



# New Frontiers School Board

## Governing Board Manual

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### **Introduction**

Since 2008, the Parents' Committee of the New Frontiers School Board has provided its schools with a manual to assist the governing boards in the exercise of their functions.

This Governing Board Manual is intended for administrators and all governing board members. We hope that you will find it to be a useful guide as you begin the school year.

On July 1, 1998, linguistic school boards were formed as part of a wide reform of the educational system in Quebec. As stated in *A New Direction for Success*: "The purpose of this reform is to give schools more responsibility so that they can better adapt their teaching and organization to the needs and characteristics of their students."

Governing boards are another component of the educational reform. They bring together parents, school staff, senior high school students and community members who work in partnership towards a primary goal of making decisions that benefit our students.

In 2010, Law 88 introduced Partnership Agreements between the School Board and the MELS, and also brought in the Management and Educational Success Agreements between schools and school boards. This initiative now focuses the educational management and educational success agreements toward results-based management contracts.

In 2012, Law 19 (formerly called Law 56) was implemented and modifications were made to the Education Act. Governing Boards have a unique and important role to play in support of each school and centre action plan as it applies to Law 19.

We hope you find this manual to be helpful.

New Frontiers School Board



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# Changes to Governing Board Powers since Law 88

| <b>School Success Plan</b>   |   |
|--|---|
| <p><b>Before Law 88</b><br/> <b>37.1.</b> The success plan of a school shall comprise<br/>           (1) the measures to be taken based on the aims and objectives of the educational project, in particular, those relating to the supervision of students;<br/>           (2) methods for evaluating the implementation of the success plan. The success plan shall be reviewed each year and updated, if necessary.</p> | <p><b>After Law 88</b><br/> <b>The success plan now reads Management and Educational Success Agreement</b><br/> <b>37.1.</b> The success plan of a school shall reflect the strategic plan of the school board and comprise:<br/>           (1) the measures to be taken based on the aims and objectives of the educational project, in particular, those relating to the supervision of students;<br/>           (2) methods for evaluating the implementation of the success plan. The success plan shall be reviewed each year and updated, if necessary.</p>   |
| <b>Centre Success Plan</b>   |   |
| <p><b>Before Law 88</b><br/> <b>97.1.</b> The success plan of the centre shall comprise:<br/>           (1) the measures to be taken based on the policies and objectives determined under section 109;<br/>           (2) methods for evaluating the implementation of the success plan;<br/>           The success plan shall be reviewed each year and updated, if necessary.</p>                                       | <p><b>After Law 88</b><br/> <b>The success plan now reads Management and Educational Success Agreement</b><br/> <b>97.1.</b> The success plan of the centre shall reflect the strategic plan of the school board and comprise:<br/>           (1) the measures to be taken based on the policies and objectives determined under section 109;<br/>           (2) methods for evaluating the implementation of the success plan;<br/>           The success plan shall be reviewed each year and updated, if necessary.</p>  |
| <b>Management and Educational Success Agreement</b>  |   |
| <p><b>Before Law 88</b><br/> <b>Formerly ‘School Success Plans’</b></p>  | <p><b>After Law 88</b><br/> <b>209.2.</b> Every year, the school board and the principal of each of its educational institutions shall agree, within the scope of a management and educational success agreement, on the measures required to achieve goals and measurable objectives set out in the partnership agreement between the school board and the minister.<br/>           A draft of the management and educational success agreement must be submitted to the governing board for approval after consultation with the personnel of the institution.<br/><br/>           The <i>Management and Educational Success Agreement</i> shall take into account the institution’s success plan and particular situation. It shall include:<br/><br/>           (1) the terms of the institution’s contribution;<br/>           (2) the resources to be allocated by the school board specifically to enable the institution to achieve goals and measurable objectives;<br/>           (3) the support and assistance measures to be made available to the institution;<br/>           (4) the monitoring and accountability mechanisms to be put in place by the institution.</p> |

| <b>School Governing Board</b>   |  |
|---|--|
| <p><b>Before Law 88</b></p> <p><b>45.</b> Commissioners elected or appointed pursuant to the Act respecting school elections (chapter E-2.3) cannot be members of the governing board of a school under the authority of the school board. However, a commissioner, if so authorized by the governing board, may take part in meetings of the governing board but is not entitled to vote.</p>  | <p><b>After Law 88</b></p> <p><b>45.</b> Commissioners elected or appointed pursuant to the Act respecting school elections (chapter E-2.3) cannot be members of the governing board of a school under the authority of the school board. However, when carrying out a mandate under paragraph 4 of section 176.1, a commissioner may take part in meetings of the governing board but is not entitled to vote.</p>  |
| <b>Centre Governing Board</b>   |  |
| <p><b>Before Law 88</b></p> <p><b>104.</b> Commissioners elected or appointed pursuant to the Act respecting school elections (Chapter E-2.3) cannot be members of the governing board of a centre under the authority of the school board. However, a commissioner, if so authorized by the governing board, may take part in meetings of the governing board but is not entitled to vote.</p> <p><b>109.</b> The governing board shall analyze the situation prevailing at the centre, particularly the challenges tied to student success and the characteristics and expectations of the community served by the centre. Based on the analysis and the strategic plan of the school board, the governing board shall determine, oversee the implementation of and periodically evaluate the centre’s specific policies and objectives for improving student success. The governing board may also determine actions to promote those policies and integrate them into the life of the centre.</p> <p>In exercising these functions, the governing board shall seek the collaboration of persons having an interest in the centre.</p> <p>To this end, the governing board shall encourage the communication of information, dialogue and concerted action between students, parents, the principal, teachers and other staff members and community representatives.</p> | <p><b>After Law 88</b></p> <p><b>104.</b> Commissioners elected or appointed pursuant to the Act respecting school elections (Chapter E-2.3) cannot be members of the governing board of a centre under the authority of the school board. However, when carrying out a mandate under paragraph 4 of section 176.1, a commissioner may take part in meetings of the governing board but is not entitled to vote.</p> <p><b>109.</b> The governing board shall analyze the situation prevailing at the centre, particularly the challenges tied to student success and the characteristics and expectations of the community served by the centre. Based on the analysis and taking into account the strategic plan of the school board, the governing board shall determine, oversee the implementation of and periodically evaluate the centre’s specific policies and objectives for improving student success. The governing board may also determine actions to promote those policies and integrate them into the life of the centre.</p> <p>In exercising these functions, the governing board shall seek the collaboration of persons having an interest in the centre.</p> <p>To this end, the governing board shall encourage the communication of information.<br/>There are important changes to the Education Act which pertain to the Management and Educational Success Agreement.</p> |

## Summary of Governing Board Responsibility with Regard to Law 19

### Anti-bullying and anti-violence plan (Art. 75.1 EA)

1. Goal: To prevent and stop all forms of bullying and violence targeting a student, a teacher or any other school staff member.
2. In addition to any elements the minister may prescribe by regulation, the plan must include 9 elements.
3. The anti-bullying and anti-violence plan must specify the form and nature of the undertakings to be given by the principal to a student who is a victim of bullying or violence and to his or her parents.
4. It must also prescribe what action must be taken by the principal to deal with the perpetrator and his or her parents, and specify the form and nature of the undertakings they must give in order to prevent any further act of bullying or violence.

