**Buchanan Public School - Parent Advisory Council**

**Constitution and By-Laws**

**INTRODUCTION**:

Buchanan Public School's Parent Advisory Council (hereafter "The Council" or " Council") shall set out here in its Constitution and By-Laws. Council will refer to this document as required to assist in precise and equitable practices.

As mandated by the Education Act, Ontario School Councils are governed by Ontario Regulation 612/00 "School Council", which additionally acts a constitution for school councils, defining their purpose and laying out rules for council operations.

To facilitate the use of this regulation, the Ontario Ministry of Education published School Councils: a Guide for Members, 2001 (hereafter "the Guide"). Members of Buchanan's School Council are this expected to be familiar with the Guide and especially Regulation 612/00, which is appended beginning at page 12.2. The Guide may be accessed and downloaded for the Ministry's website at http://www.edu.gov.on.ca/eng/general/elemsec/counsil/council02.pdf.

**By laws:**

Regulation 612/00 shall form the basis of the constitution of the Buchanan School Council as recommended on Page 7.1 or the Guide: "School Councils are not required to develop lengthy constitutions, since the Ontario Regulation 612/00 sets out the mandate and rules and responsibilities for school councils in effect, the regulation serves as the constitution for the school council."

**Council Structure**

In accordance with Regulation 612/00, Section 3, Buchanan's School Council shall be composed of : the Principal, parent members (see below), one member of the teaching staff, one member of the school's non-teaching staff, a community representative (as appointed by the elected council).

**Parent Council Membership**

Parent Membership shall be up to a maximum of 12 members upon nomination acclamation and or election. Efforts will be made to ensure parent candidates from each division are represented.

**Code of Ethics**:

Buchanan Council member will adhere to the following Code of Ethics as outlined in the Guide, Page 5.5:

* A member shall consider the best interests of all students
* A member shall be guided by the school's and the school board's mission statements
* A member shall act within the limits of the roles and responsibilities of the 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 standards 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 council
* A member shall respect the confidential nature of school business and respect limitations this may place on the operations of the school council.
* A member shall not disclose confidential information.
* A member shall limit discussions at meeting to matters 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/disclose any conflict of interest.
* A member shall not accept any payment or benefit through school council involvement.
* All in attendance at Council meetings are required to turn off their cell phones. If required, put your cell phone on vibrate and leave the room to take an emergency call.

**Decision Making Process**

A quorum, hereby defined as 50% plus 2 of the Council Membership, must be present for decisions to be made. If a quorum is not present, decision making will be differed until the next meeting.

Voting by Proxy is not permitted. Only voting council members in attendance will be able to vote on such matters.

Should a matter arise that requires an emergency vote, the Chair shall send an email to all members outlining the matter that requires a vote and ask for a return vote with a determined time line to respond.

**Elections:**

Parent members will be acclaimed or elected to Council while the Executive shall be elected as outlined on page 7.8 of the Guide:

1. Elections shall occur within the first thirty days of the start of each school year.

2. Each parent/guardian seeking election must be nominated or self-nominated in writing, must have a child registered at the school, and must declare if he or she is employed by the school board.

3. Each parent, guardian of a student enrolled in the school shall be entitled to one vote for each vacant parent/guardian membership position on the Council.

4. An election committee shall be struck by the school council in May to help plan the election process, the gathering of nominations, and the running of the elections with the assistance of the Principal and Vice-Principal. No one standing for election, or the spouse of anyone standing for election, shall be a member of the election committee.

5. The election committee shall:

* Provide nomination forms
* Ensure that the school community is notified, by the Principal of election procedures and election date(s), location and time, at least fourteen days in advance of the election
* Request a profile from all candidates and make these available to the electorate
* Conduct elections by secret ballot
* Count the ballots; in the presence of the Principal and/or Vice-Principal
* Assist Principal in notifying all candidates of the results
* Keep all results and related information confidential

6. Only the names of the successful candidates shall be made public. Al list of candidates and the vote results will be kept on file by the council for use in the event that a vacancy on the council occurs.

7. If the number of candidates is less than or equal to the number of positions, the candidates shall be acclaimed.

8. All individuals standing for election shall be notified of the results before the results are released to the school community.

9. The council shall assist the Principal to ensure that the names of the new members are publicized to the school community within thirty days of the election.

10. At the first meeting of the new school council, the council shall set dates and times for its meetings throughout the year.

11. At the first Council meeting the Parent Members will vote via secret ballot to determine the Executive members.

12. The Council will meet at least 6 times a year

13. If a member of the Executive is absent for 2 consecutive meetings, without notice they may be asked to step down from their position. A Parent Member may motion for a vote to take place (A simple majority vote will take place via secret ballot after an explanation is given by the Executive member.).

