

SCHOOL COUNCIL BYLAWS

Hamilton-Wentworth District School Board



HWDSB
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(Required) sections refer to the regulations governing School Councils under **O. Reg 612/00**

School Name:

School Council By-laws
were enacted on:

School year

The HWDSB School Council By-laws indicates required practices related to School Council. All School Councils must follow the required School Council by-laws indicated below.

Each School Council has the ability to create school specific by-laws. Any school specific by-law must be in alignment with [O. Reg 612/00](#), the required HWDSB School Council Bylaws, the HWDSB Code of Conduct, and the HWDSB Human Rights Policy.

The HWDSB School Council Guide provides a more detailed outline of recommended practices related to the successful running of School Council. For an overview of School Councils please see the [HWDSB School Council Guide](#).

Section101 Interpretation

The term “*board*” refers to the Hamilton-Wenworth District School Board.

The term “*parent*” is intended to be inclusive and represent the parent, guardian, family, and caregiver.

A *School Council* is defined by O. Reg 612/00.

A *Home & School Association* is an independent organization that is governed by the *Ontario Federation of Home & School Associations*.

Section102 Introduction

The Education Act and Ontario Regulation 612/00 identifies “The purpose of school councils is, through the active participation of parents, to improve pupil achievement and to enhance the accountability of the education system to parents.

The Regulation also states that school councils may make by-laws governing the conduct of its affairs.

A school council must have by-laws for the following areas:

1. That governs parent election procedures and the filling of vacancies in the membership of the council.
2. Establishes rules for participation in council proceeding in cases of conflict of interest.
3. A by-law that, in accordance with any applicable policies established by the board that established the council, establishes a conflict resolution process for internal school council disputes.

Section 1.03 Membership (Required)

Council shall be composed of:

- a. The HWDSB maximum number of parent members of School Council is 20. An individual School Council may set a local by-law of a lower number of parent members.
- 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 designated by the school staff.
- d. The Principal or designate.
- e. One community representative appointed by the elected Council, where feasible.
- f. One student representative, where feasible.
- g. One person appointed from the Ontario Federation of Home and School Associations, where feasible.

Local School Council By-law (optional):

- 1.
- 2.

Section 1.04 Election of Parent / Guardian Members (Required)

- 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.
- 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 they are employed by the Hamilton-Wentworth District School Board and summarize their reasons for seeking election.
- d. Nomination forms supplied by the school principal shall be filed by all parent/guardian candidates to the school (principal or designate).
- e. Nominations will be permitted from the floor at the time of the election.
- f. Each candidate will supply a personal information statement that shall be made available to the school community at least one week prior to the election.
- g. 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.
- h. If the number of declared candidates is higher than the number of positions, then an election will be called.

- i. Elections for school Council shall be supervised by the Principal (or designate) and parents/parent member(s) of council not seeking election.
- 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 newsletter).
- m. A vacancy in the parent membership of the council shall be filled by election using the same process as above.

Local School Council By-law (optional):

1.

2.

Section 1.05 Term of Office (Required)

- a. A person elected or appointed as a member of a school council holds office from the later of,
 - i. the date he or she is elected or appointed; and
 - ii. the date of the first meeting of the school council after the elections held in the school year, until the date of the first meeting of the school council after the elections held in the next school year. O. Reg. 612/00, s. 6 (1).
- b. A member of a school council may be re-elected or reappointed, unless otherwise provided by the by-laws of the council. O. Reg. 612/00, s. 6 (2).

Local School Council By-law (optional):

1.

2.

Section 1.06 Executive Officers

Required

- a. The school council must elect a Chair or two Co-Chairs. The Chair must:
 - i. Be a parent member of the school council.
 - ii. Not employed by the HWDSB.
- b. A vacancy of Chair or Co-Chair shall be filled in accordance with the by-laws of the council.

Optional

The school council may choose to have additional Executive Officer, school specific positions as indicated below:

- c.
- d.

The school council may indicate a by-law for the format of the elections of Executive Officers. In the absence of this by-law, election procedures will be coordinated by the principal.

Local School Council By-law (optional):

- 1.
- 2.

Section 1.07 Role of Council Members

Required

- a. Role of Chair/Co-Chairs
 - i. Arrange for Council meetings;
 - ii. Prepare agendas for Council meetings;
 - iii. Chair Council meetings;
 - iv. Ensure that minutes of Council meetings are recorded and maintained;
 - v. Facilitate conflict resolution;
 - vi. Communicate with the Principal on behalf of the Council;
 - vii. Consult with senior board staff and trustees as required on behalf of the Council;
- b. Principal
 - i. Provide guidance to Council;
 - ii. Facilitate and support its operation;
 - iii. Provide such information and advice as would enable members to function effectively in their respective roles;
 - iv. Ensure that the School Council follows all relevant HWDSB policies and procedures.

c. Elected Council Members

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

Local School Council By-law (optional):

1.