### The Governing Board is to approve the ABAV Plan proposed by the Principal.

- First plan to be approved by December 31st, 2012;
- To be reviewed annually and updated if necessary;
- The Governing Board is to approve any updated version of the ABAV Plan submitted by the Principal.
- A document explaining the anti-bullying and anti-violence plan must be distributed to the parents. The governing board shall see to it that the wording of the document is clear and accessible.
- Every school staff member shall collaborate in implementing the anti-bullying and anti-violence plan and shall see to it that no student in the school is a victim of bullying or violence.
- Each year, the governing board shall evaluate the results achieved by the school with respect to preventing and dealing with bullying and violence.
- A document reporting on the evaluation must be distributed to:
  - Parents
  - School staff, and the
  - Student Ombudsman.
- Must be modified and approved by the Governing Board by December 31st, 2012;
- The Rules of Conduct must specify:
  - (1) the attitudes and conduct that are required of students at all times;
  - (2) the behaviours and verbal or other exchanges that are prohibited at all times, including during school transportation, regardless of the means used, including social media; and
  - (3) the applicable disciplinary sanctions, according to the severity or repetitive nature of the prohibited act.
- The Rules of Conduct and the safety measures must be presented to the students during a civics session held each year by the principal in collaboration with the school staff.
- The document must also be sent to the parents at the beginning of each school year.

## Definitions of Commonly Used Governing Board Terms

|                           |   |
|---------------------------|---|
| <b>Adopt</b>              | <p><b>Develop a proposal and modify it—add to or remove elements from a proposal submitted by the principal.</b><br/> <i>E.g. Section 74 - The governing board adopts the school's educational project; when the governing board adopts, it can also change, add and/or remove elements of a proposal.</i></p>  |
| <b>Approve</b>            | <p><b>Accept or reject a proposal without the possibility of making changes (the power to say yes or no).</b><br/> <i>E.g. Sections 86 and 89 – The teachers work together with the principal in the development of a proposal to determine the time allotted for each school subject. The governing board approves or rejects the proposal. If rejected, a new proposal must be requested.</i></p>   |
| <b>Be consulted</b>       | <p><b>Provide an opinion on a matter with the possibility of influencing the final decision.</b><br/> <i>E.g. Section 79 - The governing board must be consulted on the revocation or amendment to the school's deed of establishment.</i></p>  |
| <b>Casting vote</b>       | <p><b>The chair has a casting, or deciding vote when the vote is evenly divided.</b> The chair is free to vote for or against the motion regardless of the way he or she voted previously.</p>  |
| <b>Give one's opinion</b> | <p><b>Express one's ideas on a certain topic.</b><br/> <i>E.g. Section 192-2° - The parents' committee gives its opinion on any matter conducive to the most efficient operation possible of the school board.</i></p>  |
| <b>Participate</b>        | <p><b>Become involved in a conversation, activity or work group.</b><br/> <i>E.g. Section 89 – The proposals are developed with the participation of the school members.</i></p>  |
| <b>Propose</b>            | <p><b>Submit an idea in view of participating in its consideration.</b><br/> <i>E.g. Section 84 - The principal proposes the approach for the implementation of the basic school regulation, which he has developed with the school staff, to the governing board (section 89).</i></p>   |
| <b>Quorum</b>             | <p><b>The minimum number of voting members that need to be present to be able to vote on any resolution at the meeting. Normally it is 50% plus one of the members.</b> In the case of governing boards, quorum is 50% +1 of all members and at least 50% of the parent members.<br/> <i>E.g. Section 61 - A majority of the members of the governing board who are in office, including at least half of the parents' representatives, is a quorum of the governing board.</i></p> |
| <b>Table</b>              | <p><b>Continue at a later date.</b> An item on the agenda can be postponed for different reasons and addressed at another time.</p>   |

# Section 1

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## Functions, Powers, Composition Youth & Adult Sector Governing Boards

### CONTENTS

- What is a Governing Board
- Composition
- Terms of Office
- Vacancies
- Functions & Powers
- Consultation by the School Board

## What is a Governing Board?

*A governing board is a representative body established in each school and centre according to the Education Act.*

**In the youth sector it is composed of** parents, teachers, representatives of both the non-teaching professionals and support staff, day care (elementary), students (cycle II high school), and community representatives who work in partnership to ensure that all students receive the best possible learning opportunities.

**In the adult and professional education sector it is composed of** students, teachers, support staff, community partners and business partners, as well as parents to represent the students on the vocational programs governing board.

The school principal/centre director attends governing board meetings but is not a member and is not entitled to vote.

### Composition of the Governing Board

| Youth Sector ( <i>Ed Act, Sections 42-46</i> )  | Adult Sector ( <i>Ed Act, Section 102</i> )  |
|---|--|
| <ul style="list-style-type: none"> <li>• Parents: at least 4 who are not members of the school staff.</li> <li>• School staff: at least 4 including at least 2 teachers and if the groups concerned so decide, at least one non-teaching professional and at least one support staff member, elected by their peers.</li> <li>• Day Care: 1 member of the day care staff.</li> <li>• Students: 2, cycle II secondary<sup>1</sup>.</li> <li>• Two community representatives who are not members of the school staff appointed by the governing board (No vote).</li> <li>• The principal takes part in the meeting, but does not vote</li> </ul> | <ul style="list-style-type: none"> <li>• Students attending the centre elected by their peers;</li> <li>• School staff: at least 4 including at least 2 teachers, at least 1 non-teaching professional and at least 1 support staff member, elected by their peers;</li> <li>• In the case of a vocational training centre, at least 2 parents of students attending the centre who are not members of the centre, elected by their peers</li> <li>• At least 2 representatives from socio-economic and community groups;</li> <li>• At least 2 representatives from businesses in the region;</li> <li>• The centre director takes part in the meeting, but does not vote.</li> </ul> |
| <p>The maximum number of members on a governing board is 20. The school board determines the number of representatives from each group on the governing board after consulting with them.</p>   |  |
| <p>The total number of seats available for staff representatives (school staff and day care staff) must be equal to the number of seats for parents.</p>  | <p>The total number of seats available for staff representatives must not exceed the total number of seats for representatives of other groups.</p>  |
| <p>When there are fewer than 60 students enrolled in a school, the school board may vary the composition after consultation with the parents and school staff. The rule of equality in the number of seats for parents and staff must still be respected.</p>   | <p>When there are fewer than 60 students enrolled in a centre, the school board may vary the composition after consultation with the parents and centre staff. The rule of equality in the number of seats for parents and staff must still be respected.</p>  |
| <p>A commissioner cannot be a member of a governing board but may take part in meetings, if authorized to do so by the governing board. They cannot vote.</p>   |  |



## Community Representatives

At its first meeting, the governing board must consider the appointment of two community representatives. "Community" is defined as pertaining to the school/centre and the school/centre's interests. Having community representatives on a governing board allows for a closer connection to and a sense of affiliation with individuals and organizations that have an interest and/or are linked to the school.

