

# **Elgin Street Public School Council Constitution and Bylaws**

## **Revisions – June 2013**

### **Table of Contents**

#### **1. Constitution**

[Article I: Name](#)

[Article II: Definitions](#)

[Article III: Purpose and Objectives](#)

[Article IV: Affiliations](#)

[Article V: Elections](#)

[Article VI: Members](#)

[Article VII: Officers](#)

[Article VIII: Meetings](#)

[Article IX: Voting](#)

[Article X: Committees](#)

[Article XI: Amending the Constitution](#)

[Article XII: Council Roles and Responsibilities](#)

[Article XIII: Conflict Resolution](#)

[Article XIV: Conflict of Interest](#)

[Article XV: Signing Authorities](#)

[Article XVI: Date of Entry into Force](#)

#### **2. By-laws**

[By-Law E-1: Roles and Responsibilities of the Officers](#)

[By-Law E-2: Mission Statement](#)

[By-Law E-3: Fundraising](#)

[By-Law E-4: Disbursement of Funds](#)

[By-Law E-5: Member Code of Ethics](#)

#### **3. Resources**

## **1. Constitution**

### **Article I: Name**

The organization shall be called the Elgin Street Public School Parent Council of Ottawa, Ontario, Canada.

### **Article II: Definitions**

“Board”

means the Ottawa-Carleton District School Board, and where appropriate the Board's senior staff.

“Chair”

Means member who presides over the meeting, and includes co-chair, if applicable

“Council”

means the Elgin Street Public School Parent Council

"Elgin School"

means Elgin Street Public School

"Executive"

means the mandatory officers of the Council.

"Non-Parent Representative"

is a person who has no children enrolled at Elgin Street Public School, but has a connection and a commitment to the wellbeing of Elgin Street Public School and who has been elected by Council as a non-parent representative.

"Parents"

means parent(s) and guardian(s) of children enrolled at Elgin Street Public School

"Parent Members"

means members of the Council who are parents or guardians of children who are enrolled at Elgin Street Public School.

"Principal"

includes the principal, or vice-principal if applicable

"School Community"

means persons, businesses and organizations living, working, or operating within the attendance boundaries of Elgin Street Public School, and Parents, Elgin Street Public School staff and students, and guests invited by the Council.

"Student" or "Students"

means students enrolled at Elgin Street Public School

### **Article III: Purpose and Objectives**

#### 3.1

The purpose of the Council is to improve, support, and enhance the educational environment and well-being of students at Elgin School, including **by** advising the Principal; communicating and providing a voice to Parents within the local educational system including the Board; increasing awareness and advocating on relevant issues in various forums including before government and non-government organizations; enhancing accountability of the educational system; and providing a forum for Parents, Students, Elgin School staff and the School Community to achieve objectives. The “education environment and well-being” includes academic, social, financial, psychological and physical aspects that relate positively toward a Student’s educational experience and achievement.

#### 3.2

The objectives of the Council are to:

- to enhance educational opportunities and overall school experience for all Students, and develop a strong relationship between the members of the School Community;
- to contribute to the wider City of Ottawa community by communicating and working on matters that are in the best interest of Elgin Students;
- to provide advice and recommendations to the Principal and, as appropriate, to the Board or any other person(s) or organization(s) on any matter affecting Elgin School and/or its Students.
- to be an effective voice for promoting the interests of Elgin School, and to actively support Elgin School in meeting the educational, social and recreational needs of the Students;
- to review and advocate on issues not met by the Board, and determine which priorities require Council action and/or fundraising efforts;
- to promote and enhance the accountability of the education system to Parents;
- to provide a forum for Parents, Students, Elgin Staff and School Community for input, consultation, information, communication, discussion, co-operation, participation and involvement on matters relevant to school experience;
- to provide or support events, opportunities and activities to enrich the educational environment and well-being of Students and to fundraise therefor;
- to ensure funds raised are used lawfully and in accordance with the purpose and objectives of the Council;
- to foster goodwill, a positive educational experience and achievement for Students, without discrimination and in the spirit of equality of opportunity and tolerance;
- to otherwise take steps to improve, support and enhance the educational environment and well-being of Students at Elgin School as may be agreed upon and approved by Council from time to time.

