

# Lynnwood Heights JPS School Council By-Laws

## Preamble

School Councils are legislated bodies, governed by Regulation 612 of the Ontario Education Act. School Council and all of those who attend School Council meetings and activities shall adhere to these regulations, as well as the policies and the procedures of the Toronto District School Board, including but not limited to P031 – Human Rights Policy, P037 – Equity Policy, P034 – Workplace Harassment, Prevention for Non-Human Rights Code Harassment Policy, P051 – Caring and Safe Schools Policy and PR585 – Board Code of Conduct.

Indigenous Peoples are self-determining nations with distinct and inherent rights and laws. These inherent rights and laws govern the relationship between Indigenous Peoples and institutions will be guided by the Truth and Reconciliation Commission and the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP). The School Council will work to dismantle TDSB's colonial structures, practices, and impacts of colonization by actively engaging in alliance with Indigenous Elders, students, parents/guardians/caregivers, and the community in developing a governance model that honours Indigenous knowledge, sovereignty, and self-determination as per PO23-Parent/Caregiver Engagement Policy.

It is recognized and acknowledged that many members of the TDSB community continue to experience exclusion and marginalization, including racism, anti-Indigenous racism, anti-Black racism, anti-Semitic, Islamophobic, ableism, sexism, transphobia & cissexism (discrimination and prejudice based on gender identity), homophobia, and other forms of marginalization and prejudice.

TDSB recognizes that sustained measures, both proactive and reactive, are required to eradicate discrimination and to ensure that all members of the TDSB community are included, welcomed and feel valued in all TDSB environments. (as per P031 - Human Rights Policy).

The School Council shall:

- create, maintain and contribute to a climate of understanding and mutual respect for the rights and the dignity of each person;
- identify, confront and eliminate barriers to engagement and participation;
- examine biases and reflect on the impact that power and privilege have on parents/caregivers and their engagement;
- support individuals who are, or have been, targets of discrimination and harassment;
- work to prevent discrimination and harassment;

take all allegations of discrimination and harassment seriously and respond promptly by reporting them to the Principal.

**Name of School Council**

The name of this organization shall be Lynnwood Heights JPS School Council and referred to as the School Council. Please note: the term, “parents/caregivers”, includes the parents, caregivers, guardians and families of students, as shown on the school registration.

**Purpose**

Regulation 612/00 of the Ontario Education Act states that “the purpose of School Councils is, through the active participation of parents, to improve student achievement and enhance the accountability of the education system to parents.”

A School Council's primary means of achieving its purpose is by making recommendations on any matter to the Principal of the school and to the Board that established the School Council.

**Membership**

An effective School Council relies on the contributions of the broader school community. The School Council will work to elect/acclaim members who are representative of this school's community. To this end, eligible candidates will be encouraged to seek office regardless of their race, colour, creed, culture, ethnicity, linguistic origin, disability, level of ability, socio-economic class, age, ancestry, nationality, place of origin, religion, sex, gender identity, gender expression, sexual orientation, body image, citizenship, immigration status, family status, marital status or as First Nations, Metis or Inuit.

School Council composition will include 5 parents/caregivers (as defined in Ontario Regulation 612/00), the Principal, one teacher, one non-teaching staff, one community representative and a student representative at the secondary level, to be appointed by the Student Council or elected according to School Council By-Laws if no Student Council is active.

## **Election of Parent/Caregiver Members**

Elections will be inclusive, transparent and accountable, ensuring that all members of the school community are included, welcomed and feel valued.

Elections of parent/caregiver members shall be held during the first 30 days of the school year on a date that is set by the School Council Chair/Co-Chairs in consultation with the Principal.

The Principal, on behalf of the School Council, shall give written notice of the date, the time and the location of the election, to every parent/caregiver of a student enrolled in the school, at least 14 days before the date of the election.

Any parent/caregiver of a student in the school, who is seeking election, must be nominated or self-nominated in writing. A person is not qualified to be a parent/caregiver member if they are employed at the school. If employed by the Board but not at the school, they must take reasonable steps to inform those qualified to vote in the election of their Board employment status.