A community representative could be from any local organization that has common interests or objectives, e.g., the CLSC, a local library, the municipality, or could be from a local business. The community representative could also be an individual who maintains community links and has an interest in the school/centre. They could, for instance, be a former or future parent of a student at the school.

### Term of Office

All members of the governing board remain in office until they are re-elected, re-appointed or replaced.

#### **Youth Sector**

Parents are elected for two years, except for the first year a governing board is established when half the parents elected serve for one year. Other members are elected for one year.

#### **Adult Sector**

All members are elected for two years.

### Vacancies

#### **Youth Sector (s. 55)**

If a parent representative leaves the governing board before completing his or her mandate, the other parent representatives on the governing board appoint a parent to fill the vacancy and complete the mandate.

*It is recommended that the departing parent representative notify the governing board chair in writing.*

A parent representative whose child no longer attends the school may remain a member of the governing board until the next general assembly held in September. If the parent representative has not completed the second year of his or her mandate, the position is open for election for a one-year term.

A vacancy of any other member of the governing board is filled for the rest of the term according to the procedure for the appointment of the member.

#### **Adult Sector (s. 55)**

A vacancy resulting from the departure or disqualification of any other member of the governing board is filled, for the unexpired portion of the term, according to the mode of appointment prescribed for the member to be replaced.

<sup>1</sup> Students have had the right to vote since December 18, 2001 (Bill 35)

## What are the Powers and Functions of the Governing Board?

The governing board exists to **govern** the school/centre, not to administer the daily operation thereof. The latter is the responsibility of the principal/centre director. The powers and functions of the governing board impart responsibilities and decisional authority in general matters of school/centre governance as well as matters such as educational services, community services and physical and financial resources. The powers and functions of the governing board are outlined in the Education Act. The following outlines the responsibilities and identifies the related sections in the Education Act.

| Youth Sector...   | Adult Sector...  |
|---|--|
| <ol style="list-style-type: none"> <li>1. analyzes the school's situation and, based on the analysis and the school board's strategic plan, adopts the educational project and oversees its implementation and periodic evaluation (s. 74)</li> <li>2. approves the school's management and educational success agreement(MESA), rules of conduct and safety measures (s. 75,75.1, 76, and 209.2)</li> <li>3. advises the school board on certain matters (s. 78 and 79)</li> <li>4. may pool goods and services or activities with other schools (s. 80)</li> <li>5. Prepares and adopts an annual activity report and transmits a copy to the school board (s. 82)</li> <li>6. Informs the community of the services provided by the school, makes public the educational project and the management and educational success agreement of the school, and distributes to parents and staff a document explaining the educational project and reporting on the evaluation of the implementation of the management and educational success agreement (s. 83)</li> <li>7. approves the approach for implementing the basic school regulation (s. 84);</li> <li>8. approves the approach for enriching and adapting Ministry programs and the development of local programs (s. 85);</li> <li>9. approves the time allocation for each subject and ensures that the compulsory objectives of the programs of studies will be achieved and that the rules governed by the certification of studies are complied with (s. 86);</li> <li>10. approves the schedule of educational activities which changes the students' regular schedule (s. 87);</li> <li>11. approves the approach to implementing student and special education services (s. 88);</li> <li>12. is consulted on the textbooks and instructional materials required for teaching programs (s. 96.15.3);</li> <li>13. may organize educational services (outside teaching periods), social, cultural or sports activities (s. 90);</li> <li>14. may, in the name of the school board, contract with persons or organizations for goods and services (s. 91);</li> </ol> | <ol style="list-style-type: none"> <li>1. analyzes the centre's situation, including the characteristics and expectations of the community served by the centre based on the analysis and the school board's strategic plan determines and oversees the implementation of and periodically evaluates the centre's specific policies and objectives for improving student success.</li> <li>2. may also determine actions to promote those policies and integrate them into the life of the centre (s.109)</li> <li>3. approves the centre's success plan and any updates (s.109.1)</li> <li>4. establishes the principles for determining the costs of documents in which students write, draw or cut out and approves a list of materials (ss. 110.3.2, 77.1) <i>vocational centres</i></li> <li>5. advises the school board on certain matters (s. 110)</li> <li>6. approves the centre director's approach for the implementation of the basic school regulations (s. 110.2 (1))</li> <li>7. approves the implementation of the programs of studies (s. 110.2.2)</li> <li>8. approves the implementation of the programs relating to student services and popular education (s. 110.2.3)</li> <li>9. approves the centre's operating rules (s. 110.2.4)</li> <li>10. may organize social, cultural or sports services on the premises (s.110.3)</li> <li>11. informs the community served by the centre of the services provided by the centre and reports on the level of quality of these services (s.110.3.1)</li> <li>12. makes public the policies, objectives and success plan of the centre and reports on the evaluation of the implementation of the success plan (s. 110.3.1)</li> <li>13. may pool goods and services or activities with other schools (ss. 110.4 and 80)</li> <li>14. prepares and adopts an annual activity report and transmits a copy to the school board (ss. 110.4 and 82)</li> <li>15. approves the use of the premises and the organization of cultural, social, sports, scientific or community services (ss. 110.4 and 93)</li> <li>16. may solicit and receive contributions from and person or organization wishing to fund the</li> </ol> |

|  |   |
|--|---|
| <ol style="list-style-type: none"> <li>15. may require a financial contribution from users of these goods and services (s. 91).</li> <li>16. approves the use of school premises and enters into agreements regarding their use (s. 93)</li> <li>17. may, in the name of the school board, solicit and receive voluntary contributions from persons or organizations to support school activities (s. 94)</li> <li>18. adopts the school's annual operating budget and submits it to the school board for approval (s. 95). <u>see section 5 for a description of the school's annual budget.</u></li> <li>19. establishes the principles for determining the costs of documents for students use in which they write, draw or cut out, and approves the lists of non-instructional materials such as pencils, paper, etc. (s. 77.1 and 7)</li> <li>20. is consulted by the principal regarding the school's needs for goods, services and repair/improvement of the premises (s. 96.22).</li> </ol> | <ol style="list-style-type: none"> <li>17. adopts the centre's annual budget and forwards to the school board for approval (ss. 110.4 and 95)</li> <li>18. is consulted by the centre director regarding the centre's needs for goods, services and repair/improvement of the premises (s. 110.13 and 96.22)</li> </ol> |
|--|---|

