

POLICY

It is the policy of the Upper Grand District School Board that each school establish a School Council. The Council will act in an advisory capacity to the Principal of the school to make recommendations to the school Principal and, as appropriate, the Board. The purpose of a School Council is to improve student achievement and enhance the accountability of the education system to parents. The School Council will place the overall interests of the school and students first.

School Councils will operate within the parameters of the Education Act and Regulations, other relevant legislation, Board policies and Collective Agreements.

Administrative Detail

1. It is the responsibility of the appropriate Superintendent and the Communications Officer, in conjunction with the School Council Co-ordinating Committee, to administer this policy, and review it once every three (3) years.
2. It is the responsibility of Principals to implement this policy, in accordance with the School Councils Procedures Manual 201-A, Ontario Regulation 612/00 - School Councils Regulation, Ontario Regulation 613/00 - a Regulation to Amend Regulation 298, and Regulation 298 - Operation of Schools - General.
3. In this Policy, parent(s) mean: parent(s), guardian(s) and foster parent(s).

A. MEMBERSHIP

1. Parents

- a) Each School Council will have a minimum of five (5) parent representatives, six (6) if there is student representation on the School Council. A School Council may set the number of parent representatives by by-law, but that number shall not be less than five (5).
- b) Parents shall form the majority of the members of a School Council.
- c) Parent representatives shall be elected by parents of students currently enrolled in the school, as determined by the election procedure outlined in the School Council's by-laws.
- d) Any parent of a student in a school is eligible to be elected to a School Council unless the parent is a Board employee who works in the school.
- e) Parents who are Board employees may be elected to a School Council in their child's school if they do not work in that school. They will be required to take reasonable steps to inform qualified voters before the election for parent representatives of their employment by the Board.

2. Community Representatives

- a) Each School Council shall appoint at least one community representative.
- b) A School Council may specify by by-law that it shall include two or more community representatives.
- c) Board employees cannot be appointed as community representatives if they are employed at the appointing school.
- d) Board employees may be appointed as community representatives in a school where they are not employed. They will be required to take reasonable steps to inform the members of

the School Council of their employment by the Board before the appointment.

3. Student Representatives

- a) In the case of a secondary school, one student enrolled in the school shall be appointed to the School Council by the Student Council (or similar body).
- b) If there is no Student Council in a secondary school, one student shall be elected to the School Council by the students of the school.
- c) In elementary schools the Principal may, after consultation with the School Council, appoint one pupil from the school to the School Council.

4. Principal

- a) The Principal of the school shall be a non-voting member of the School Council.
- b) Principals may delegate any powers or duties they have as a member of the School Council, or under the Education Act and Regulations that deal with the Principals' duties respecting School Councils, to the Vice-Principal of the school.

5. Teachers

- a) Each School Council shall have one Teacher employed at the school, other than the Principal or Vice-Principal, elected to the School Council by the Teachers of the school.

6. Non-Teaching Staff

- a) Each School Council shall have one staff member, who is not the Principal, Vice-Principal or Teacher at the school elected to the School Council by the other non-teaching staff members of the school.

- b) Non-teaching staff members include all members of the Board's non-teaching bargaining units, as well as contract caretakers, and noon-hour supervisors.

7. Other Parent Members

One person chosen by the Ontario Federation of Home and School Associations will be appointed to the School Council if the Association is established in respect of the school.

8. Trustees

Trustees elected to the Board cannot be members of a School Council in the jurisdiction of the Board.

B. TERM OF OFFICE

1. Members of a School Council will be elected or appointed for a one-year term.
2. Members hold office from the later of the date of election or appointment, and the date of the first meeting of the School Council after their election or appointment, and until the first meeting of the School Council following the election held in the next school year.
3. Members may be re-elected or re-appointed unless otherwise provided by the by-laws of the School Council.

C. ELECTION OF PARENT MEMBERS

1. Each School Council shall make by-laws governing the procedures for elections of parent members, and filling of vacancies in the membership of the School Council.
2. Each School Council shall hold elections for School Council parent members during the first thirty (30) days of each school year.
3. The date of the election shall be fixed by the Chair or Co-Chairs of the School Council in consultation with the Principal of the school.
4. The Principal shall give written notice of the date, time and location of the election of parent members at least fourteen (14) days in advance of the

election to every parent of a pupil who is enrolled in the school. The notice may be provided to the child enrolled in the school for delivery to the parent and by posting the notice in the school in a location accessible to parents, or by other written means.