14. Should an elected or acclaimed executive choose to step down from their position, the Council requests this in written form.

15.. A married couple may not be part of the Executive in the same year.

**Definition of Officers of the Council: (Executive)**

In complement of the Guide's section entitled: "Roles and Responsibilities of School Council Members" and as per Regulation 612/00 section 8(1), the following offers will exist:

* Chair
* Secretary
* Treasurer
* Executive Member (Floater-assigned tasks from other Executive Members in absence)

**Terms of Executive Council Members:**

1. All terms are 1 year in length.

2. No Executive shall serve more than 2 years in the same position on the Executive of council unless otherwise voted by Council.

3. After a one year reprieve from the Executive a member may run for an Executive position.

**Filling Vacancies**

Buchanan School Council will apply the following guidelines from page 7.11 of the Guide to fill vacancies for council members:

1. Should an elected parent/guardian position become vacant before the next election, the council shall fill the vacancy by appointment from the non-elected candidates from the previous election. The 2nd runner up would be the first candidate if accepted by them, as voted by the members.

2. If none of the previous candidates remain interested in becoming a council executive member, the council may request that interested parents/guardians form the school community submit their names for consideration. The Council shall them appoint one of those who indicate an interest.

3. When a vacant spot on council is filled, the new member's term shall expire at the time of the next election.

4. Should an Executive position become vacant before the next election, the council shall fill the vacancy by electing from the members of Council.

**Conflict of Interest**

The Council shall apply the following policy excerpted from the Guide, page 7.13:

"*Each school council member shall avoid situations that could result in an inconsistency between the overall goals and vision of the school council and a personal or vested interest, that arise in connection with his or her duties as a school council member. Should an issue or agenda item arise during a council meeting where a council member is in a conflict of interest situation, he or she shall declare conflict of interest immediately and decline from the discussion and resolution".*

**Conflict Resolution**

The following directives shall prevail in a situation of conflict not otherwise resolved (the Guide, page 7.16):

* Every school council member will be given opportunity to express his or her concerns or opinion about the issue at dispute and how the dispute has affected him or her.
* Speakers to an issue will maintain calm and respectful at all times.
* Speakers will be allowed to speak without interruption.
* The Chair's responsibility is to clarify the statements being made by all speakers to identify common ground among the points of view raised and to set out the joint interest of all members.
* If no common ground can be identified, the Chair will seek to clarify preference among all members before proceeding further.
* If all attempts at resolving the conflict have been exhausted without success, the Chair shall request the intervention of the Principal, Trustee or Superintendent to facilitate a resolution of the conflict.
* If a Council member or members become disruptive during a meeting, the chair shall ask for order.
* If all efforts to restore order fail or the unbecoming behaviour continues, the Chair may direct the individual council member(s) to leave the meeting, citing the reasons for the request. It is required that all email or other form of communications be halted for a 24 hour cooling off period.
* The removal of a member for one meeting does not prevent the council member from participating in future meetings of council.
* The incident shall be recorded and submitted to the Trustee/Superintendent of Schools within one week of the meeting.
* When the Chair has requested the removal of a member or members from a meeting, the chair shall request that the disputing members of council participate in a special meeting, the purpose of which will be to arrive a mutually acceptable solution to the disputed. Such a meeting may be a private meeting and shall not be construed as a meeting of the Council.
* The Chair may request the intervention of an independent third party to assist in achieving a resolutions to the dispute.
* An independent third party may be a Board official or another mutually agreed on by the parties involved in the dispute.
* Any resolution reached at the meeting to resolve the conflict shall be signed bay respected in fill by all parties to the agreement.

**Financial and Record Keeping**

Financial Records and Minutes must be available for a period of 4 years.

Meeting Minutes will be posted on the Buchanan Public School website.

All funds must be counted in the presence of 2 members. Deposit vouchers filled out and signed by both members. Deposits to the bank will be made by the Treasurer and one other member.

**Signing Authority**

Signing authority will be kept to 2 members of the Executive and the Principal.

**Annual Reports**

At the end of its term, the School Council must prepare and submit a written report to the school and to the board, outlining the council’s goals, activities and achievements, including any fundraising activities

The Principal, on behalf of the school council, must ensure that a copy of this annual report is provided to every parent who has a child enrolled in

the school.

**By law amendments**

The By Laws may be amended or revised by motion brought before the first School Council meeting in writing to the Chair. Consultation with community, notification to community of the vote, discussion at meeting, voted on by council members and passed by not less than two-thirds of the members present and voting.

**By law Review**

The Guide requires councils to review their bylaws yearly.