## Consultation by the School Board

### Education Act, Sections 78-79 (youth) & Section 101.1 (adult)

In addition to the functions and powers outlined on the previous pages, the school board must consult the governing board on two items (section 79), namely:

- the amendment or revocation of the **deed of establishment** of the school, i.e., school closure, change of program, change of building, etc. (*The deed of establishment, prepared by the School Board, includes the name and address of the school and the level(s) of instruction.*)
- the **selection criteria** for the appointment of the principal. (*The governing board members are not involved in the appointment but must have the opportunity to submit a description of the characteristics, qualities and experience that they judge to be essential in an administrator for their school.*)

The governing board also advises the school board on certain matters, namely:

- any matter the school board is required to submit to it;
- any matter that may facilitate the operation of the school;
- any matter that may improve the organization of services provided by the school board.

# Section 2

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## Establishing the Governing Board

### CONTENTS

- Election of the Governing Board Representatives
- Election Meeting Guidelines

## **Establishing the Governing Board**

- Election of Parent Representatives, Sections 47 and 102
  - Election of Teachers, Professional Staff, Support Staff and Daycare Staff, Sections 48 – 50, 102
  - Community Representatives, Sections 42, 102
  - Appointment of Student Representatives, Sections 51, 102
- 

**WHEN are the elections for parents held?** During the month of September each year.

**WHO calls the meeting?** The chair of the governing board or, if there is none, the principal.

**WHO is invited?** Parents of students attending the school.

**HOW are parents notified?** In writing, at least four days before the meeting is to be held.

### **WHAT must be done during the meeting?**

- The parents present must elect their representatives to the governing board.
  - From among the parent representatives elected to the governing board, the general assembly elects a delegate to the Regional Parents' Committee and may also designate a substitute delegate.
  - The general assembly decides whether or not to establish a parent participation organization.
- 

## **Election of the Parent Representatives (s. 47 and 102)**

In the youth sector, during the period beginning on the first day of the school year and ending on the last day of September each year, an Annual General Assembly of Parents is held at each school. It is during this meeting that parent elections are held.

In the case of vocational centres, at least 2 parents of students attending the centre, who are not members of the staff of the centre, are elected by their peers according to the procedure determined by the centre director.

The chair of the governing board from the previous year or, if there is none, the principal is responsible for calling the meeting and giving at least four days *written* notice to parents of its time and date. Practically, however, this notification should have gone out during the first week of school, along with a call for nominations to fill the open parent positions on the governing board.

All parents and legal guardians of students attending the school are invited to attend.

During the meeting the parents present must elect their representatives to the governing board. The onus is on the parents to fill all positions that are up for election. If they don't, the governing board cannot operate and all its functions and powers are turned over to the principal.

The term of office for parents is two years, with half of the parent seats up for election each year. The general assembly of parents elects representatives to a two-year term only, except in the situation of a new school, where half the parent representatives are elected for one year and half for two years.

Section 55 of the Education Act stipulates that a parents' representative whose child no longer attends the school, may remain a member of the governing board until the next general assembly. A vacancy resulting from the departure of a parents' representative is filled for the unexpired portion of the representative's term by a parent designated by the other parents' representatives on the governing board.

Other things must happen at the Annual General Assembly, not directly related to forming the governing board. They are mentioned here for your convenience. From among the parent members elected to the governing board, the general assembly elects a representative to the Parents' Committee and also designates a substitute representative. The general assembly also decides whether or not to establish a Parent Participation Organization.

### **The Election of Teachers, Professional Staff, Support Staff and Daycare Staff (s.48 – 50, 102)**

During the month of September, the staff of each of these groups of the school (if any) will hold a meeting to elect their representative(s) according to the procedure set out in their collective agreement.

If the staff fails to elect all the positions to the governing board, they must be elected according to a procedure established by the principal/centre director after consulting with the affected groups. If the number of representatives from any of these groups is less than required, the governing board can still be formed if the required number of parent representatives is elected.

The term of office for teachers, professional staff, support staff and daycare staff is one year.

The governing board can operate without filling all the staff positions.

### **Appointment of Community Representatives (s. 42, 102)**

In the youth sector, two community representatives who are not members of the school staff are appointed by the voting members of the governing board. This would be done at the first or second meeting of the school year.

For adult and vocational centres, two persons are appointed by the school board after consulting with the socio-economic and community groups in the territory principally served by the centre.

The term of office for community representatives is one year.

The governing board can operate without filling the community representative positions.

When appointing the community representatives, members should keep in mind that these positions should be filled by individuals from community or business organizations who are open to discussing issues with the education sector and can help the governing board create ties that will assist it in fulfilling the objectives of its educational project.

## **Appointment of Student Representatives (s. 51, 102)**

In the high schools, during the month of September, the students' committee or the association representing the students, if any, shall appoint two student representatives to the governing board.

If the students fail to appoint representatives to the governing board, the principal may preside over the election of students' representatives in accordance with the rules established by the principal after consulting with the students enrolled at the secondary school.

In adult and vocational centres, the students are elected according the procedure determined by the centre director after consulting with the students.

The term of office for student representatives is one year.

The governing board can operate without filling all the student positions.

## Election Meeting Guidelines

### 1) Notice for the Meeting

The notice should include a brief description of the role and functions of the governing board and the parent participation organization.

Including a tear-off portion for parents to return to the school so they may declare their interest in being a member of the governing board may help simplify the process in the event that there are more candidates than seats.

A list of candidates can be prepared ahead of time from the returned tear-offs with spaces provided for any additional nominations made at the meeting. With the provision of a column beside the names, this list can then be used as a ballot if a vote is needed. (See Annex A).

It is also advisable to indicate in the notice that, if there are more candidates than seats, each candidate will be asked to speak briefly on his/her involvement in school activities and why he/she wishes to be a member of the governing board.

### 2) Calling the Meeting to Order

The chairperson of the governing board, (or principal, if there is no chairperson), calls the meeting to order. A brief overview of the responsibilities of the governing board should be presented. The chairperson may also give a brief report of the governing board's activities during the previous year.

Prior to the election parents should be made aware of the many areas in which the governing board is expected to make decisions and that these decisions must be made in the best interests of the students.