5. The election of parent members of the School Council shall be by secret ballot.
6. All parents of pupils in the school are qualified to vote in the election of parent members of the School Council.
7. Parents may be acclaimed to a position on a School Council.
8. If a new school is established, the first election of parent members to the new School Council shall be held during the first thirty (30) days of the school year on a date fixed by the Board.

D. OTHER ELECTIONS

1. The Principal, in consultation with the School Council and the teaching and non-teaching staff of the school shall establish election procedures for the teaching and non-teaching staff representatives. These elections will be held during the first thirty (30) days of the school year.
2. All teachers employed at the school, other than the Principal or Vice-Principal are qualified to vote for the teacher member on the School Council.
3. All non-teaching staff members are qualified to vote for the non-teaching staff member on the School Council.
4. All pupils enrolled in a secondary school are qualified to vote for the student member of the School Council if the school does not have a Student Council.
5. The Principal, in consultation with the School Council will establish election procedures for the student member, as required.

E. VACANCIES

1. Vacancies on a School Council occur when:

- a) all positions have not been filled after elections;
 - b) an insufficient number of candidates present for election;
 - c) a member resigns, or
 - d) a member is unable to fulfill the role and responsibilities of a School Council member.
2. Each School Council shall establish a by-law for filling vacancies on the School Council.
 3. Vacancies may be filled by election and/or appointment.
 4. An election process established by a School Council may be modified as required, to fill a vacancy on the School Council.
 5. A vacancy on a School Council does not prevent the School Council from exercising its authority.

F. OFFICERS

1. Each School Council shall have a parent member Chair elected by the members of the School Council.
2. A School Council may have two parent member Co-Chairs if specified by by-law, and elected by the members of the School Council.
3. Board employees, who are members of School Councils, may not serve as the Chair or Co-Chair of a School Council.
4. A School Council may have other officers if specified by by-law.
5. A process for filling vacancies in the office of Chair, Co-Chair or any other officers of a School Council shall be specified by By-law (see Section E- VACANCIES).

G. REMUNERATION

1. School Council members shall not receive remuneration for serving as a member or an officer of a School Council.

2. The reimbursement of School Council members for expenses incurred when acting on behalf of the School Council is governed by Board policy.

H. MEETINGS

1. Each School Council shall meet not less than four (4) times during a school year.
2. Each School Council shall meet within thirty-five (35) days of the start of the school year, after elections are held. This date shall be fixed by the school Principal.
3. School Councils are entitled to hold meetings at the school. All meetings must be held in a location that is accessible to the public.
4. School Council meetings shall be open to the public
5. Written notice of the dates, times and locations of School Council meetings shall be given, by the Principal, on behalf of the School Council to all parents of pupils enrolled in the school. The notice may be provided to the child enrolled in the school for delivery to the parent, and by posting the notice in the school in a location accessible to parents, or by other written means.
6. A meeting of a School Council cannot be held unless a majority of the current members of the Council are present at the meeting, and a majority of the members present are parent members.

I. COMMITTEES

1. A School Council may, by by-law, establish committees to make recommendations to the School Council.
2. Every committee of a School Council must include at least one parent member of the School Council.
3. A committee of a School Council may include persons who are not members of the School Council.
4. School Council Committees are entitled to hold meetings at the school. All committee meetings must be open and accessible to the public.

5. The process of notification of committee meetings to parents of students enrolled in the school will be determined by the School Council.

J. DECISION MAKING

1. School Councils are advisory bodies and every attempt should be made to reach decisions through consensus.
2. Consensus is a form of group decision-making based on willingness to consent and support. Consensus is reached when all members of the School Council, including the Chair/Co-Chairs are willing to accept and support an idea or concept as the best choice for the entire Council.
3. In the event that consensus cannot be achieved, a vote may be taken.
4. Each School Council member shall have one vote in votes taken by the School Council or in committees of the School Council.
5. The Principal is not entitled to vote in votes taken by the School Council or a School Council Committee.

K. CONFLICT OF INTEREST

1. Each School Council shall establish a by-law for participation in School Council proceedings in cases of conflict of interest.
2. A conflict of interest by-law shall direct a member of a School Council who has a personal financial interest in a matter before the Council to declare such a conflict, refrain from participating in the decision-making and/or voting on the matter, or attempting to influence the decision-making or vote on any such matter.

L. CONFLICT RESOLUTION

1. Each School Council shall establish a by-law establishing a conflict resolution process for internal School Council disputes, based on Board Policy.
2. School Council members shall make every effort to resolve conflicts themselves.