The election of a parent/caregiver member shall be by secret ballot and neither proxy nor absentee voting is permitted.

A person is eligible to vote in an election of parent/caregiver members of a School Council if they are the parent/caregiver of a student enrolled at the school.

Elections for teaching and non-teaching staff representatives on the School Council will be held during the first 30 days of each school year. The teaching representative shall be elected by those individuals at the school qualified to be the teacher representative in any method they determine. The non-teaching staff shall be elected by those individuals at the school qualified to be the non-teaching staff representative in any method they determine. Community members shall be appointed by the members of the School Council. When applicable, the student representative shall be elected by the student council, if one exists, or appointed by the Principal.

If positions are not filled during an election, the School Council may fill them via appointments throughout the school year. (see Vacancies)

## **Nominations**

If the number of declared candidates is less than or equal to the number of positions, no vote is required and the candidates will be acclaimed, notified and communicated to the school/community. If the number of declared candidates is higher than the number of positions, then a vote will be held on the date set by the Chair/Co-Chairs, in consultation with the Principal. Elections for the School Council shall be supervised by the Principal (or designate) and at least one parent/caregiver, not seeking election.

Nominations will not be accepted from the floor on the evening of the elections.

The school (Principal or designate) will receive and file all nomination forms.

Written information (picture not required) about each candidate, supplied by the candidate, shall be made available to the school community at least one week prior to the election.

Candidates may not engage in campaigning on or off school property or use any School Council social media or other tools to promote their candidacy.

## **Term of Office**

School Council members, elected or appointed, hold office from the latter of,

- (a) the date that they were elected or appointed; and
- (b) 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.

## **Vacancies**

A vacancy in the membership of the School Council shall be filled by election or appointment. A vacancy in the membership of the School Council does not prevent the School Council from exercising its authority,

- if an election is held to fill a vacancy in the membership of a School Council, the School Council's elections' process will apply;
- if an appointment is held to fill a vacancy, the School Council may request that interested parents/caregivers submit their name for consideration. The School Council shall then vote to appoint candidates to fill the vacancy/vacancies.

Executive vacancies will be opened to nominations from the voting members.

### **Executive Officers**

All members of the Executive must be elected from the voting members of the School Council.

School Council will elect:

- a Chair, or
- two (2) Co-Chairs

who must be a parent/caregiver and cannot be a TDSB employee.

The School Council may also elect other Officer positions (i.e., Secretary (Recorder), Treasurer), as deemed necessary.

### **Remuneration (payment)**

No person shall receive any remuneration for serving as a member or Officer of the School Council. Members shall be reimbursed for pre-approved expenses that they incur as members or Officers of the School Council, as per Board procedures.

### **Consultations**

The School Council shall consult with parents/caregivers of students enrolled in the school about matters under consideration by the School Council.

### **Land Acknowledgement**

We acknowledge we are hosted on the lands of the Mississaugas of the Anishinaabe, the Haudenosaunee Confederacy and the Wendat. We also recognize the enduring presence of all First Nations, Metis and the Inuit peoples.

## **Meetings**

The first meeting of the School Council will take place within the first 35 days of the start of the school year after the election, on a date set by the Principal, in consultation with the Chair/Co-Chair(s).

A School Council shall meet at least 4 times in the school year.

The dates for School Council meetings will be set at the first meeting, in consultation with the Principal. The Principal, on behalf of the School Council, will give written notice of the dates, the times and the location(s) of the meetings to every parent/caregiver of a student enrolled at the school.

An official meeting of the School Council cannot be held unless a majority (51%) of the current members of the School Council are present at the meeting, including the Principal or their designate. The majority of those present must be parents/caregivers.

A member of a School Council who participates in a meeting by phone or virtually shall be deemed to be present at the meeting.