The commitment expected of governing board members and section 71 of the Education Act referring to the code of conduct should be stressed. The Chair of the Governing Board presides over the assembly, unless he/she is up for re-election. If so, the general assembly appoints another person. In most instances, this would be the principal or a parent who is not standing for election. A secretary is also needed to record nominations and the results of the vote.

It is suggested that basic rules of procedure be proposed to the general assembly for adoption. An example is included in Annex B.

Requests for candidacy by proxy must be submitted in writing to the outgoing governing board chair or to the principal. It is up to the general assembly to decide whether or not to accept candidacy by proxy.

### 3) The Election

The composition of the governing board has been determined for each school and centre by the School Board after consultation.

The term of office for parent representatives is two years with half of the parent seats up for election each year. The election chairperson advises the assembly of the number of parents to be elected.

If a vacancy has been created as a result of the disqualification of a parent representative whose child no longer attends the school, the election chairperson also advises the assembly of the number of parents to be elected to a one-year mandate.



If names have been submitted ahead of time, each parent present receives a copy of the list. The chairperson asks for a motion to accept this list into nomination or the general assembly may choose to nominate each person on the list separately. The chairperson then asks if there are additional nominations. Parents may nominate themselves. Seconders are not required unless the general assembly decides otherwise. If no names have been submitted, the election chairperson asks for nominations. Nominations are written for public viewing as received. When no further nominations are forthcoming, a motion is made to close nominations. If a list was distributed, those present should add the new names to their copy of the list.

If more than the required number of names is placed in nomination, an election must be held by secret ballot. If a list has been distributed, it becomes the ballot and each parent checks the names of the required number of parent representatives for whom he/she wishes to vote.

Prior to the vote, the general assembly may request that the candidates present themselves.

The ballots are collected and counted, preferably by three people not on the ballot (the principal, election secretary and one other). The election chairperson announces the results by reading the names of those elected but not the number of votes for each. The ballots should be kept for a month by the principal.

**The first meeting of the governing board** will be held at a later date. The principal will consult with the parent and staff representatives elected to the governing board and set a date agreeable to all parties. Any established schedule should be ratified at the first meeting of the governing board.

**If fewer than the required number of parents are nominated, a governing board cannot be formed. All duties and functions will be assumed by the principal.**

#### 4) **Election of the Delegate to the Parents' Committee**

The parents attending the meeting elect, from among the parent representatives elected to the governing board, a delegate to the Parents' Committee. They may also appoint a substitute to attend and vote at meetings of the Parents' Committee when the delegate is unable to attend. Both the delegate and the substitute **must** be designated by the general assembly (Section 47).

Parents' Committees (PC) generally meet once a month. These meetings provide an opportunity for the parent delegates to:

- meet with their Commissioner Representative
- share ideas and successes
- discuss common concerns
- learn about curriculum and other educational matters
- bring issues to the Parents' Committee

#### 5) **Establishment of a Parent Participation Organization (s. 96)**

The parents in attendance at the general assembly decide whether or not to form a Parent Participation Organization, which is composed of parents of students attending the school.

If the general assembly chooses to form a PPO, it determines the name, composition and operating rules and elects the members.

A brief description of the Parent Participation Organization is included in **Annex C**.

# Section 3

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## Responsibilities & Roles

### CONTENTS

- Responsibilities of the School Board
- Role of the Principal/Centre Director
- Responsibilities of Governing Board Members
- Conflict of Interest
- Code of Conduct
- Role of the Chairperson
- Role of the Secretary
- Role of the Treasurer
- Role of the Parents' Committee Representative

## The Responsibilities of the School Board

School boards provide leadership and support to schools and ensure that there is equal educational opportunity for all students in the system.

The Council of Commissioners is the governing body of the school board and is composed of elected school commissioners and two parent commissioners. Parent commissioners are elected annually by the parents' committee, but are not entitled to vote.

### 1. Composition of the Governing Board

The school board determines the number of parent representatives and staff representatives after consulting with each group (s.43). At New Frontiers School Board, the practice is that if a governing board wishes to modify its composition, they must make a formal request in writing to the school board. Such requests are normally considered in the spring of each year.

### 2. Operation

The school board allocates financial resources to the governing board. (s. 66)

The school board assumes the defense of any governing board member prosecuted for an act done in the exercise of governing board functions. (See section 5.7 of this manual).

### 3. Functions and Powers

#### 3.1. General

The school board:

- Adopts a strategic plan covering a period of several years and sends a copy of the Ministry. The strategic plan must be made public (s. 209.1)
- Every year, shall agree with the principal/centre director, within the scope of a management and educational success agreement, on the measures required to achieve goals and measurable objectives set out in the partnership agreement between the school board and the Minister (s. 209.2)
- Adopts a policy concerning the maintenance or closure of schools, in compliance with Ministerial guidelines, and after consultation with the parents' committee (s. 212)
- Consults the governing boards and the school board committees on those matters on which they must be consulted and hold the public consultations prescribed in the Education Act (s.217)
- Ensures lunchtime supervision of students who stay at school (s. 292)
- Consults the governing board on the deed of establishment and the selection criteria for the appointment of the principal appoints the school principal in accordance with the selection criteria established after consulting with the governing board (s. 96.8, s.110.1)

#### 3.2. Educational Services

The school board is responsible for determining the educational services that will be provided in each of its schools (s. 209-2 and 236), after consulting with the teachers. (s. 244)

The school board ensures that:

- the Basic School Regulation (*Régime pédagogique*) is implemented (s. 222);
- the programs of study are implemented (s. 222.1) following consultation with the teachers (s. 244);
- only the textbooks and instructional material approved by the Minister of Education are used by the school (s. 230);
- each school evaluates student achievement and administers the examinations imposed by the Minister of Education (s. 231 and 244);

- rules governing the promotion of students from elementary to secondary school and from secondary cycle 1 to cycle 2 are established, after consulting the parents' committee (s. 233);
- schools offer to all students 'student services for spiritual care and guidance and community involvement' (s. 226);
- a program is established for student and special education services as prescribed by the Basic School Regulation (s. 88).

Each school board must establish a special education advisory committee on services for students with special needs (s. 185).

Each school board must, after consultation with the advisory committee on services for students with special needs, adopt a policy concerning the organization of educational services for students with special needs (s. 235).

### 3.3. Community Services

The school board may provide cultural, social, sports, scientific or community services (s. 255.2).

### 3.4. Physical & Financial Resources

The school board establishes a 3-year plan of allocation and destination of its immovables and draws up deeds of establishment (s. 211). It allocates funds to its schools (s. 275) and approves each school's annual budget after the governing board adopts it.