3. If a School Council is unable to resolve an internal dispute, the Chair and/or Co-Chair and the Principal may contact the appropriate Superintendent of Education for assistance.
4. The Superintendent of Education will, in consultation with the Principal and the Chair or Co-Chairs of the School Council, determine the approach to be used in the attempt to resolve the conflict.
5. Approaches for resolving conflicts could include, but are not limited to:
 - a) assistance by the Superintendent of Education for the school,
 - b) assistance by a trained facilitator/mediator from within the system,
or
 - c) assistance by an outside trained facilitator/mediator.

M. INCORPORATION

1. A School Council shall not be incorporated.

N. RECORDS AND REPORTING

1. A School Council shall keep minutes of all its meetings and records of all its financial transactions which shall be available at the school for examination without charge.
2. Minutes shall be retained for a period of four years.
3. Financial records shall be retained for a period of seven years.
4. Each School Council shall submit a written report on its activities to the Principal of the school and the School Board on an annual basis.
5. The Annual Report shall include a report on fund-raising activities.
6. A copy of the Annual Report shall be provided to every parent of a pupil enrolled in the school, by giving the report to the parents' child for delivery to the parent and by posting the report in the school in a location accessible to parents.

O. FUND-RAISING

1. A School Council may engage in fund-raising activities that are conducted in accordance with, and for a purpose that is approved by the Board, or authorized by Board Policy.
2. Funds raised by a School Council shall be used in accordance with Board policies.

P. LIABILITY INSURANCE

1. The Board recognizes that School Council members are volunteers and are covered by the Board's liability insurance as long as they are acting within the scope of their duties on behalf of the Board.
2. School Councils will be required to purchase liability insurance for any activities they conduct which are not approved and directed by a school employee (such as the Principal). (See Appendix A - OSBIE Advisory Bulletin).

Q. ROLE OF SCHOOL COUNCILS

1. School Councils are advisory bodies which may make recommendations to the school Principal or the Board on any matter excluding:
 - a) personnel matters and Collective Agreements;
 - b) the security of property;
 - c) the acquisition or disposal of a school site;
 - d) negotiations or litigation affecting the Board, and
 - e) individual student issues.
2. School Councils shall consult with parents of students enrolled in the school about such matters under consideration by the Council.
3. School Councils shall establish by-laws that address:
 - a) election procedures and filling of vacancies in membership;

- b) the participation of members of School Councils in cases of conflict of interest, and
 - c) process for internal conflict resolution, within Board policies.
4. School Councils may establish by-laws, within the direction of this Policy and Procedures that address:
- a) the name, purpose and objectives of the Council;
 - b) membership and officers of the Council and their responsibilities;
 - c) provisions with respect to Council meetings, quorum and voting rights of members;
 - d) committees of Council and their composition;
 - e) rules for conduct of meetings, and
 - f) amendments to by-laws of the Council.
5. School Councils shall provide advice to the Principal, and where appropriate, to the Board, on any matters it identifies as priorities. These could include:
- a) school calendar of events;
 - b) school code of conduct;
 - c) curriculum and program goals and priorities;
 - d) the responses of the school or Board to achievement in provincial and Board assessment programs'
 - e) recommendations about the process of hiring and assigning school administrators and staff, within the existing Collective Agreements and Board Policy (eg. preparing goals and profile of the school to assist in the selection and placement process)'
 - f) school budget priorities, including local capital improvement plans;
 - g) school/community communication strategies;

- h) methods of reporting to parents and the community;
 - i) co-instructional activities in the school;
 - j) school-based services and community partnerships related to social, health, recreation and nutrition programs;
 - k) community use of school facilities;
 - l) local coordination of services for children and youth, and
 - m) development, implementation and review of Board policies at the local level.
6. In addition to its advisory responsibilities, the School Council shall:
- a) ensure that its prime objective is to improve student learning;
 - b) promote the best interest of the school community;
 - c) establish goals, priorities, and procedures, and
 - d) promote attendance at Board-organized training sessions to help council members develop their skills.
7. Council Members shall:
- a) place the overall interest of the school and students first;
 - b) participate in Council meetings;
 - c) participate in information and training programs;
 - d) act as a link between the Council and the community;
 - e) encourage the participation of parents and others within the school community, and
 - f) seek to reach consensus in the decision-making processes of the Council.

8. The Chair/Co-Chair of the Council shall:
- a) call all school council meetings following the first meeting of the school year which shall be convened by the Principal;
 - b) prepare the agenda for meetings in consultation with the Principal;
 - c) chair the meetings;
 - d) ensure that the minutes of meetings and financial records are recorded and maintained as established by this Policy;
 - e) participate in information and training programs;
 - f) involve and communicate with the Principal in the planning of all Council activities and/or initiatives that will involve or impact on the school staff or students;
 - g) encourage diversity in committees;
 - h) facilitate collaborative decision making;
 - i) consult with senior Board staff and Trustees as required, and
 - j) ensure that the annual report is prepared for the Principal, school community and the Board.

