

RAINBOW CREEK SCHOOL COUNCIL BYLAWS 01-001

ARTICLE I

1. NAME:

1.1 The name of the School Council shall be the Rainbow Creek School Council.

ARTICLE II

2. INTERPRETATION:

2.1 In this Bylaw, the following definitions shall have the following meanings:

- (a) “Act” means the School Act of Alberta, RSA 1988, c.S-3.1, and any amendments thereto or substitutions therefore;
- (b) “Council” means the Rainbow Creek School Council, a formally constituted membership;
- (c) “Director” means parent representatives elected or appointed to the Council;
- (d) “Parents” means parents, guardians or legal custodians of students attending the School;
- (e) “School” means Rainbow Creek Elementary School;
- (f) “School Board” means the Rocky View School Division No. 41;
- (g) “School Staff” or “Staff” means persons employed at the school.
- (h) “Community” refers to a group of people employed or residing within the township’s municipal boundaries and/or the school enrolment boundaries.

ARTICLE III

3. PURPOSE:

3.1 The aims and objectives of the School Council are:

- (a) to strengthen and promote communication and a working relationship between parents, students, school staff, school board, community, superintendent and government in matters of educational and general interest;
- (b) to foster a sense of community and pride and a spirit of cooperation, trust and understanding among all stakeholders;
- (c) to inform and advise the school principal, the school board and the superintendent in matters relating to the school;
- (d) to identify, initiate and support activities and projects beneficial to the education and development of students, and to assist the school financially and socially;
- (e) to provide a forum to discuss and debate education-related matters affecting the Rainbow Creek Elementary School community;
- (f) to participate in the making of, and to advise on the implementation of, policies in the school, subject to the regulations within its jurisdiction under the responsibilities as set out by the Minister of Learning, including but not limited to, policies respecting:
 - the nature of programs offered;
 - the expenditure of money;
 - the educational standards to be met by the students;
 - the management of the school.

ARTICLE IV

4. FISCAL YEAR:

4.1 The fiscal year shall be from July 1 of one calendar year to June 30 of the succeeding calendar year.

ARTICLE V

5. GOVERNING AUTHORITY:

5.1 The governing legislation shall be the Act and any regulations, orders, directives, or other subordinate legislation relating thereto.

5.2 The governing authority shall be Alberta Learning.

ARTICLE VI

6. MEMBERSHIP:

6.1 **Number:** The Council shall be comprised of no less than eleven (11) and no more than thirty-nine (39) voting Directors.

6.2 Composition:

- (a) Subject to Clause 6.1 and 6.2(b), the Council shall be composed of at least:
 - 11 Directors, including executive directors
 - 3 staff members
 - the community representative
 - The principal, as an ex-officio, non-voting member
- (b) The majority of the Council shall be parents who are not of the school staff.
- (c) Subject to Clauses 6.1, 6.2(a) and 6.2(b), the size and composition of the School Council shall be determined each year at the Annual General Meeting. In the event the full complement of Directors as so determined is not elected, the unfilled positions may remain unfilled.

6.3 **Executive:** The Executive of the School Council consists of the following voting Director positions:

- (i) Chairperson
- (ii) Vice-Chairperson
- (iii) Secretary
- (iv) Treasurer
- (v) Past executive person

6.4 **Term of Office:** The term of office for each director shall be one year. Directors may be elected, or appointed.

6.5 Eligibility:

- (a) Subject to Clauses 6.5(b) and (c), any Director is eligible to become a member of the Executive.
- (b) The Chairperson shall be a parent.
- (c) The Vice-Chairperson shall be a parent.
- (d) The Community representative shall be a person with an interest in the community who is not a parent, staff or school board member.

6.6 Election/Appointment of Council Members:

- (a) (i) Directors shall be elected, or appointed to the Council by the parents at an Annual General Meeting pursuant to Clause 8.1(b)(i) hereof or at a Special General Meeting pursuant to Clause 8.4(e)(ii) hereof.
 - (ii) The Chairperson and Vice-Chairperson shall be elected to the Council by parents at an Annual General Meeting pursuant to Clause 8.1(b)(ii) hereof.
- The principal or designated alternate shall preside over these elections.