## **Voting**

Each member of the School Council is entitled to one vote in votes taken by the School Council. Each committee/sub-committee member is entitled to one vote in votes taken at the committee/sub-committee level. All School Council votes/decisions will be recorded in the School Council minutes. The Principal is not entitled to vote in votes taken by the School Council nor by a committee/sub-committee of the School Council. Voting cannot occur outside of official School Council or committee/sub-committee meetings.

## **Minutes and Financial Records**

School Council shall keep accurate minutes of all meetings and accurate financial records/transactions for four (4) years on the school premises.

Minutes and financial records shall be available at the school for examination by any person, without charge.

## **Quorum**

An official meeting of the School Council cannot be held unless a majority (51%) of the current members of the School Council are present (in-person or virtually) at the meeting and a majority (51%) of the members who are present are parents/caregivers of students who attend our school.

## **Finances**

All expenditures of the School Council require prior approval of the School Council and will be reported in a financial statement to be made available at each School Council meeting. Funds will not be used to support staff appreciation events or gifts. The School Council will not borrow funds nor enter into any financial commitment for which funds are not already in hand. The School Council budget includes the funds provided to School Councils by the Board and the Ministry of Education, as held in the school's non-board accounts.

School Council will consult with the Principal to access and to confirm funds and usage of funds held in the school's non-board accounts (General Ledger 41500) assigned to the School Council provided by TDSB (\$1.25 per student to a minimum of \$300 and to a maximum of \$1000) and the Ministry of Education (\$500, Parent Engagement funds).

The School Council must approve and must document, in meeting minutes, the intended purpose of a fundraising activity before commencing. All expenditures from the School Council account must be approved by School Council prior to disbursing the funds. All School Council collections and all disbursements should be captured in their financial statements. The financial statements should be shared with School Council members and the Principal and should be presented at each School Council meeting.

## **Finances**

The School Council may maintain a bank account. The Chair/Co-Chair(s), Treasurer and/ or other School Council Executive shall act as approved signing officers of the School Council bank account. Each cheque must be signed by two authorized bank signatories. The Principal may be added as a signatory to the School Council bank account. Funds collected must be independently counted by two people, logged in the deposit voucher and deposited promptly. All funds must be securely kept in the school's secure safe until the funds are counted and deposited into the bank.

## **Finances**

School Councils may not enter into long-term agreements, loan arrangements or other contractual agreements under the name of the school or the School Council.

## **Fundraising**

All proposed School Council fundraising activities will take into consideration the ability of our parents/caregivers to contribute and/or to raise funds. As per P037 – Equity Policy, events will reflect the ideas, traditions, cultures and strengths of the parents/caregivers represented in the school. Monetary and non-monetary contributions will be valued equitably.

The School Council may fundraise and must adhere to the P021 - Fundraising Policy and PR508 - Fundraising Procedures. School Councils shall not engage in fundraising activities unless the activities are to raise funds for a purpose approved by the Principal or authorized by any applicable policies established by the TDSB. The School Council is required to:

- consult with the Principal;
- include a list of planned fundraising activities and expenditures for the year;
- create an annual financial plan using the TDSB's forms, School Generated Funds Financial Plan (SGFFP) and School Needs Assessment Form;
- submit as a separate School Council report or as part of the school's SGFFP, each October. The plan may be adjusted throughout the year and must be resubmitted.

Fundraising activities may include but are not limited to, funfair events, product sales, requests for donations from parents/caregivers, grant applications, donations (in-kind or monetary) and sponsorships.

Fundraising proceeds must not be used for expenses required for completion of the curriculum nor for capital infrastructure improvements funded through renewal grants from the Ministry of Education.

School Council must use the Board-approved vendors when available to ensure compliance with health and safety. Where approved vendors are not available, School Councils shall work with the Principal to find an appropriate substitute. The School Council can access the up-to-date list of approved fundraising and fun fair vendors at: <https://www.tdsb.on.ca/Community/How-to-Get-Involved/Fundraising/Fundraising-Guide>.

All School Council disbursements must comply with the Boards' P017 - Purchasing Policy and must be approved by the school Principal and the School Council in advance of incurring the expense.



## **Conflict of Interest**

1. A conflict of interest may be actual, perceived, or potential.
2. Members of the School Council shall declare a conflict of interest in matters that they, members of their family or business entities in which they may have an interest, stand to benefit either directly or indirectly by decisions of the School Council.
3. A member shall exclude themselves from discussions in which:
  - a) a conflict of interest is likely to result;
  - b) the member's ability to carry out their duties and responsibilities as a member of the school council may be jeopardized;
  - c) the School Council member, their 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 to the Board.
4. A member shall not accept favours or economic benefits from any individuals, organizations, or entities known to be seeking business contracts with the school.

## **Conflict Resolution**

School Council shall establish a Conflict Resolution process for internal School Council disputes that is in accordance with any applicable policies established by the TDSB.

### **Conflict Resolution Process**

Conflicts and disputes that occur within the School Council will be facilitated by the following:

- conflict between the Chair/Co-Chair(s) and School Council, will be facilitated by an Executive Officer (Secretary/Treasurer) of the School Council;
- conflict between the Principal and the School Council, will be facilitated by the Superintendent in collaboration with the Chair/Co-Chair(s);
- conflict between the Chair/Co-Chairs(s) and the Principal, will be facilitated by the Superintendent;
- conflict among the Executives (Chair/Co-Chairs(s), Secretary, Treasurer, etc.) will be facilitated by the Principal in consultation with the Superintendent;
- if the conflict occurs at a School Council meeting (attendee becomes disruptive during a meeting), the Chair/Co-Chairs(s), after three attempts of unsuccessfully asking for order, shall seek School Council approval for removal of the conflicted parties from the meeting, citing reasons for the request. This does not prevent the
- conflicted School Council member(s)/attendees from participating in future meetings of the School Council. The incident shall be recorded and submitted to the
- Superintendent within one week of the meeting, by the Principal. The School Council Chair/Co-Chair(s), in collaboration with the Principal, shall request that the disputing

- member(s) participate in a private meeting, the purpose of which will be to arrive at a mutually acceptable resolution to the dispute. Such a meeting will be a private
- meeting and shall not be construed as a meeting of the School Council. The meeting will result in clear steps to be taken by each party to resolve the conflict. The
- Chairs/Co-Chair(s) will provide an update of the resolution at the next formal meeting of the School Council;
- if a resolution was not possible, the Chair/Co-Chairs(s) may call for a special meeting of the School Council to review the conflict/dispute and to explore options that may include suspension of the member/attendee.

Conflicts and disputes that occur within the School Council will be addressed using the following steps:

- the parties to a dispute must attempt to resolve the dispute between themselves within 5 days after the dispute has come to the attention of each party;
- if the parties to the dispute are unable to resolve the dispute between themselves within the time required, any party to the dispute may start the conflict/dispute
- process by giving written notice to the relevant facilitator of the conflict outlining the parties to the dispute and the matters that are the subject of the dispute;
- within 10 days after the facilitators have been given the notice, a meeting must be convened by the appropriate facilitator to consider and to determine the dispute;
- the facilitator must give each party to the dispute, written notice of the meeting at least 3 days before the meeting is held.

The notice given to each party to the dispute must state:

- when and where the committee meeting is to be held; and
- that the party may attend the meeting and will be given a reasonable opportunity to make written and/or oral submission to the committee about the dispute.

At the meeting at which a dispute is to be considered and determined, the facilitator must;

- give each party to the dispute a reasonable opportunity to make written and/or oral submission to the committee about the dispute;
- give due consideration to any submissions;
- determine the dispute;
- give each party to the dispute written notice of the committee's determination and the reasons for the determination, within 7 days after the committee meeting at which the determination is made;
- a party to the dispute may, within 5 days after receiving notice of the committee's determination, give written notice to the facilitator accepting the recommended resolution or requesting the appointment of a mediator;

- if a mediator is requested by one or more of the disputants, or the facilitator deems a mediator is required, the facilitator will secure a mediator and each party to the dispute is a party to the mediation;
- appropriate facilitator will secure a mediator who may be a Board official or independent party identified by the Board and be mutually agreed on by the parties involved in the dispute;
- if a mediator is not supported by one of the disputants, another mediator will be secured;
- if a disputant fails to participate in the mediation called by the facilitator, the disputant will adhere to all recommendations of the mediator.