R. ROLE AND RESPONSIBILITIES OF THE BOARD

1. The Board shall consult with School Councils on the following matters:
- a) policies, procedures and implementation plans relating to the Board's Code of Conduct;
 - b) policies, procedures and implementation plans relating to the Board's Appropriate Dress Policy;
 - c) policies and procedures relating to the allocation of funding for School Councils;
 - d) policies and procedures relating to the reimbursement of expenses incurred by members and officers of School Councils;

- e) policies and procedures relating to fundraising activities,;
 - f) policies and procedures regarding conflict resolution processes for internal School Council disputes;
 - g) action plans for improvement based on the results of the Education Quality and Accountability Office testing, and the communication of the plans to the public;
 - h) the process and criteria for the selection and placement of Principals and Vice-Principals, and
 - i) implementation plans for new Ministry-mandated initiatives relating to pupil achievement or the accountability of the education system.
- 2. The Board shall establish a School Council Coordinating Committee to facilitate consultation with School Councils and among School Councils.
 - 3. The Board may, at its discretion, consult with School Councils on other matters.
 - 4. The Board shall consider recommendations made to it by a School Council and advise on the action taken in response to any recommendations.
 - 5. The Board shall continue to support ongoing leadership training for School Council members and administrators and provide expertise to School Councils.

S. ROLE AND RESPONSIBILITY OF PRINCIPALS

- 1. The Principal of the school shall:
 - a) attend all School Council meetings;
 - b) support and promote the School Council's activities;
 - c) adhere to responsibilities as outlined in the Education Act and Regulations 298, 612, 613, regarding School Councils and seek input from the School Council on the following matters:
 - i. the school's Code of Conduct and its implementation,

- ii. determining and implementing appropriate dress for pupils of the school, and
- iii. school action plans for improvement based on the Education Quality and Accountability Office test results, and communication of these action plans;
- d) consider the views of the School Council in the annual review of the school's opening or closing exercises;
- e) maintain regular communications with the Chair/Co-Chair of the School Council;
- f) consult with the School Council Chair/Co-Chair on the preparation of the agenda of School Council meetings;
- g) ensure that copies of the minutes of meetings and financial records of the School Council are maintained, are made available, and are easily accessible in the school;
- h) act as a resource to the School Council on legislation, regulations, Board policies and Collective Agreements;
- i) obtain and provide information required by the Council to enable it to make informed decisions;
- j) assist the School Council in communication with the school community;
- k) encourage the participation of parents and other people within the school community;
- l) consider all recommendations from the School Council and advise on the action taken in response to any recommendations;
- m) approve all printed materials from the School Council distributed through the school, and
- n) promptly distribute and make available materials in the school identified and provided for School Councils by the Ministry.



1. PARENT GROUPS

Parent groups play a significant role and contribute to the success of many school functions through their volunteer efforts. This contribution is recognized through the school board's liability policy which extends coverage to members of parent groups while they are acting within the scope of their duties on behalf of the school board. Duties are those assigned by any authorized employee or trustee *. Coverage is extended to volunteer parents involved in activities which are approved and controlled by any authorized employee or member of the board. The person authorizing the activity must assume responsibility for it and the activity must be in accordance with board policies and procedures. Thus if a member of a parent group were sued because of alleged negligence arising out of their duties for the board, the OSBIE policy would provide protection.

The parent organizations require their own liability insurance as protection against being named in a law suit for activities of the group that independent of a school and are not directed by a school employee or trustee. Activities such as conventions, social outings of the parent group, independent fund-raising events, etc., would not fall under the board's liability insurance.

The Ontario Home & School Association and the Federation of Catholic Parent-Teacher Associations of Ontario both have made liability insurance available to their membership. Parent groups should investigate the feasibility of obtaining liability insurance for their organizations for activities that are not under the jurisdiction of the school board.

** Note from the Upper Grand District School Board:*

An individual Trustee cannot authorize or supervise an event. Other than an employee only the Board, as a corporate body, has the authority to direct a School Council activity.

2. SCHOOL COUNCILS

School councils are deemed to be formed for the sole purpose of providing advice to school staff. Members of school councils are protected by the boards' liability insurance for lawsuits while they are working within the scope of their mandated duties for the board. Since the Ministry of Education and Training issued its Policy/Program Memorandum No. 122 on April 12, 1995, a mandate to form school council advisory organizations, the OSBIE office has received a number of questions regarding insurance coverage for School Councils.



