeting

## 22. CONSULTATION BY BOARD

- Every board shall solicit the views of the school councils with respect to the following matters but not be limited to:
  - The establishment or amendment of board policies and guidelines that relate to student achievement or to the accountability of the education system to parents, including,
    - policies and guidelines established with respect to the conduct of persons in schools within the board's jurisdiction
    - policies and guidelines established with respect to appropriate dress for students in schools within the board's jurisdiction
    - policies and guidelines respecting the allocation of funding by the board to school council
    - policies and guidelines respecting the fundraising activities of school council
    - policies and guidelines respecting conflict resolution processes for internal school council disputes, and
    - policies and guidelines respecting reimbursement by the board of expenses incurred by members and officers of school council
  - The development of implementation plans for new education initiatives that relate to student achievement or to the accountability of the education system to parents including,
    - implementation plans for policies with respect to the conduct of persons in schools within the school boards jurisdiction
    - implementation plans for policies with respect to the appropriate dress for students in schools within the school boards jurisdiction
- Board action plans for improvement, based on the Education Quality and Accountability Office's reports on the results of tests of students and the communication of those plans to the public
- The process and criteria applicable to the selection and placement of principals

## 23. ADVISORY AUTHORITY

- School council may make recommendations to the principal or to the board on any matter
- The board shall consider each recommendation made by school council and shall advise of the action taken in response to the recommendation

## 24. FUNDRAISING

- School council may engage in fundraising activities so long as,
  - the activities are conducted in accordance with any applicable policies established by the board; and,
  - the activities are to raise funds for a purpose approved by the board or authorized by any applicable policies established by the board

- School council shall ensure that the funds raised by it are used in accordance with any applicable policies established by the board

#### 25. CONSULTATION WITH PARENTS

- School council shall consult with parents of students currently enrolled in the school about matters under consideration by school council

#### 26. ANNUAL REPORT

- School council shall annually submit a written report on its activities to the principal of the school and to the board
- If the school council engaged in fundraising activities, the annual report shall include a report on those activities
- The principal shall, on behalf of the school council, give a copy of the report to every parent of a student who is currently enrolled in the school
- The report may be given by:
  - giving the report to the parent's child for delivery to his/her parent; and
  - posting the report in the school in a location that is accessible to parents

#### 27. COLLECTION OF INFORMATION

- The Ministry may, for the purpose of consulting and communicating with members of school councils, collect the names, mailing addresses, telephone numbers and e-mail addresses of the members of school council executive
- The Ministry may disclose information collected to the Ontario Parent Council, which may use the information for the purpose of consulting and communicating directly with members of school council executive

#### 28. MINISTRY POWERS AND DUTIES

- As part of its accountability to parents, the Ministry shall report annually to members of school councils on education in the province
- The Ministry may,
  - make other reports to members of school councils; and,
  - provide information to members of school councils respecting the roles and responsibilities of school councils

#### 29. AMENDMENTS OF BY-LAWS

- Amendments to these by-laws may be suggested in writing. The by-laws shall be reviewed every 2 years