

Ontario Education Act - School Councils Summary

Authority

- **Education Act** : R.S.O. 1990, Chapter E.2 (Last: 2012, c. 11, s. 21.)
 - http://www.e-laws.gov.on.ca/html/statutes/english/elaws_statutes_90e02_e.htm
- Ontario **Regulation 612/00** : *School Councils and Parent Involvement Committees* (Last: O. Reg. 330/10.)
 - http://www.e-laws.gov.on.ca/html/regs/english/elaws_regs_000612_e.htm
- R.R.O. 1990, **Regulation 298** : *Operation of School - General* (Last: O. Reg. 121/13.)
 - http://www.e-laws.gov.on.ca/html/regs/english/elaws_regs_900298_e.htm

Purpose & Achieving It

- "... to improve pupil achievement and to enhance the accountability of the education system to parents." (Reg 612/2.1)
- "A school council's primary means of achieving its purpose is by making recommendations ... to the principal of the school and the board." (Reg 612/2.2./20)
- "A school council may make recommendations to the principal ... or the board ... on any matter. (Reg 612/20)
- A school council may engage in fundraising activities in accordance with board policies. (Reg 612/22)

Council Membership - Composition

- *Parents*, including legal guardians, of students at the school. (Reg 612/3.1.1, 612/1.a)
 - The number of parent members
 - must be more than non-parent members. (Reg 612/3.4)
 - per the by-laws, or if not defined in the council by-laws, then as defined by the school board. (Reg 612/3.2)
 - Must disclose if working for the school board. (Reg 612/4.2.b)
 - Cannot be employed at the school. (Reg 612/4.2.a)
- *Staff representatives* - the principal, one teacher and one non-teaching staff. (Reg 612/3.1)
- *One student representative*
 - *Secondary Schools* - appointed by student council, or if there is not a student council, then elected by the students. (Reg 612/3.1.5)
 - *Elementary Schools* - appointed by the principal, if principal & council agrees to include a student representative. (Reg 612/3.1.6)
- *One community representative* - appointed by council. (Reg 612/3.1.7)
 - May be more than one if by-laws permits. (Reg 612/3.3)
 - Must disclose if working for the school board. (Reg 612/3.5.b)
 - Cannot be employed at the school. (Reg 612/3.5.a)
- *One representative appointed by a member association* of the OFHSA (English secular), OAPCE (English Catholic) or PPE (French), if present in the school. (Reg 612/3.1.8)
- A board member (trustee) of a school board cannot be a member of a school council. (Reg 612/3.6)
- *Remuneration* - A member cannot be remunerated for service on a school council. (Reg 612/11.1)

Council Membership - Officers

- There must be a chair (or two co-chairs if specified by the council by-laws). (Reg 612/8.1)
- The chair or co-chair must be elected by members of the council and must be a parent member who is not employed by the school board. (Reg 612/8.2-3)
- Other officers may be specified in the council by-laws. (Reg 612/8.4)

Council Membership - Elections

- *Parent Members Elections*
 - The principal must advertise the date at least 14 days before. (Reg 612/4.6-7)
 - Voting must be by secret ballot. (Reg 612/4.8)
 - Only parents can vote for parent members. (Reg 612/4.3)
- *Teacher Representative Elections*
 - Must be elected by other teachers at the school. (Reg 612/5.2)
- *Non-Teaching Staff Representative Elections*
 - Must be elected by other non-teaching staff, excluding the principal and vice-principals, at the school. (Reg 612/5.3)
- *Student Representative Elections (for secondary schools without student councils)*
 - Must be elected by other students at the school. (Reg 612/5.4)
- *Timing* - All elections must be held within 30 days of the start of the school year. (Reg 612/4.4,5.1)
- *Term of Office* - Each member must be (re-)elected or (re)appointed every school year. (Reg 612/6)
- *Vacancies*
 - May be filled by election or appointment, per the council by-laws. (Reg 612/7.1)
 - A vacancy does not prevent the council from functioning. (Reg 612/7.3)

Council Governance

- *Incorporation* - A school council must not be incorporated. (Reg 612/17)
- *By-laws* - If a council makes by-laws, then the following areas must be covered - election procedures, filling of vacancies, conflicts of interest for council members, and conflict resolution process for internal council disputes. (Reg 612/15)
- *Reimbursements* - Expenses incurred will be reimbursed per the school board's policies. (Reg 612/11.2-3)