#### **Article IV: Membership and Affiliations**

##### 4.1

The Council may seek membership in, or affiliation with, other organizations that have similar purposes, such as membership in the Ottawa-Carleton Assembly of School Councils (OCASC), by majority vote.

##### 4.2

Any subsequent changes in such memberships or affiliations will require a majority of votes.

## **Article V: Elections**

### 5.1

Council elections will be conducted in accordance with [Board Procedure PR.509.SCO](#) and other relevant policies and procedures.

## **Article VI: Members**

### 6.1

The Council is composed of the following mandatory members:

- a minimum of 6 and a maximum of 14 Parent Members, elected by the Parents;
- where possible, a minimum of 1 and a maximum of 2 Non-Parent Representative(s), elected by the Council;
- where possible, one teacher employed at Elgin School, other than the principal or vice-principal, elected by the teachers at Elgin School;
- where possible, one non-teaching employee of Elgin School, elected by the non-teaching employees of Elgin School; and
- the Principal, or designate

(the "Mandatory Members")

### 6.2

A Student representative may be appointed by the Principal, with consent of the council, as a member of the Council.

### 6.3

All Council members are voting members and have equal voting rights except the principal, who participates in Council business as a non-voting member.

### 6.4

Parent Members will be elected or acclaimed by Parents in attendance at a Council meeting within 30 days of the beginning of the current school year (the "Inaugural Meeting"). If fewer individuals stand for election than are spaces available, all those standing for election will be acclaimed.

#### 6.5

Outgoing Council members may work together before the Inaugural Meeting to ensure that candidate(s) for Non-Parent- Representative attend the Inaugural Meeting, and that elections for teaching and non-teaching members are completed before the Inaugural Meeting.

#### 6.6

The first business at the Inaugural Meeting of the new Council will be to try to elect one Non-Parent -Representative. Once an attempt has been made to elect a Non-Parent -Representative, the selection of members for the new Council is complete.

#### 6.7

Membership in the Council is for 1 year renewable terms. The terms of all Council members for the previous year expire as soon as voting for the Parent Members at the Inaugural Meeting is completed.

#### 6.8

Elected and appointed members may seek additional terms of office. An individual may serve as Chair not more than 3 school year terms every 5 years.

#### 6.9

If any of the Mandatory Positions falls below the required number of people, members of the Council will act as follows:

- If the position is that of a Parent Member, then the Principal will advertise the position in the school newsletter and members of the Council will actively search for candidates to fill the vacant position. At the start of each Council meeting such vacancies will be announced; if any candidates are nominated, the Council will fill the vacancy through elections or acclamation, with each Parent in attendance having one vote;

- If the position is that of a Non-Parent Representative, then the members of the Council will actively search for candidates to fill the vacant position. At the start of each Council meeting such vacancies will be announced and the Council will elect a Non-Parent Representative, if possible; or
- If the position is teaching or non-teaching member, then the Council will ask the Principal to take appropriate steps to ensure that a candidate is elected or acclaimed.

#### 6.10

Any Parent Member vacancy may be filled at any Council meeting by election or acclamation, with each Parent in attendance having one vote.

#### 6.11

Any Non-Parent Representative vacancy can be filled at any Council meeting by election by the Council.

#### 6.12

Teacher employees and non-teacher employees become members of the Council as soon as the Principal informs the Council

#### 6.13

There will be no remuneration paid to members of the Council, though Council members may be reimbursed for approved expenses incurred as part of Council business.

### **Article VII: Executive**

#### 7.1

The Executive will be elected at the Inaugural Meeting immediately after the selection of Council members is complete under section 6.6. The voting members of the newly-elected Council will elect or acclaim the Executive.

#### 7.2

The Executive is composed of the following mandatory positions:



- Chair or Co-Chairs;
- Treasurer;
- Secretary;
- Volunteer and Fundraising Co-ordinator; and
- OCASC Representative,

(the "Mandatory Positions")

The same person may hold two of the above positions.

### 7.3

If any Mandatory Position is vacant, the Council will advertise the position and members of the Council will actively search for candidates to fill the vacant position. At the start of each Council meeting such vacancies will be announced. Any vacancy can be filled at a Council meeting, either by election by the voting members of the Council or by acclamation.

### 7.4

The Executive may include other positions as elected by the Council, including but not limited to:

- Vice-Chair;
- Past Chair;
- Other position deemed necessary by the Council

the same person may hold more than one of the above discretionary positions, including individuals who already holds one of the Mandatory Positions.

### 7.5

### 7.6

## **Article VIII: Meetings**

### 8.1

Council may adopt its own rules of procedure for the conduct of meetings which are consistent with principles of fairness and democracy.

### 8.2

Where possible, at the last meeting of the current school year, the Council may appoint a nominating committee for the purpose of seeking nominations for the following school year.

### 8.3

Regular meetings of the Council will be held at the school, at least every other month except July and August. The Executive will ensure that appropriate notice is given for the meetings.

### 8.4

Special meetings of the Council may be called by the Chair or other members of the executive at the request of a third of the Council members; the Executive will ensure that appropriate notice is given for the meetings.

### 8.5

All meetings of the Council will be open to Parents, Staff, Students, and Council. The Executive has the discretion to allow members of the general public, who do not have children enrolled at the school, to speak.

### 8.6

Commercial representations will not be permitted without the prior approval of a majority of Council members.

### 8.7

Members of Council will make reasonable efforts to attend all Council meetings. In order to achieve quorum and to ensure an effective Council, a member who misses 2 consecutive meetings **will (can)** be contacted by the Chair, and such member may have his or her membership terminated by the majority of the executive if more consecutive meetings are missed.

## 8.8

The Council may terminate the membership of a non-Staff Council member by a two-thirds vote for:

- behaviour that is inappropriate or detrimental to Elgin School or the Council;
- for failure to perform his or her duty;
- for misrepresentation of Elgin School or the Council to a person, the press, or other organization;
- for misrepresentation to the Council;
- for ignoring the direction of the Council; or
- **f**or any other reason, including illegal or unlawful conduct, as Council may deem warranted subject to notice and an opportunity to be heard.

## 8.9

The Council may consult with Parents on matters under consideration by the Council, and voting may only take place on business stated in an approved agenda.

## **Article IX: Voting**

### 9.1

Unless otherwise provided, all voting members in attendance at a Council meeting may vote on any resolution at the meeting.

### 9.2

Unless otherwise provided, a majority of votes of elected members is required to pass a motion.

### 9.3

Voting by proxy is not permitted.

#### 9.4

Voting on Council matters, other than the election of teacher employee and non-teacher employee Council members, may only take place at a Council meeting.

#### 9.5

A Council meeting may be held by e-mail, telephone, or other electronic means at the discretion of the Executive due to extenuating circumstances that are time sensitive if:

- all Council members are given reasonable notice of the issue to be discussed and deadline for the vote. Reasonable notice consists of a minimum of 48 hours over regular weekdays and 72 hours over the weekends;
- where possible, Parents are given reasonable notice as above.
- if a majority of members disagree with holding the e-vote, then the vote will be canceled.
- quorum is achieved as required by section 9.6
- all meeting protocols will be upheld
- the e-vote will be properly documented and included in the next monthly meeting's minutes.

#### 9.6

Quorum for a meeting of the Council is achieved if:

- a simple majority of Council members are in attendance at the meeting;
- and
- a majority of the Council members in attendance are Parent Members;
  - if quorum is not achieved, Council may proceed with the meeting at the discretion of the Chair, but no votes may take place until quorum is achieved.

### **Article X: Committees**

#### 10.1

The Council may establish committees, as necessary, by a motion at a Council meeting that includes:

- the committee's name;
- the committee's mandate;
- the chair or co-chairs of the committee, at least one of whom must be a member of the Council; and
- how often the committee is to report to council, in any event at least twice per council term.

## 10.2

Membership on Council committees is open to anyone from the School Community, although each committee will maintain at least one Parent Member as chair or co-chair.

## 10.3

Committees may include, but are not limited to, the following:

- Constitution Committee;
- Arts and Events Committee;
- Fundraising and Volunteer Committee;
- Special-Needs Committee;
- Sports, Health & Safety Committee;
- Playground and Garden Committee.