The governing board is consulted on the objectives, principles and procedures for the allocation of resources to school and centres. (s. 193.9)

## 4. **Varia**

For the youth sector, the school board:

- establishes criteria for student enrolment after consulting the parents' committee. Following adoption by the Board, a copy of the enrolment criteria is sent to each governing board at least 15 days before the beginning of the student enrolment period (s. 239).
- establishes the school calendar, after consultation with the parents' committee and any local negotiations with teachers (s. 238).
- provides day care for preschool and elementary students at the request of the governing board (s. 256).
- is the employer of all school board and school personnel (s 259). School board personnel, including principals, perform their functions under the authority of the director general. When assigning staff to schools, the school board must take into account the staffing requirements submitted by the principals and must ensure that all teachers are legally qualified and that other norms, i.e. collective agreements, are respected.
- may, with the authorization of the Minister of Education, provide transportation for all or part of its students (s. 291).

## **The Responsibilities of the Principal/Centre Director**

The principal/centre director is the academic and administrative director of the school/centre and sees that the decisions of the governing board are implemented. In addition, the principal/centre director is responsible for making a number of decisions upon the proposal of teachers or other school staff.

## **Formation of the Governing Board**

In schools, the principal calls a general assembly of parents to elect parent representatives to the Governing Board and the Regional Parents' Committee if there is no governing board chairperson. (s. 47)

In adult and vocational centres, the centre director will establish procedures by which students and parents are elected to the governing board.

The staff and, in the case of secondary schools, student groups elect their representatives. Should the staff and student groups fail to elect members according to the procedures for their organizations, the principal determines the procedure to elect staff members and students after consulting each group. (s. 48-51, s. 102)

In schools, if the general assembly fails to elect the required number of parents to the governing board, the principal exercises the functions and powers of the governing board. (s. 52)

## **Operation of the Governing Board**

The principal/centre director takes part in meetings but is not entitled to vote (s. 46, s. 105). He/she presides over the governing board until the chair is elected. (s. 57, s. 108)

If the governing board is unable to hold a meeting for lack of quorum, after three consecutive notices have been sent, the principal/centre director may exercise the functions and powers of the governing board as determined by the school board. (s. 62, s. 108)

The principal keeps the minutes of the governing board meetings. The minutes are recorded in a register and countersigned by the principal/centre director. (s. 69, s. 108)

## **Functions and Powers**

As stipulated in section 96.13 and 110.10 of the Education Act, the principal/centre director assists the governing board in the exercise of its functions and powers, and for that purpose,

- coordinates the analysis of the school's/ centre's management and educational success agreement and the development, implementation and evaluation of the educational project;
- every year, shall agree with the school board, within the scope of a management and educational success agreement, on the measures required to achieve goals and measurable objectives set out in the partnership agreement between the school board and the Minister.
- ensures that proposals with regard to educational services and student services are prepared and submitted to the governing board for approval
- ensures that governing boards are provided with all information necessary to approve proposals. (s. 96.13, s. 110.10)
- encourages concerted action between parents, students, staff, community and enterprise representatives, their participation in the life of the school and their collaboration in fostering academic success, as appropriate
- informs the governing board on the proposals approved by the principal/centre director.

- with the collaboration of the school staff, is responsible for proposing to the governing board the success plan and, for elementary and secondary schools, the rules of conduct and safety measures for students (s. 75 and 76).

The principal, with the collaboration of the teachers, is responsible for proposing to the governing board the principles for determining the cost of consumable materials and the list of materials to be charged to parents (s. 77.1).

The principal, with the assistance of the parents, staff concerned and the student, if applicable, establishes an individualized education plan (IEP) adapted to the needs of students with handicaps and those with a learning disability or a social maladjustment. (s. 96.14)

Upon the request of a parent, a principal may admit a student to an additional year of preschool or elementary schooling if the child has not met the objectives of preschool or elementary education. The principal submits a report on the number of students admitted for an additional year of schooling to the school board. (s. 96.17, 96.18 and 96.19)

## **Educational Services**

The principal is responsible for ensuring that the educational services provided by the school meet the proper standards of quality.

As stipulated in sections 84, 85, 86, 87, 88 and 89 of the Education Act, the principal, in collaboration with the teachers and/or other school staff, proposes the following to the governing board for approval:

- the approach for the implementation of the Basic School Regulation (Régime pédagogique)
- the approach for the enrichment or adaptation of the objectives and suggested content of the programs of study
- the time allocation for each compulsory and elective subject
- the programming of educational activities which entail changes in the students' regular schedule or which entails taking students off the school premises
- the approach for the implementation of programs of student and special education services

## **Approval of proposals of the teachers and other school staff (s. 96.15)**

The principal approves, on the proposal of the teachers and/or other staff concerned, the following:

- local programs of study developed to meet the special needs of students;
- criteria for the introduction of new instructional methods;
- textbooks and instructional material, after consulting with the governing board;
- standards and procedures for the evaluation of student achievement;
- rules for the placement of students and their promotion from one cycle to the other at the elementary level.

## **Physical and Financial Resources**

The school principal proposes the use of the premises placed at the disposal of the school to the governing board for its approval. (s. 93)

After consulting with the governing board, the principal/centre director informs the school board of the school's needs for material resources. (s. 96.22, s. 110.13)

The principal is responsible for managing the physical resources of the school and rendering account of such management to the school board. (s. 96.23)

The principal/centre director prepares the school's/centre's annual budget and submits it to the governing board for adoption. He/she administers the budget and renders an account of the budget to the governing board. (s. 96.24, s. 110.13)

## **Varia**

After consulting with school staff, the principal is responsible for informing the school board of the school's needs in terms of staffing of all classes of school personnel. The principal must be guided by a variety of considerations, including the educational services to be offered in the school, the budgetary process and the applicable collective agreements for different categories of personnel.

The principal is responsible for managing all school staff and must determine their duties and responsibilities. In addition, the principal must organize the professional development activities as agreed to with the staff in accordance with applicable collective agreements.

## The Responsibilities of the Members of the Governing Board

Members of the governing board must be concerned and interested in the school and education in general. They must be prepared to work cooperatively as a group and deal with common issues rather than personal ones. Being a member is not about personal power and prestige but about being empowered to serve the people within the school community that the governing board represents. Members must be prepared to commit themselves to:

- Regularly attend the meetings
- Arrive on time
- Respect the code of conduct
- Participate in the discussions
- Be well informed before making decisions
- Work as part of a team

## Conflict of Interest

A member of the governing board who has a direct or indirect interest in an enterprise that puts that member in conflict with the interest of the school must disclose the interest in writing to the principal. An example of this is a person who has an interest in the food services supplied to the school. The member must abstain from voting on any matter concerning the enterprise and avoid influencing the decision. In fact, the member must withdraw from a meeting while the matter is discussed or voted on. Having a conflict of interest is not prohibited; not declaring it leads to forfeiture of office (s. 70)

## Code of Conduct

The governing board has the responsibility to ensure that every decision it makes is in the best interests of the students.

Members of the governing board are in a position of trust. They must take their role seriously and be willing to give the time and effort needed. A responsible member will:

- attend meetings regularly and participate fully
- be willing to listen and learn
- be open-minded
- respect others' points of view
- work co-operatively with the other members
- place the interests of the school before any personal interest.

### **Section 71 of the Education Act specifically states: (Referred to in Section 108 for Adult and Vocational Centres)**

*"The members of the governing board must act within the scope of the functions and powers conferred on them, and exercise the care, prudence and diligence that a reasonable person would exercise in similar circumstances; they must also act with honesty and loyalty and in the interest of the school, the students, the parents, the school and the community."*

Governing boards should also develop their own guidelines as to how they want members to conduct themselves. If everyone understands what is expected of them and acts accordingly, meetings will be more productive and the work of the governing board will be more easily accomplished in an atmosphere of trust and collaboration. Once guidelines are developed, they should be reviewed each year at the first meeting of the governing board.



## Example of Rules of Conduct of a Governing Board

Members of the (School Name) Governing Board will:

- Attend meetings regularly
- Arrive on time
- Advise the chairperson in advance if unable to attend
- Raise their hand when they wish to speak
- Wait for the chairperson to give permission to speak
- Always address the chairperson when taking part in the discussion
- Avoid speaking when someone else is speaking
- Stay on the subject or motion being discussed
- Keep their contribution to the discussion short and to the point
- Avoid numerous interventions on the same topic
- Be objective
- Not be silent during the debate and then comment after the meeting
- Respect the right of others to express their opinions
- Listen and speak politely
- React to a point of view, never the person
- Fully understand any proposal or report that is presented before voting
- Once a decision is taken, support that decision
- Be willing to participate in activities of the governing board
- Respect all rules of procedure and guidelines for conduct

## Roles

### The Chairperson

- prepares the agenda with the principal (see Annex D);
- calls the meeting to order;
- keeps the meeting to the agenda;
- ensures that internal procedures are respected;
- ensures that information required for the meeting is available;
- ensures that a motion is seconded before discussion begins;
- states each motion before it is debated and again before it is voted on, and
- casts a vote in case of a tie.

#### **A good chairperson**

- *is well prepared for the meeting*
- *gives each member a chance to speak*
- *tactfully keeps speakers on the subject*
- *listens well*
- *speaks no more than necessary but helps clarify issues and provides information*
- *is fair and impartial*
- *is flexible*
- *makes sure everyone knows what the decisions are and what action is to be taken*
- *starts and ends meetings on time*

### The Secretary

The secretary keeps an accurate record of the meetings. Only what is done, not what is said, is recorded, e.g., the motion and the vote but not who said what during the discussion prior to the vote. Section 4 of this manual provides more details on the topic of recording minutes. The secretary may also assist the chairperson in handling correspondence, notifying members of meetings, preparing and distributing agendas, etc.

### The Treasurer

The treasurer keeps track of the operating budget allocated to the governing board by the school board (s. 66, s. 108). This allocation is included in the school's budget and identified by an account code. At the beginning of each year, the governing board should decide how the budget will be used. The allocation is intended for **operating** expenses, such as: postage, photocopying, meeting refreshments, training materials, etc.

Participation on a governing board is of a voluntary nature. However, a governing board may decide to defray some baby-sitting or transportation costs if the need arises. This is a **decision of the governing board** and should be discussed early in the year. It is important that all members understand what expenses will be covered by this operating budget in order to avoid any misunderstanding later.

The treasurer must oversee the claims for operating expenses and keep a record of these. A report should be given at each meeting of the governing board. The principal is responsible for disbursing the funds from the school's accounts. The treasurer has no signing authority over school funds. Upon request from the school board, the governing board must submit an annual expense report (s. 81).

*Note: The treasurer is also responsible for keeping account of any monies received through its solicitation of donations as outlined in Section 94 and 110.4 of the Education Act. This fund is supervised by the governing board, but managed by the school board.*

## **The Parents' Committee Representative at Central Parents' Committee – Youth Sector**

The delegate (or substitute) to the Parents' Committee (PC) represents his/her school at all meetings of this Committee.

The delegate acts as a liaison between the parents of the school and the Parents' Committee and should attend the meetings regularly.

If the delegate is unable to attend, he/she must notify the appointed substitute and give him/her any documents relevant to the meeting.

When the substitute replaces the delegate at the PC meeting, the substitute has the right to vote. The delegate (or substitute, if applicable) is expected to give a report on the business of the PC to the governing board.

The Parents' Committee from time to time may ask delegates to bring issues back to the parents on the governing board and PPO for discussion and feedback.

Similarly, a governing board may wish to gather information about what other schools are doing in regard to certain issues and request the delegate to raise the matter at a Parents' Committee meeting.

# Section 4

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## Operation

### CONTENTS

- First Meeting of the Year
- What is a Good Meeting?
- Preparing the Agenda
- Notice of Meeting
- General Rules of Operation
- Public and Closed Meetings
- Prosecution
- The Minutes

## **First Meeting of the Year**

It is important that everyone feels welcome and comfortable at this meeting. If there are new members, time should be given for people to get to know each other. Providing name tags and a few refreshments helps to create a more relaxed atmosphere.

The principal/centre director presides over the first meeting of the governing board until the chairperson is elected. The chairperson is chosen from among the parent representatives not employed by the school board. Once the chairperson is elected, he/she takes over the meeting. If members fail to elect a chair, the principal continues to chair until a chair is elected or for at least the minimum five meetings required by the Education Act.

The appointment of the two community representatives should be one of the items on the agenda.

Internal rules of management should also be discussed. Certain rules of operation are determined by the Education Act and must be respected, but governing boards are also required to establish their own rules. Some of the things governing boards may wish to consider are:

- How to notify parents and staff of the dates and times of the meetings;
- The appointment of a secretary and treasurer;
- Rules of procedure for meetings (duration of the meeting, time limits on agenda items, procedures for adding items to the agenda, etc.);
- Guidelines for the conduct of members;
- Procedures to permit members of the public to be heard at the meetings of the governing board;
- How the operating budget allocated by the school board is to be used;
- Procedures for calling special meetings.

Other items on the agenda will vary from school to school depending on the local situation.

A suggested agenda for the first meeting can be found in Annex E.