2.

Section 1.08 Meetings

- a. A minimum of four meetings per year and meet within the first 35 days of the school year. A School Council may agree to more than the minimum number of meetings in a year. The dates of all meetings for the year should be approved at the first meeting each school year.
- b. Meetings will be opened with the [HWDSB Land Acknowledgement](#)
- c. The Chair and Principal (or designate) should be in-person for meetings.
- d. A Council may make arrangements for hybrid participation. Online participation should be through HWDSB supported technology platforms.
- e. Any subcommittees 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.
- f. All Council members are required to attend a majority of the Council meetings.
- g. All meetings of the Council shall be open to the public and be held at a location that is accessible to the public.
- h. A meeting of a school council cannot be held unless;
 - i. a majority of the current members of the council are present.
 - ii. a majority of the members of the council who are present at the meeting are parent members.

Local School Council By-law (optional):

1.

2.

Section 1.09 Voting (Required)

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

Local School Council By-law (optional):

- 1.
- 2.

Section 1.10 Quorum (Required)

Quorum will be a simple majority (51%) of the total number of elected (parent) Council Members in formal attendance either in person or online.

Local School Council By-law (optional):

- 1.
- 2.

Section 1.11 Finances (Required)

- a. School Councils must follow all HWDSB financial policies and procedures. The Principal is ultimately responsible for managing financial accounts.
- b. All School Council financial matters will be through HWDSB school accounts. School Councils will not have a separate bank account.
- c. All expenditures of the Council require prior approval of the Council.
- d. All expenditures are to be reported in a financial statement to be made available at each council meeting.

Local School Council By-law (optional):

- 1.
- 2.

Section 1.12 Conflict of Interest (Required)

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 duties and responsibilities as a Member of School Council may be jeopardized.
- The Council Member, 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.

Local School Council By-law (optional):

- 1.
- 2.

Section 1.13 Conflict Resolution (Required)

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.

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 laws and regulations including the Employment Standards Act and the Human Rights Act, and not to supersede those laws or any policies of the HWDSB.

[HWDSB Code of Conduct policy](#) and [HWDSB Code of Conduct procedure](#).

HWDSB Human Rights Complaint Resolution process [PR-A1.1.2_Complaint-Resln-APR25.pdf](#)

Section 1.14 Procedure (Required)

In light of a conflict between school council members:

- a. The Chair will meet with concerned members to see if a resolution is possible.
- b. If the Chair is unable to resolved the conflict, the Principal will attempt to find a resolution.
- c. If the principal is unable to resolve the conflict, the Family of Schools superintendent will be consulted.
- d. If the conflict is with or between the chair/co-chairs and council, then another executive member of the Council will lead the outlined process.
- e. If the conflict is between members of the School Council and principal, the Family of Schools superintendent will lead the outlined process.
- f. If the conflict occurs at a council meeting and a Council Member or meeting attendee becomes disruptive during a meeting, the Chair after unsuccessfully asking for order, will ask for the disruptive individual to leave the meeting. This does not prevent the Member(s)/attendee from participating in future meetings of Council.
- g. The HWDSB Code of Conduct applies to all situations.
- h. The principal has the responsibility to ensure that all members of a School Council are following the HWDSB Code of Conduct.
- i. The Principal may direct a School Council Member or meeting attendee to leave a meeting if they are not following the HWDSB Code of Conduct. If this occurs, the Principal will follow up with an investigation into the violation of the Code of Conduct and consult the Family of Schools Superintendent. The School Council member or meeting attendee may be directed to not attend future School Council (or Sub-Committee) meetings as a result of violations of the Code of Conduct.
- j. When appropriate, School Council members may utilize The HWDSB Human Rights Complaint Resolution process [PR-A1.1.2_Complaint-Resln-APR25.pdf](#)

Section 1.15 Annual Report (Required)

- a. The Council shall annually submit a written report of its activities to the Principal of the school.
- b. The Principal will provide a copy of the annual report to the Family of Schools superintendent.
- c. If the School Council engages in fundraising activities, the annual report shall include a report on those activities.
- d. The Principal shall, on behalf of the Council, make a copy of the report available to every parent of a student who is enrolled in the school. The report will be posted to the school website and a paper copy made available in the school office.

Local School Council By-law (optional):

1.

2.

By-law Reform

Required By-laws ensure compliance with Ontario Regulation 612/00 and cannot be amended.

Optional By-laws can be amended through a vote with a two-thirds majority of elected Members present at a meeting of the Council or through the following [school specific] process:

1.

All additional by-laws must be in compliance with Ontario Ministry regulations and guidelines in relation to school councils, as well as, the HWDSB Code of Conduct policy and procedure.

Signatures:

SC Chair:

SC Vice Chair:

Principal:

Date: