

SCHOOL ACT – SECTION 22

Revised Statutes of Alberta 2000

Chapter S-3

Current as of June 5, 2017

School Council

- 22 (1)** A school council shall be established in accordance with the regulations for each school operated by a board.
- (2)** The majority of the members of a school council shall be parents of students enrolled in the school.
- (3)** A board of a separate school district or a division made up only of separate school districts, by resolution, may require that the parents of students enrolled in a school operated by the board who are members of the school council must also be of the same faith as those who established the separate school districts, whether Protestant or Roman Catholic.
- (4)** A school council **may**, at its discretion,
- (a)** advise the principal and the board respecting any matter relating to the school,
 - (b)** perform any duty or function delegated to it by the board in accordance with the delegation,
 - (c)** consult with the principal so that the principal may ensure that students in the school have the opportunity to meet the standards of education set by the Minister,
 - (d)** consult with the principal so that the principal may ensure that the fiscal management of the school is in accordance with the requirements of the board and the superintendent, and
 - (e)** do anything it is authorized under the regulations to do.
- (5)** Subject to the regulations, a school council may make and implement policies in the school that the council considers necessary to carry out its functions.
- (6)** A school council may make bylaws governing its meetings and the conduct of its affairs
- (7)** Subject to the regulations, a board may develop and implement policies respecting school councils.
- (8)** A board shall establish an appeal process or conflict resolution procedure under which the principal or the school council may apply respecting disputes on policies proposed or adopted for a school.
- (9)** The Minister, on the request of the board, may dissolve a school council without notice at any time if the Minister is of the opinion that the school council is not carrying out its responsibilities in accordance with this Act and the regulations.
- (10)** The Minister may make regulations
- (a)** respecting the election or appointment of the members of a school council and the term or other conditions of election or appointment and the dissolution of a school council;
 - (b)** respecting the roles of the principal and the school council of a school and their respective powers, duties and responsibilities;
 - (c)** respecting any other matter the Minister considers necessary respecting school councils;
 - (d)** exempting a school or class of schools from the application of this section.

1988 cS-3.1 s17;1990 c36 s6;1994 c29 s8;1995 c27 s3



School Councils Regulation

Alberta Regulation 113/2007

School Act

SCHOOL COUNCILS REGULATION

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Definitions

- 1** In this Regulation,
- (a) “Act” means the *School Act*;
 - (b) “board” has the meaning given to it in the Act;

(b.1) “early childhood services program” means an education program provided by a board under section 30 of the Act;
 - (c) “establishment meeting” means a meeting to be held under section 2 to establish a school council;
 - (d) “executive” means the executive of a school council;
 - (e) “model of governance” means the process and structure used by a school council to make decisions regarding its business and affairs;



- (f) “school community” in respect of a school means
 - (i) students enrolled in the school and their parents,
 - (ii) children enrolled in an early childhood services program at the school and their parents,
 - (iii) the school staff, and
 - (iv) other persons who have an interest in the school;
- (g) “school day” means a day scheduled for the purpose of instruction, examinations or other student activities where student-teacher interaction and supervision are maintained.

Establishment meeting

- 2(1)** If a school that is required to have a school council has no school council, the school must, within 40 days after the start of the school year, hold a meeting for the purpose of establishing a school council.
- (2)** If there are fewer than 5 parents in attendance at an establishment meeting or if the meeting is not successful in establishing a school council, the principal may adjourn the meeting to a later date and establish an advisory committee to carry out one or more duties or functions of a school council in the interim until a school council is established.
- (3)** Any advisory committee established under subsection (2) is dissolved on the establishment of a school council.

Notice of establishment meeting

- 3(1)** If a school is required to hold an establishment meeting, the principal must give notice to the following persons of the meeting:
 - (a) a parent of each student enrolled in the school;
 - (b) a parent of each child enrolled in an Early Childhood Services program at the school;
 - (c) the school staff;
 - (d) other members of the school community who, in the principal’s opinion, should be given notice.
- (2)** A notice under subsection (1) must
 - (a) describe the purpose of the meeting,
 - (b) set out the time, date and location of the meeting, and
 - (c) be given at least 10 school days before the date of the meeting.
- (3)** A notice under subsection (1) may be given by any means that the principal considers appropriate, including electronic means.
- (4)** If an establishment meeting is adjourned under section 2(2), notice of the adjournment date must be given in accordance with this section.



Chair and secretary at establishment meeting

- 5** The principal must decide who is to act as the chair and who is to act as the secretary at an establishment meeting.

Agenda at establishment meeting

- 6(1)** The persons attending an establishment meeting must
- (a) decide, subject to section 8, on the size of the school council,
 - (b) decide on the model of governance for the school council,
 - (c) decide, subject to subsection (2), on the term of office of each member of the school council,
 - (d) elect, subject to subsection (2), the initial members of the school council referred to in section 8(1)(d),
 - (e) decide, subject to section 9, on the size of the executive,
 - (f) decide on the term of office of each member of the executive, and
 - (g) elect the initial members of the executive.
- (2)** For greater certainty, but without restricting the generality of subsection (1)(a), the persons attending an establishment meeting may decide that for the purposes of section 8(1)(d), the school council may include
- (a) all parents of students enrolled in the school, and
 - (b) if an early childhood services program is offered at the school, all parents of children enrolled in an early childhood services program at the school
- who wish to be members.

Right to vote at establishment meeting

- 7** Despite section 6, only persons who attend the establishment meeting and are
- (a) parents of students enrolled in the school, or
 - (b) parents of children enrolled in an early childhood services program at the school
- are entitled to vote on matters raised at the meeting.

School council membership

- 8(1)** A school council must include the following members:
- (a) the principal of the school;
 - (b) at least one person who is a teacher at the school, elected or appointed by the teachers at the school;



- (c) if the school includes a senior high school program, at least one person who is a student enrolled in the high school, elected or appointed by the students enrolled in the high school;
- (d) subject to section 22(2) of the Act, parents of students enrolled in the school;
- (e) if an early childhood services program is offered at the school, parents of children enrolled in the program.

(2) The members of a school council referred to in subsection (1) may establish a process to appoint as members of the school council one or more persons who are not parents of students enrolled in the school but who have an interest in the school.

School council executive

9(1) A school council must have a chair and any other members of the executive determined by the persons attending an establishment meeting.

(2) A parent of a student enrolled in the school or, if an early childhood services program is offered at the school, a parent of a child enrolled in the program must be elected chair of the executive.

(3) Despite subsection (2), a member who is not a parent **may** be elected chair of the executive if no parent is willing to be nominated as chair.

(4) Subject to subsection (2), every member of a school council is eligible to be elected as a member of the executive.

Faith of school council members

10 Unless a resolution has been passed under section 22(3) of the Act, the members of a school council may be of any faith

Remuneration of school council members

11 No member of a school council shall receive any remuneration for acting as a member of the council.

Prohibition against incorporation

12 No school council shall incorporate under the *Societies Act* or Part 9 of the *Companies Act*.

Responsibilities of board

13(1) A board **must** provide the school council with an opportunity to provide advice on the development of the school's

- (a) foundation statements, if any, respecting the school's vision, principles and beliefs,
- (b) policies,
- (c) annual education plan and annual results report required by the Minister to be reported under section 78 of the Act, and



- (d) budget.
- (2) A board must provide the school council with the results for the school from provincial assessments and any other provincial measures, and an interpretation of these results and measures.
- (3) A board must at all reasonable times allow the school council free and full access to timely and accurate information of the board that is publicly available, including board policies and minutes of board meetings.

Donations

- 13.1(1) A school council may receive donations on behalf of a board but no school council shall raise funds or otherwise solicit donations in any manner that would require a gaming license under the *Gaming and Liquor Act*.
- (2) A school council must handle and report all money it receives, if any, in accordance with the applicable policies and procedures of the board.

Duty to report to the board

- 14(1) The chair of a school council must prepare and provide to the board by September 30 of each year a report
 - (a) summarizing the activities of the school council in the previous school year, and
 - (b) detailing, in accordance with the policies referred to in section 13.1(2), the receipt, handling and use of any money by the school council in the previous school year.
- (2) A school council must retain at the school a copy of the minutes for each meeting of the school council and make them available to the board or the public on request.
- (3) School council must retain the minutes for each meeting of the school council for at least 7 years.

Date for first meeting of school council

- 15 For any school year, the first meeting of the school council must be held within 20 school days after the start of the school year or as specified in the bylaws of the school council.

Suspension of school council

- 16(1) If a quorum is not available for a meeting of a school council and the meeting has been re-scheduled on 2 or more occasions, the board may suspend the operation of the school council until the following year.
- (2) If the operation of a school council is suspended, the principal may establish an advisory committee to carry out one or more of the duties or functions of the school council until a new school council is established under subsection (3).
- (3) If the operation of a school council is suspended under subsection (1), a new school council must be established within 40 school days after the start of the next school year in accordance with sections 2 to 9.