## 10.4

Committees are terminated at the earliest by:

- a vote at a Council meeting to terminate the committee; or
- the election of new Parent Members at the Inaugural Meeting.

## 10.5

Committees do not represent Council and must seek Council approval of draft communications or other actions or representations to the general public.

## 10.6

Committees may receive money from Council through procedures set by Council.

## 10.7

The Executive will ensure that appropriate notice is given for Committee meetings. Committee meetings will be open to the School Community.

## **Article XI: Amending the Constitution**

### 11.1

The Constitution and Bylaws may be amended by approval of a motion by a two-thirds majority of voting members of Council and Parents present at a meeting called for that purpose, provided that at least two weeks notice is given for such a motion and details of the proposed amendments are circulated to all members with that notice.

## **Article XII: Council Roles and Responsibilities**

### 12.1

In addition to the roles and responsibilities stipulated in [Board Policy P.014.SCO, attachment 2, section 1.22](#) for the Council Chair, Council Members and Principal, additional roles and responsibilities are set out in the Council's Bylaws.

## **Article XIII: Conflict of Interest**

### 13.1

A conflict of interest may be actual, perceived, or potential.

### 13.2

Members of the Council will declare a conflict of interest in matters that they, members of their families, or business entities in which they have an interest, stand to benefit financially or otherwise either directly or indirectly by decisions of the Council.

### 13.3

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 or a member of Council will declare the conflict of interest immediately and he or she will decline from the discussion and resolution by leaving the meeting for that part of the discussion.

Members must keep the discussion confidential and the minutes will reflect the decision and resolution.

If a conflict of interest is discovered after a Council decision is made, contact is made with the person in conflict, other members of Council are notified and an agenda item is added at the next scheduled Council meeting for further discussion and resolution.

#### **Article XIV: Conflict Resolution**

##### 14.1

While it is the goal of Council to achieve consensus through discussion, in the event that a conflict arises, the conflict will be dealt with as follows:

- If a Council member(s) or participant(s) becomes disruptive, the Chair will ask for order.
- If order is not restored, the Chair may direct the individual(s) to leave the meeting, though the removal from one meeting does not prevent individuals from participating in future meetings of Council.
- The Chair may request the disputing individual(s) to participate in a special meeting to arrive at a mutually acceptable solution to the dispute and where at least one non-invested member(s) of Council is present to help mediate the dispute. Such a meeting should not be construed as a meeting of the Council.
- If an issue cannot be resolved at the local level, the Chair or Principal will request the Superintendent of Schools to provide direction.
- If the Superintendent of Schools cannot mediate the conflict, the member can be removed from Council by majority vote of Council members present.

#### **Article XV: Signing Authority**

##### 15.1

Any formal communication from Council, or a Council committee, where that communication advances a position on Elgin School or Board or Ministry policy or procedure or action, actual or proposed, must be approved by the majority of Council and co-signed by the Chair.

Any cheques must be signed by at least two members of the Executive.

Money generated through fundraising efforts must be counted by at least two members of Council and signatures provided to ensure accountability.

All members of Council or Committee members should follow these financial practices.

## **Article XVI: Date of Entry Force**

16.1

This Constitution will come into force immediately upon the passing of a motion at a Council meeting to approve this Constitution.

## **2. Bylaws**

### **Bylaw E-1: Roles and Responsibilities**

E1.1

#### **Chair**

In addition to the roles enumerated in OCDSB Policy P.014.SCO Attachment 2, Section 1.22, the Chair or Co-chairs if applicable:

- Reviews the work of the Treasurer prior to every meeting to ensure that bank accounts and financial statements are in order.
- Acts as a signing officer for the Council.

E1.2

#### **Secretary**

- Ensures that adequate notice of meetings, the agenda, and previous minutes are circulated to all members at least one week in advance of the meeting; ;
- Maintains an accurate account of all Council meetings, including attendance, motions, and action items;
- Ensures the safe-keeping and accessibility of Council records for the current year and for the preceding four years;
- Provides for inspection of the minutes and records of the Council to any member of Council or members of the School Community, on request.
- Ensures continuity of records to the incoming Council.