Council Operations - Meetings

- *Frequency* - Must meet at least 4 meetings during the year. (Reg 612/12.1)
- *Timing* - The first meeting must be within 35 days of school starting. (Reg 612/12.2)
- *Quorum* (number of persons required to hold a meeting)
 - There must be a majority of members present. (Reg 612/12.3)
 - There must be a majority of parent members present. (Reg 612/12.4)
- *Public* - Must be open, and accessible, to the public. (Reg 612/12.4,12.6)
- *Location* - A school council is entitled to hold its meetings at the school. (Reg 612/12.5)
- *Advertisement* - The principal must advertise the meeting dates. (Reg 612/12.7-8)
- *Voting* - Each member has one vote, except the principal, who cannot vote. (Reg 612/14)

Council Operations - Committees

- *Purpose* - A council may establish committees to make recommendations to itself. (Reg 612/13.1)
- *Composition*
 - Every committee must include at least one parent member of council. (Reg 612/13.2)
 - Committees may include persons who are not members of council. (Reg 612/13.3)
- *Meetings and Voting* - same rules apply as for general council meetings, as appropriate. (Reg 612/13.4)

Responsibilities of the School Council

- *Consultation* - Consult with parents about matters under consideration by the council. (Reg 612/23)
- *Minutes and Financial Records* - Keep minutes of meetings and records of financial transactions available at the school for four years, for examination by anyone without charge. (Reg 612/16.1-3)
- *Annual Report* - Submit an annual written report of its activities, including fundraising activities, to the principal and board. (Reg 612/24.1-2)

Responsibilities of the Principal

- *Delegation* - The principal may delegate powers or duties to a vice-principal. (Reg 612/18.1)
- *Consultation* - Solicit the views of school councils with respect to
 - the establishment or amendment of school policies and guidelines. (Reg 298/11.19.1)
 - the development of implementation plans for new education initiative. (Reg 298/11.19.2)
 - the establishment or review of a local code of conduct. (Act 303.3)
 - school action plans for improvement based on EQAO. (Reg 298/11.19.3)
- *Duty to Respond* - Consider each recommendation made by a school council and advise the council of the action taken. (Reg 298/11.18)
- *Ministry Material* - Promptly distribute to council members Ministry material intended for school councils and make them accessible to parents. (Reg 298/11.12)
- *Names of Council Members*
 - Provide to parents within 30 days of the council elections. (Reg 298/11.13-14)
 - Provide, upon request, to any supporter of the board or parent of a student at the school. (Reg 298/11.15)
- *Attendance* - Attend every meeting, unless due to illness or cause beyond control. (Reg 298/11.16)
- *Resource Person* - Act as a resource to the council, assisting in obtaining information relevant to the council such as legislation, regulations and policies. (Reg 298/11.17)
- *Council Annual Report* - Enable access to the report by all parents. (Reg 612/24.3-4)

Responsibilities of the School Board

- *Establishment* - Must establish a school council for each school. (Act 170.1.17.1)
- *Consultation* - The board must solicit the views of school councils
 - on the establishment, amendment or periodic review of board policies and guidelines. (Act 302.8-9, Reg 612/19.1)
 - on the development of implementation plans for new education initiative. (Reg 612/19.2)
 - on board action plans for improvement based on EQAO. (Reg 612/19.3)
 - on the establishment of its bullying prevention and intervention plan. (Act 303.3.3)
 - on the process and criteria for selection and placement of principals and vice-principals. (Reg 612/19.4)
- *Duty to Respond* - The board must consider each recommendation made by a school council and must advise the council of the action taken. (Reg 612/21)
- *Teachers' Performance Appraisals* - The board must make available to the school council chair information about the performance appraisal system. (Act 277.45.1.c)

Responsibilities of the Ontario Ministry of Education

- May make regulations regarding school councils. (Act 170.3)
- Must report annually to school councils on education in the province. (Reg 612/10.1)
- May make other reports to school councils. (Reg 612/10.2.a)
- May provide information to councils on the roles and responsibilities of school councils. (Reg 612/10.2.b)