- (b) Staff representatives shall be elected to the Council by the school staff on or before the thirtieth (30th) day of September of each year. The principal or designated alternate shall preside over these elections.
- (c) One community representative shall be appointed by the Directors.
- (d) Elections shall be carried out by secret ballot if so requested by any two (2) eligible voters.

6.7 Election of Executive:

- (a) The Chairperson and the Vice-Chairperson shall be elected at the Annual General Meeting.
- (b) The Secretary and Treasurer shall be chosen from among the elected Directors at the AGM or First Meeting of the Council. In the event no Director agrees to assume the position of either the Secretary or the Treasurer, the Council may appoint or employ such person or persons as deemed necessary to carry out the responsibilities, but such person or persons so appointed or employed shall not be considered a Director and, accordingly, shall not be entitled to vote.

6.8 Removal:

- (a) A Director shall cease to be a Director if he or she:
 - (i) Ceases to qualify as a Director pursuant to Clause 2.1 (d);
 - (ii) Is removed as a Director pursuant to Clause 6.8(b)
 - (iii) Is absent from three consecutive council meetings unless the Council resolves at a subsequent council meeting that she/he may retain office.
- (b) Directors on the School Council may be removed by a vote of Council at a Special General Meeting.
- (c) Staff representatives on the School Council may be removed by a vote of the school staff.
- (d) The community representative may be removed by a vote of the Directors.

6.9 Vacancies: in the event that a position becomes vacant, the Directors may appoint a replacement to complete the remainder of the full term of the departing Director, provided that

- (a) If the position that becomes vacant is a staff position, the school staff shall designate a replacement;
- (b) If the position becomes vacant as a result of a vote pursuant to Clause 6.8(b), a replacement may be elected by parents at a Special General Meeting voting in accordance with Clause 8.4(e).

6.10 Inability to Form a School Council: If a School Council is not elected at the Annual General Meeting, the principal shall call a second meeting. If a School Council is not elected at the second meeting, the powers and duties of the School Council shall revert to the principal for that year. The principal shall select an advisory committee comprised of parents, staff and community members.

6.11 Remuneration: No Director shall receive any remuneration for services rendered for the School Council.

ARTICLE VII

7. DUTIES:

7.1 Duties of Directors: Directors shall

- (a) Attend meetings of the council;
- (b) Communicate regularly with the groups they were elected or appointed to represent;
- (c) Perform other duties and responsibilities as determined by the Council.

7.2 Duties of Executive:

- (a) **The Chairperson shall:**
 - (i) Convene and preside at all meetings of the Council;
 - (ii) Speak on behalf of the Council to the School Board, the community, the press, etc.;
 - (iii) Ensure that all the by-laws are being followed and that all the decisions of the Council are carried out;
 - (iv) Prepare an agenda for every meeting;
 - (v) Be responsible for submitting an annual report to the School Board by July 15th following the end of the school year;
 - (vi) Receive all outside correspondence;
 - (vii) Ensure committees are taking action towards addressing their purpose;
 - (viii) Delegate responsibilities and ensure that they are carried out;
 - (ix) Ensure that the by-laws, vision, mission, goals and objectives are reviewed as necessary.

- (b) **The Vice-Chairperson shall:**
 - (i) Assist the Chairperson in carrying out his or her duties when requested;
 - (ii) Assume the responsibilities of the Chairperson in his or her absence;
 - (iii) Assume other duties and responsibilities as determined by the Council.
- (c) **The Secretary shall:**
 - (i) Take the minutes of all meetings of the Council;
 - (ii) Distribute the minutes prior to the next meeting;
 - (iii) Maintain a history of the minutes and make it available for inspection by parents or staff;
 - (iv) File the correspondence of the Council;
 - (v) Assume other duties and responsibilities as determined by the Council.
- (d) **The Treasurer shall:**
 - (i) Ensure that accurate accounts, receipts and disbursements of Council finances are maintained and are available for inspection by parents or staff;
 - (ii) Keep a bank account in the name of the Council at such bank as may be determined;
 - (iii) In conjunction with Executive, prepare an Annual General Budget for approval by School Council before November 30 of each year.
 - (iv) Produce financial reports for regular meetings;
 - (v) Prepare and submit an annual financial report to the School Council and to the School Board;
 - (vi) Assume other duties and responsibilities as determined by the Council.
- (e) **The Past-Executive person shall:**
Have no specific duties, but is invaluable as a resource person to provide continuity to the operations of the Council. The past-executive person may perform such duties as determined by the Council.

ARTICLE VIII

8. MEETINGS:

8.1 Annual General Meeting

- (a) **When:** The Annual General Meeting shall be held on or before the fifteenth (15th) day of June each year.
- (b) **Elections:**
 - (i) **Directors:** Directors shall be elected to the School Council at the Annual General Meeting by a vote of parents pursuant to Clause 8.1(f)(ii) hereof.
 - (ii) **Chairperson and Vice-Chairperson:** The Chairperson and the Vice-Chairperson shall be elected to the School Council at the Annual General Meeting by a vote of parents pursuant to Clause 8.1(f)(iii) hereof.
 - (iii) **Secretary and Treasurer may also be elected at this time.**
- (c) **Notice:** At least ten (10) days notice of the Annual General Meeting shall be given to all parents and staff. The notice shall specify the date, time and place of the meeting and the general nature of any business or resolution to be transacted at the meeting. The notice of meeting shall also specify the procedure to be followed in submitting nominations for election to the School Council. Non-receipt of notice by a parent or staff member does not invalidate the meeting or any proceedings thereat.
- (d) **Quorum:** The Annual General Meeting shall not proceed unless a quorum of parents is present at the meeting. Bylaw updated September 19, 2012 to simple majority.
- (e) **Chairperson:** In the event that the Chairperson or Vice-Chairperson is absent, or elects to vacate the chair, or otherwise refuses to preside, an alternate chairperson shall be elected for the duration of the meeting. The Chairperson, Vice-Chairperson or alternate Chairperson, as the case may be, shall hereinafter be called “the Presiding Chairperson”.
- (f) **Voting:**
 - (i) Voting shall be carried out in person, and not by proxy or otherwise.
 - (ii) Election of Directors shall be by a simple majority of parents in attendance at the meeting.

- (iii) Except as provided in Clause 8.1(f)(ii) and 10.1 hereof, matters properly coming before the Annual General Meeting shall be decided by a simple majority of parents eligible to vote.
 - (iv) The Presiding Chairperson for the meeting shall have the deciding vote in the case of a tie, provided that the Presiding Chairperson is eligible to vote on the matter. In no other event shall the Presiding Chairperson vote.
- (g) **Business:** The business at the Annual General Meeting shall include:
- (i) The handling of any unapproved minutes;
 - (ii) Unfinished business;
 - (iii) Election of Directors to the School Council, such election to be presided over by the principal or designated alternate;
 - (iv) Treasurer's report;
 - (v) Motion to appoint duly qualified accountant or two (2) non-executive Directors to conduct an annual review of the books, accounts and records of the Council;
 - (vi) Committee reports;
 - (vii) New business;
 - (viii) Adjournment.

8.2 Regular Council Meetings:

- (a) **First Meeting:** The first meeting of the Council shall be an organizational meeting which shall be held before the end of June following the election of the School Council. The Directors shall:
 - (i) Elect from among themselves the Secretary and Treasurer, if not filled at the Annual General Meeting;
 - (ii) Determine the time of its regular meetings.
- (b) **When:** Meetings shall be held at least once a month, at a time to be determined by the Council, except for July, August and December which shall be at the discretion of the Council.
- (c) **Notice:** At least seven (7) days notice of regular council meetings shall be given to all parents and staff. This notice should specify date, time and place of meeting, as well as the general nature of business.
- (d) **Quorum:** Regular Council Meetings shall not proceed unless a quorum of Directors is present at the meeting. One quarter of Directors of the membership list shall constitute a quorum. By-law updated September 19, 2012 to simple majority.
- (e) **Voting:**
 - (i) Only the Directors shall be eligible to vote. Matters properly coming before the School Council at a Regular Council Meeting shall be decided by a simple majority of Directors present at the Meeting.
 - (ii) The Chairperson for the meeting shall have the deciding vote in the event of a tie. In no other event shall the Chairperson vote.
 - (iii) Voting shall be carried out in person, and not by proxy or otherwise.
- (f) **Open Meetings:** All Regular Council Meetings shall be open to all parents, staff, and the community.

8.3 Executive Meetings:

- (a) **When:** Executive meetings shall be held at the call of the Chairperson, or whenever determined by a simple majority of the Executive.
- (b) **Quorum:** Three (3) or more members of the Executive shall constitute a quorum.

8.4 Special General Meetings:

- (a) **When:** Special General Meetings of parents and staff shall be held:
 - (i) Whenever called by the Chairperson; or
 - (ii) Within thirty (30) days of a written request by three (3) or more Directors; or
 - (iii) Within thirty (30) days of receipt of a written petition calling for a Special General Meeting signed by at least twenty (20) parents and/or staff.

- (b) **Notice:** At least ten (10) days written notice shall be given to parents and staff with reasonable details of the matters to be discussed and voted upon. Non-receipt of notice by a parent or staff member does not invalidate the meeting or any proceedings thereat.
- (c) **Quorum:** A Special General Meeting shall not proceed unless a quorum of parents is present at the meeting. Ten (10) parents shall constitute a quorum. September 19, 2012 Bylaw updated to simple majority.
- (d) **Chairperson:** In the event that the Chairperson or Vice-Chairperson is absent, or elects to vacate the chair, or otherwise refuses to preside, an alternate Chairperson shall be elected for the duration of the meeting.
- (e) **Voting:**
 - (i) Voting shall be carried out in person, and not by proxy or otherwise.
 - (ii) Election of Directors pursuant to Clause 6.6 (a) (i) shall be by simple majority of parents in attendance at the meeting.
 - (iii) Except as provided for in Clause 6.6(b), 8.4(e)(ii) or 10.1 hereof, matters properly coming before a Special General Meeting shall be decided by a simple majority of parents in attendance at the meeting.
 - (iv) The Chairperson for the meeting shall have the deciding vote in the case of a tie provided that the Chairperson is eligible to vote on the matter. In no other event shall the Chairperson vote.
- (f) **Open Meetings:** All Special General Meetings shall be open to parents and staff.

ARTICLE IX

9. COMMITTEES:

- 9.1 The Council may appoint Committees consisting of Directors and/or others from the school community with either delegated or advisory responsibilities.
- 9.2 Reporting: Each Committee Chairperson shall report to the Council. A report of the Committees' activities must be presented at the Annual General Meeting.
- 9.3 Unless the School Council specifies otherwise in its commission, all plans shall be approved by the Council before any work is undertaken.

ARTICLE X

10. AMENDMENTS TO THE BY-LAWS:

- 10.1 A three-quarters (3/4) majority of Directors attending a regular meeting may amend the by-laws of the School Council.
- 10.2 Notice of the proposed by-law amendments must be circulated with the notice of meeting as per 8.2 (c).
- 10.3 A copy of the School Council bylaws will be made available to parents and staff along with the School Council minutes.

ARTICLE XI

11. CONFLICT RESOLUTION PROCEDURES:

- 11.1 In cases of conflict between Council members:
 - (a) The Council shall appoint a Committee of Inquiry to investigate and settle disputes from any member(s) on the affairs of the Council.
 - (b) The Committee of Inquiry shall consist of 3, 5 or 7 members, not involved in the conflict, from the School Council.
 - (c) The findings and decisions of the Committee of Inquiry are final and binding on the affected parties.
- 11.2 In cases of conflict between the School Council and the principal:

If there is a dispute between the Council and the principal regarding any aspect of the school operation and the dispute cannot be resolved at the school, then this dispute shall be referred to the Superintendent for a decision. Any such decision by the Superintendent shall be final.

11.3 In cases of conflict of interest:

Members of the Council who find that items of business being brought to the Council may put them in a conflict of interest must declare that conflict and withdraw from debate and voting on the matter.

ARTICLE XII

12. FINANCIAL AUTHORITY:

12.1 **Signing authority:** Any three of the following shall have signing authority on all spending:

- Chairperson
- Vice Chair
- Treasurer
- Secretary

12.2 **Limits of spending:** Monies spent out of general funds shall be limited to the following:

- (a) up to \$500.00 - any two Signing Officers
- (b) over \$500.00 - approval of the Council

Purchases for the hot lunch program are exempt from the above limits.

12.3 An Annual General Budget will be prepared and approved by School Council before November 30 of each year.

ARTICLE XIII

13. RULES OF ORDER:

13.1 "Parliamentary Procedure" as supplied by the Alberta Home and School Councils Association shall be the official guideline for all meetings and shall form part of these by-laws.