To help to clarify the matter of insurance protection, the remainder of this bulletin is written in a **question and answer** format. It is recommended that this bulletin be copied and distributed to all interested parties.

Q-1 Are school councils protected by the board's liability insurance while they are working within their mandate to provide advice to the principal?

A-1 **Yes.** School councils are mandated by the Ministry of Education & Training to provide advice to principals on a variety of issues. While the members of the council are performing their duties as outlined by the Ministry of Education and Training for the board, they are deemed to be working within the scope of their duties (to provide advice to the principal), and are an insured as defined in the liability policy.

Q-2. What if school councils go beyond their mandate to provide advice? What if they become involved in some of the fund-raising activities that were previously run by parent groups? Does the board's liability insurance protect them in these circumstances?

A-2 It depends.

i) **YES**, they are protected **IF** the school council members are "working within the scope of their duties for the board as assigned by an authorized board representative". For example, if a school principal organized a fund-raising activity and the school council members were asked to assist with the event, insurance protection would be provided to those members who volunteered.

ii) **NO, IF** the school council members involve themselves in a fund-raising or other activity on their own and outside of the control of the school or board, the members are not protected by the board's liability insurance policy. For example, if a school council decided to hold a Christmas social, a family social event, conduct a craft sale, orchestrate programs not provided by schools, etc. on its own, coverage is not extended by the board's insurer.

Q-3. If my school council is willing to volunteer its time and energy to run a series of fund-raising events, why must we have the board's support and input on our plans? If my school council decides to run a program on school premises, after school for the benefit of children and families in the community, why does the board have to be involved in setting up the program and outlining the rules for operation in order for me to be covered by the board's insurance? The board is obstructing our creativity by imposing rules? Is it fair for



the board to withhold insurance protection if we don't follow the board's rules.

A-3 **Yes**, it is fair. The board has a high onus to ensure that any activity in which it or its representatives are involved is conducted in a safe manner. A board develops procedures and policies with respect to various activities with safety in mind. Safety and security must have priority when it comes to any school activity. Matters such as accommodations, equipment, supervision, training, appropriateness of the activity, etc. must all be addressed before an activity is undertaken. School officials have developed policies and procedures to ensure safety for students and others. To disregard these policies and procedures may lead to injury and to losses.

A liability insurance policy issued to a school board provides protection to the school board and to other interests while they are acting within the scope of their duties on behalf of the board. The insurer protects the board and others for activities within the control and jurisdiction of the school board. If the activity is outside of the jurisdiction of the school board, then coverage is not provided for that activity. A board is not obligated to assume responsibility for an activity independent of a school even if the school might be the beneficiary.

Therefore, it is fair for the board to advise school councils that if they run activities outside of the board's jurisdiction, they must purchase their own insurance that would respond to claims brought against them arising out of their events. They cannot be deemed to be working within the scope of duties for the board if they are not involved in a board controlled activity.

Q-4 If the school council is given permission to use a school gymnasium for an after-school program that the parents are running, are the parents protected by the board's liability insurance?

A-4 **No**. If the school council is simply using the school gym to operate a non-school activity, the group would require it's own liability insurance for the activity they are running. They would be in the same position as other users of school premises, and should provide liability insurance for their activities on the board's premises.

Q-5 Do school councils require their own liability insurance?

A-5 **Yes**, they do if they engage in any activities beyond their assigned duties. School councils will inevitably be involved in personal activities that are not under the jurisdiction of the school. Activities such as providing after-hours child care, running music programs,



or organizing a Christmas party or other social activity for the council members would need to be insured by the school council's insurance.

Q-6 Can school councils purchase liability insurance from OSBIE?

A-6 **No**, not through OSBIE. OSBIE is a Reciprocal Exchange that is licensed to insure school boards only.

Q-7 Where would school councils purchase liability insurance? **

A-7 We are aware of two possible sources of group insurance for school councils.

1. The Ontario Federation of Home and School Associations has a group liability insurance policy available to **their members only**. School councils members involved in fundraising and other activities independent of a school may wish to consider membership in this Association.

2. The Ontario Association of Parents in Catholic Education will add School Councils who become members to their group liability policy. Information about membership and insurance can be obtained through the London Office at 519-432-5573.

Liability insurance protection is just one of the benefits of membership in either of these organizations. These group liability insurance programs are designed to complement liability insurance policies provided by OSBIE or any other school board insurer.

*** Note from the Upper Grand District School Board: The Ontario Public School Boards' Association has arranged School Council insurance for public district school Boards through Phoenix-Eastern Insurance brokers Inc. Call 1-877-883-5888 for information.*