Bylaws of school council

- 17(1)** Each school council may make bylaws respecting the conduct of its business and affairs including, without limitation, bylaws
- (a) respecting the calling of regular, special or annual meetings of the school council;
 - (b) subject to section 6, respecting the election of members of the school council;
 - (c) subject to section 6, respecting the election of members of the executive;
 - (d) respecting the role of the chair and other members of the executive relating to the conduct of the school council's affairs;
 - (e) respecting the number of times the school council must meet each year;
 - (f) respecting the location of school council meetings;
 - (g) respecting the number of school council members that constitutes a quorum at meetings of the school council;
 - (h) respecting a conflict resolution process for internal school council disputes.
- (2)** A Bylaw under subsection (1) does not come into force unless it is approved by a majority of
- (a) parents of students enrolled in the school, and
 - (b) parents of children enrolled in an Early Childhood Services program at the school who vote at a special meeting of the school council called for that purpose.
- (3)** The bylaws continue in force from year to year unless
- (a) they are amended at a special meeting of the school council called for that purpose, and
 - (b) the amendment is approved in accordance with subsection (2).

Fees prohibited

- 18** No school council shall be charged a fee for the use of the school or school facilities for the purpose of holding a meeting of the school council.

Exemptions

- 19** The following are exempt from the application of section 22 of the Act and this Regulation:
- (a) a school for resident students of the Government as described in section 44(7) of the Act that is provided in an institution approved by the Minister;
 - (b) a school for students that is provided in an institution approved by the Minister.



Repeal

20 The *School Councils Regulation* (AR 171/98) is repealed.

Expiry

21 For the purpose of ensuring that this Regulation is reviewed for ongoing relevancy and necessity, with the option that it may be repassed in its present or amended form following a review, this Regulation expires on August 31, 2021.

Coming into force

22 This Regulation comes into force on September 1, 2018.



Administrative
Regulation No.
5001

Classification:
Schools

Effective Date:
June 17, 2015

School Councils and School/Parent Societies

1 | Purpose

The purpose of this Administrative Regulation is to:

- Provide clear direction to principals, school councils and school/parent societies on their relationship regarding school council and school/parent society finances, reporting and accountability for fundraising.
- Provide a forum for discussion of school philosophies, plans and operations recognizing that, under the *Alberta School Act* and Calgary Board of Education Administrative Regulations, the principal is responsible for the management of the school.
- Enhance communication between each school and its community.
- Provide a process for resolving differences between the school council, school/parent societies and the school principal.

2 | Scope

This Administrative Regulation applies to:

- All schools and CBE school councils and all school/parent societies.

3 | Principles

The following principles apply:

- The contributions of school councils and school/parent societies support success for each and all students.
- The CBE values and supports school councils and school/parent societies and their mandates.
- Support from school councils and school/parent societies furthers the work of principals and school staff to help ensure that students achieve CBE Results.
- School councils and school/parent societies allow for public engagement in learning.
- Clear and open communication is valued between the principal, school councils and school/parent societies.

4 | Definitions.

For the purpose of this Administrative Regulation:

CBE: means The Calgary Board of Education.

School Council: means a collective association of parents, principals, staff, secondary students (where applicable) and community representatives established under the *Alberta School Act* that seeks to work together to promote the well-being and effectiveness of the entire school community, to enhance student learning and to facilitate cooperation among the concerned participants in the local school.

School/Parent Society: means a group of five or more persons, incorporated under the *Alberta Societies Act* for any benevolent or charitable purpose in support of CBE students and the school.

5 | Regulation Statement

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|-------------------------------------|---|
| Role of school council | 1) The role of a school council is set out in Section 22 of the <i>Alberta School Act</i> . Its main role is advisory and includes consulting with the principal regarding matters related to the school. |
| Formation of school councils | 2) If a school council does not exist at a school, the principal must hold an annual meeting for the purpose of establishing a school council in accordance with the Alberta Government School Councils Regulation, A.R.113/2007. 3) If a school council is not established at a school, through the establishment meeting, the principal may establish a school advisory committee for that school year. 4) The school principal will provide advice, assistance and resources to assist those interested in forming a school council or in nurturing an ongoing council. |
| Use of school name | 5) A school council must use the name of the school in their name. 6) If a school council or school/parent society wishes to use the name of the school for any reason other than in the name of the school council, prior approval of the principal is required. 7) Requests to use a school name for fund raising must be in writing and must outline the purpose or reason for use of the school name and the date of an event, if applicable. 8) If the stated purpose for the use of the school name is fundraising, the decision to allow the use of the name of the school is made by the principal on a case by case basis and must be communicated in writing to the school council or school/parent society. |
| School staff | 9) The use of school staff and resources by a school council or a school/parent society must have the prior approval of the principal. |
| Membership | 10) The requirements for membership on a school council are set by the Alberta School Councils Regulation A.R. 113/2007. |



- 11) Each school council must include the following members:
 - a) the principal of the school;
 - b) at least one person who is a teacher at the school, elected or appointed by the teachers at the school;
 - c) if the school includes a senior high school program at least one person who is a student enrolled in the high school, elected or appointed by the students enrolled in the high school;
 - d) parents of students enrolled in the school.
- 12) The members of a school council may establish a process to appoint, as a member of the school council, one or more persons who are not parents of students enrolled in the school, but who have an interest in the school.
- 13) The majority of the members of a school council must be parents of students enrolled in the school.
- 14) Calgary Board of Education employees must not
 - a) be signing officers of the school council and school/parent societies for the school in which they work, unless they have received the approval in advance of the Area Director; and
 - b) form a majority of the members of a school council for the school in which they work.
- 15) If the Area Director approves Calgary Board of Education employees as school council signing officers for the school in which they work, the Area Director must
 - a) ensure that adequate supervision and financial controls are exercised to compensate for a potential conflict of interest, and
 - b) notify the Chief Financial Officer of the Calgary Board of Education or designate that Signing Officer approval has been given to a Calgary Board of Education employee.

School council executive

- 16) A school council must have a chair and any other members of the executive determined by the persons attending an establishment meeting.
- 17) A parent of a student enrolled in the school must be elected chair of the executive but if no parent is willing to be nominated as a chair, a member of the school council who is not a parent may be elected as chair of the school council executive.

Information to and advice from the school council

- 18) The school principal is responsible for
 - a) policies;
 - b) school development plan;
 - c) annual education results report; and
 - d) budget.
- 19) In the process of creating or changing the above, the principal shall seek advice and input from the school council.
- 20) The school principal shall present the information in section 18 as part of a regularly scheduled school council meeting.
- 21) The school principal must provide the school council with the school's provincial testing program results and other provincial measures and a reasonable interpretation of those results and measures.

Reports

- 22) In order to comply with the Alberta School Councils Regulation 14(1) the chair of the school council must prepare and provide to the board by September 30 of each year a report
 - a) summarizing the activities of the school council in the previous school year, and
 - b) including a financial statement relating to money handled by the school council in the preceding year, if any, and how the funds were used.
- 23) A copy of the annual report will be provided to the principal;
- 24) The principal must include the school council report in the school's annual report.
- 25) A school council must retain a copy of the following documents at the school, and make them available upon request:
 - a) a copy of the bylaws of the school council;
 - b) a copy of the school council annual report;

- c) the annual financial statement, if any; and
- d) the minutes of each meeting of the school council for at least seven years preceding the current year.

26) The Chief Financial Officer of the Calgary Board of Education or designate may request an audit of the accounts and financial affairs of a school council.

Disputes between the school council and the school principal

27) If a dispute between the principal and the school council, or any of its members about school council operations cannot be resolved, either party may refer the matter to the Area Director who may meet with the parties either independently or together, as the Area Director determines, for the purpose of attempting to resolve the dispute in a timely manner.

28) If the parties are not satisfied with the resolution of the Area Director, either party may ask the Chief Superintendent or designate for a review of the matter.

Internal disputes among school council members

29) It is expected that school councils will have an internal dispute resolution mechanism in their by-laws, and that school council members will make every effort to resolve any dispute that arises among its membership in a timely manner.

30) If an internal school council dispute arises and if the school council has not established an internal dispute resolution mechanism, the following approaches may be considered by the school council at its own cost:

- a) assistance by a facilitator in dispute resolution techniques; or
- b) assistance by an outside trained facilitator; or
- c) any other dispute resolution method that the school council may agree upon.

School council communication

31) The school council may communicate through CBE communication channels such as newsletters, websites or social media as long as the information complies with Calgary Board of Education policies and Administrative Regulations and has the prior approval of the school principal.

Fund-raising and school/parent societies

32) The following values form the basis for the development and support of all school/parent societies, as defined in section 4, within CBE schools:

- a) success for each and all students is the value that underpins the contribution of school/parent societies;
- b) The Calgary Board of Education values and supports school/parent societies and their mandates. Support from school/parent societies furthers the work of principals and

school staff to ensure that students achieve CBE Results;

- c) School/parent societies allow for public engagement in learning; and
- d) Clear and open communication is valued between the principal and the school/parent societies.

33) In preparation for the school year, the principal or designate, appropriate teacher(s), and the chair or designate of each school society, will meet to review and agree upon fundraising goals and events, and agree on donation of supplies, services and society expenses. A school council executive member is expected to attend this meeting. The documented consultation should take into account the needs and limitations of the school/parent societies imposed on them by law or by the scope of the fundraising activities (e.g. gaming regulations and licenses).

34) Funds raised, services and materials supplied by school/parent societies:

- a) will be raised for the school and donated in accordance with Section 33
- b) once donated to the school, fall under the legislative authority and accountability of the principal; and
- c) will become the property of The Calgary Board of Education.

35) When funds raised are donated to the school, the principal will ensure that the use of funds reflects the understandings developed through consultation, in accordance with section 33 and that an accurate accounting is provided to the school/parent societies as those funds are expended.

36) The school council will work with the registered school/parent societies' designate(s) in support of fund-raising activities.

**CBE employees
and
school/parent
societies**

37) CBE employees are discouraged from becoming officers of school/parent societies:

- a) if CBE employees hold office or have signing authority for the school/parent society for the school in which they work; or
- b) if the number of CBE employees on the school/parent society of the school in which they work is considered sufficient to influence the independence of the decisions of the school/parent society.

Purchasing and record keeping for donations

- 38) If money is received by the school from the school council or the school/parent societies it is considered a donation in the hands of the school and must be recorded in an appropriate donation revenue account within the financial records of the school.
- 39) Official receipts for Income Tax may be issued in accordance with Administrative Regulation 7009 - Donations from the Community/Fund Development, as long as:
 - a) the money is forwarded to Finance & Supply Chain Services, Treasury Accountant for the CBE who will issue such receipts for income tax purposes; and
 - b) a budget transfer, in the amount of the donation, is made to the school's decentralized expense account(s) by Finance & Supply Chain Services department.
- 40) Purchases of supplies or equipment from donated money retained in the school must be recorded in the financial records of the school in accordance with Administrative Regulation 7004 - School Generated Funds.
- 41) Where purchases of supplies or equipment are made by the school:
 - a) such purchases must be in accordance with Administrative Regulation 7001 - Purchase of Goods and Services, and purchasing standards of the CBE; and
 - b) the school must claim the Goods and Services Tax (GST) rebate and the school principal or designate must inform the school council or school/parent society, as appropriate, of the GST claim to ensure that only one claim is made.
- 42) A principal or designate is expected to acknowledge a school council or school/parent society donation in an appropriate manner.
- 43) All assets purchased by the school out of monies provided by the school council or school/parent societies become the property of the CBE and will be for the use of the school.
- 44) All donations of money or assets become the property of the CBE to manage as it deems appropriate. It is understood that the CBE will not ordinarily remove monies or assets from the school to which they were donated.
- 45) Where the school council or school/parent societies request copies of documentation supporting purchases made from donated funds, the principal must ensure that the documentation is provided.

Disposition of donated assets

- 46) Documented review of the use of funds, supplies and services provided by the school/parent societies as per Section 13(a) will be provided annually by the principal or designate to the school/parent societies.
- 47) The decision to remove monies or assets from the school to which they were donated will be made by the principal, in consultation with the Area Director and relevant school/parent societies. Documentation on the decision would reside at the Area office.
- 48) In the case of a school closure, the relevant school/parent societies will be consulted by the Area Director prior to the movement of monies raised or assets donated.

6 | History

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| Approval | <i>May 13, 2003</i> |
| Next Review | <i>December 2017</i> |
| Revision/Review Dates | <i>June 1, 2005 May 1, 2008 May 17, 2013 June , 2015</i> |

7 | Related Information

- AR 7001 Purchase of Goods and Services
- AR 7004 School Generated Funds
- AR 7009 Donations from the Community/Fund Development
- School Act of Alberta
- Societies Act of Alberta
- School Councils Regulation of Alberta 113/2007
- Alberta School Council Resource Manual
- CBE- Current Comprehensive School Council Handbook
- School Council Annual Report Form –located in the CBE Current Comprehensive School Council Handbook