The mediation process must entail the following:

- the parties to the mediation must attempt, in good faith, to settle the matter that is the subject of the mediation;
- each party to the mediation must give the mediator a written statement of the issues that need to be considered at the mediation at least 3 days before the mediation takes place;
- in conducting the mediation, the mediator must:
  - give each party to the mediation every opportunity to be heard; and
  - allow each party to the mediation to give due consideration to any written statement given by another party; and
  - ensure that natural justice is given to the parties to the mediation throughout the mediation process.
- the mediator cannot determine the matter that is the subject of the mediation;
- the mediation must be confidential and any information given at the mediation can be used in other proceedings that take place in relation to the matter that is the subject of the mediation;
- the costs of the mediation are to be paid by the party or parties who appointed the mediator;
- the recommendation of the mediator is final and cannot be appealed.

## **Definitions**

*Conflict:* A strong disagreement or a dispute between School Council members; or School Council members and Staff; or School Council members and non-member parents/caregivers due to:

- differences of opinion, beliefs, understanding, and/or
- differences of personality or behaviour, and/or
- violations of School Council by-laws/ the school's Code of Conduct.

*School Council member:* Any parent/caregiver of the school who has been elected/ identified as a member of the School Council.

*School Council Chair/Co-Chairs(s):* Members of the School Council elected by the membership as Chair/Co-Chair(s) of the School Council.

*Principal:* The Principal of the school or their designate.

*Mediation:* A process where a neutral third party assists two conflicting people to come to an agreement. This could involve the mediator speaking individually to the two people, but ultimately must include the mediator facilitating a meeting between both conflicting people(s).

*Facilitator:* A person (Principal, School Council Chair/Co-chair(s)) who helps a group of people to work together better, to understand their common objectives and to plan how to achieve these objectives, during meetings or discussions. In doing so, the facilitator remains "neutral", meaning they do not take a particular position in the discussion.

*Resolution:* An agreement by parties that solves the conflict.

## **Suspension of a School Council Member**

If the School Council is unsuccessful in its attempt to resolve a conflict that is impacting the effective operation of the School Council or is impeding the safe and the healthy engagement of all members using the Conflict Resolution process and/or the Suspension Process or is unable to use either of the processes, the Principal, in consultation with the Superintendent or Executive Superintendent may suspend a member(s) of School Council who:

- violates the school/School Council's or the Board's Code of Conduct, the Ontario Human Rights Policy and/or the TDSB's P031 - Human Rights Policy and any other relevant policies and procedures of the school and of the Board;
- chooses not to participate in a resolution meeting or a resolution mediation;
- participated in a resolution meeting or a resolution mediation process but failed to change behaviour(s);
- acts detrimental to the interests of the School Council.

**Annual Report**

School Council will annually submit a written report of its activities to the Principal and include any fundraising activities. The Principal will, on behalf of the School Council, give a copy of the report to every parent/caregiver of a student who is enrolled in the school, either by giving the report to the student for delivery to their parent/caregiver and/or posting the report in the school in a place that is visible to parents/caregivers and/or online.

**By-Laws' Amendments**

School Council will review these By-Laws every three to four (3-4) years to ensure that they reflect the current makeup and the needs of the school community.

**Date**

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The Lynnwood Heights JPS School Council By-Laws were created on (2022-12-14):

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Principal First Name: Joy

Principal Last Name: Reiter

Principal Email Address: joy.reiter@tdsb.on.ca

Principal Phone Number: 416-396-6519