### E1.3

#### **Treasurer**

- Is responsible for tracking the finances of the Council;
- Ensures the safe keeping of the Council finances as in accordance with the policies and procedures of the OCDSB;
- Provides financial report updates to the Council at every meeting, including but not limited to: a copy of the most recent update of the bank statement, a record and explanation of every transaction since the last report, an accounting of the outstanding approved expenses, and a projection of year-end estimated revenue and expenses.
- Provides accounting of Council finances as may be required from time to time;
- Ensures there is an annual audit performed by a member of the School Community on the financial report;
- Performs such other related duties as may be assigned by the Chair from time to time; and
- Acts as a signing officer for the Council.

### E1.4

#### **Volunteer and Fundraising Coordinator**

- Recommends the fundraising activities for the year;
- Works with Executive to set a budget for fundraising activities;
- Fundraising activities may include: movie nights, pizza days, book sale, silent auction, fundraising letter to parents for voluntary contribution, etc.
- Ensures fundraising activities are in accordance with the policies and procedures of the OCDSB.

### E1.5

#### **OCASC Representative**

- Attends Ottawa-Carleton Assembly meetings on behalf of the Council and speaks for the Council at such meetings (when necessary or applicable); and
- Provides to Council an oral and/or written report of OCASC meetings.

## **Bylaw E-2: Mission Statement**

## **Bylaw E-3: Fundraising**

- The Council shall engage in fundraising activities for the purpose of improving the educational, recreational experience and well-being of students;
- Those fundraising objectives shall be communicated as early and as much as possible;
- All money raised through fundraising activities must be counted by at least two members of Council and signatures provided;
- Receipts must be submitted for reimbursement and financial accountability.

## **Bylaw E-4: Disbursement of Funds**

- Members of the Executive will have signing authority;
- Two members of the Executive must sign all cheques;
- Receipts must be provided for all expenditures to ensure accountability;
- Where receipts are not available, the expenditure can be approved by a majority vote of Council;
- Co-chairs have \$50 discretionary amount **to spend on Council business** but receipts must be provided and accounted for in Council minutes at next Council meeting.

## **Bylaw E-5: Member Code of Ethics**

Open to all members of the School Community, honesty, transparency, anti-discrimination

The Elgin Street School Parent Council values equity and diversity in its membership, processes and priorities and strives to conduct meetings and all activities in an inclusive and equitable manner.

Its understanding and implementation of equity are founded on the following acknowledgements:

- The Parent Council, in accordance with the *Canadian Charter of Rights and Freedoms* and the *Canadian Human Rights Act*, recognizes the individual worth and dignity of all people. The Council believes that all individuals have the right to be treated, in all matters, solely on the basis of their personal merits, and to be accorded equal opportunity with all other individuals.
- The Council opposes any discrimination, stereotypes or generalizations based on the following characteristics: “race, national or ethnic origin, colour, religion, age, sex, sexual orientation, marital status, family status, disability and conviction for which a pardon has been granted.” (Canadian Charter of Rights and Freedoms)
- The Council recognizes historical disadvantages experienced by individuals within certain groups based on characteristics related to Aboriginality and cultural, ethnic, linguistic, racial, regional, generational, gender, sexuality-based as well as disability-based differences.
- The Council acknowledges societal, educational or other systemic barriers faced by these groups.
- The Council values the process of reflection, evaluation and revision of all policies and practices to ensure fairness and relevancy.

### **3. Resources**

- The Education Act, R.S.O. 1990, c.E-2
- [School Councils: A Guide for Members \(Revised 2002\)](#)

- Ontario Regulation 612/00, School Council Regulation and Ontario Regulation 613/00
  - [OCDSB Policy P.014.SCO: School Councils](#)
  - [OCDSB Procedure PR.509.SCO: School Council Elections, Constitution and By-laws](#)
  - [OCDSB Policy P.052.SCO: Fund-raising in Schools](#)
  - [OCDSB Procedure PR.540.SCO: Fund-raising in Schools](#)
  - [Constitution of Elgin Street Public School Council, as amended to June 16, 1998](#)
  - [First Avenue Public School Constitution/By-Laws, March 2002](#)
  - Constitution and Bylaws for Hopewell Avenue Public School Council, May 2004