## **What is a Good Meeting?**

There are a number of ingredients that contribute toward a good meeting, including:

- A well-planned agenda, distributed in advance with the minutes of the previous meeting and any other documentation relevant to the agenda
- A comfortable setting
- Guidelines on conduct agreed to by all members
- Regular attendance
- A good chairperson
- Involvement of all members in the discussions
- Time limits for the length of the meeting and on agenda items
- Willingness to work as a team
- Decision-making by consensus

## **Preparation of the Agenda**

The agenda is prepared in advance of the meeting by the chairperson in consultation with the principal and other members of the board when appropriate. Some of the standard items are the adoption of the agenda and the minutes of the previous meeting; business arising from the minutes; reports; new business.

An agenda should not be too long or include too many items that require lengthy discussion. It may be helpful to specify a time limit for each item so that the agenda can be completed and to indicate whether they require a decision or are consultation or information items.

Members who wish to add items to the agenda should let the chairperson know well ahead of the meeting. Items may be added at the meeting when "Adoption of the Agenda" is being considered but these should be kept to a minimum. The added item, if a new topic, should be placed under "Varia" with the understanding that it may be tabled until the next meeting when more information would be available.

## **Notice of Meeting**

Meetings of the governing board are public. Section 67 (also referred to in Section 108 for adult and vocational centres) states that parents and school staff are to be informed of the dates, times and place of meetings. Parents may be advised through notices and newsletters sent home with the students. The agenda should also be posted in a location in the school where staff will see it. The school's website can be a perfect place to post these items.

## **What are the General Rules of Operation? (Education Act, Sections 56-73)**

- 1 The governing board chooses its chairperson from among the parent members who are not employed by the school board. The term of office is one year.
- 2 If the chairperson is absent, the governing board designates an eligible parent to act in his/her place.
- 3 Quorum is the majority of members and must include at least half of the parent representatives.
- 4 If the governing board is unable to hold a meeting due to a lack of quorum, after three consecutive notices have been sent with at least seven days in between, the school board may order that the powers and functions be exercised by the principal.
- 5 Decisions are by majority vote of the members present and entitled to vote. This includes the chairperson. In case of a tie, the chairperson casts a deciding vote.
- 6 The governing board must hold at least five meetings a year.
- 7 The governing board informs parents and school staff of the schedule of meetings for the year.
- 8 Meetings are open to the public; however, a meeting may be closed if the matter to be discussed could cause injury to a person.
- 9 Minutes are recorded in a register kept by the principal or by a person designated by the principal. The register is public. The minutes must be sent to the office of the Director General on a monthly basis.
- 10 A conflict of interest must be disclosed in writing to the principal.
- 11 The governing board receives an annual operating budget from the school board (included in the school budget). It establishes expense rules, oversees the administration of this budget and gives an account to the school board.
- 12 The governing board establishes its own operational rules while respecting the rules set out in the Education Act.

## **Public & Closed Meetings**

Meetings of the governing board are public. However, under section 68 (also referred to in section 108 for adult and vocational centres) of the Education Act, the governing board may decide that a meeting be closed to the public if a matter to be examined could cause injury to a person.

The governing board may not adopt resolutions at closed meetings since it may only study certain matters on these occasions and no minutes are recorded. Any decisions taken by a governing board must be made in public and recorded in the minutes of the meeting.

The governing board, in public and closed meetings, must act within the limits of its functions and powers and must not discuss matters not under its jurisdiction.

### **Public Meetings**

Governing boards should develop guidelines for public meetings that will allow members of the public an opportunity to speak at an appropriate time ( e.g., during a question period). The public must also understand that the topics raised must be appropriate to the functions and powers of the governing board.

There are many matters that do not fall under the jurisdiction of the governing board. Examples are matters governed by the staff's collective agreement or those related to individual students. Therefore the members, and more particularly the chairperson, must prevent any such matter from being presented by a member of the public at the meeting. For example, at a governing board meeting, if a member of the public begins to complain about a member of staff, the chairperson must immediately intervene, indicate that the issue does not fall under the functions and powers of the governing board and direct the speaker to meet with the principal at another time. If the speaker persists, the chairperson would have the option of adjourning the meeting.

Copies of the agenda should be available for the public at the time of the meeting. The reverse side of the agenda could be used to give information about the guidelines for question period, the current focus of the governing board, recent or upcoming events in the school, etc., - anything that might be of interest to those attending the meeting.

### **Prosecution (EA, s. 72 and 73)**

Section 72 (also referred to in Section 108 for adult and vocational centres) of the Education Act states, "The members of a governing board may not be prosecuted for an act performed in good faith in the exercise of governing board functions".

If a member is prosecuted by a third party for an act done within the exercise of a governing board function, the school board will defend that member. If the member is found liable for damage caused by an act done in bad faith, the school board may require repayment by the member for legal expenses incurred.



## The Minutes

Minutes are an official record of the business and activities of an organization. The minutes include:

- The date, time and place of the meeting
- Names of members present and apologies from those absent
- Verification of the quorum
- Adoption of the agenda (with any additions)
- Adoption of the minutes of the previous meeting (with any corrections)
- The exact wording of motions (unless withdrawn) including the names of the mover and seconder
- Record of the votes
- Decisions made by consensus
- Brief references to items of discussion and reports
- Items tabled
- Time of adjournment

After approval at the following meeting, the minutes are signed by either the person presiding over the meeting and the school principal or the person appointed by the principal.

The minutes must be recorded in a register kept for that purpose by the principal or by a person appointed by the principal. The register is open to the public. (s. 69)

The approval of the minutes does **not** include the option of new wording but may include a reference to an error or omission.

The minutes do not include details of discussions.

Only members who were present at a meeting may propose the adoption of the minutes of that meeting.

The minutes must be available in French.

See Annex F for a sample agenda for a regular meeting and a sample set of minutes.

# Section 5

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## Annual Budget

### CONTENTS

- Overview of the Budgetary Process
- Budget Building Process
- Budget & Financial Management Timeline
- Revenue Types

## The Annual Budget

Section 95 of the Education Act states: "The governing board is responsible for adopting the school's annual budget proposed by the principal, and shall submit the budget to the school board for approval."

### Overview of the Budgetary Process

- The principal regularly consults with the Governing Board on needs in goods and services as well as improvements to the school building.
- The Board publishes the criteria, objectives and principles it employs in distributing financial resources.
- The Board consults with the Governing Boards of the schools and centres on the basis of budget allocation as defined in the document describing criteria, objectives and principles of budget allocation.
- Guided by these principles of budget allocation, the School Board allocates financial resources in an equitable manner among its various establishments, taking into account any social and economic inequalities as well as the needs expressed by the various schools.
- The principal prepares a budget proposal for the adoption of the Governing Board,
- The School Board receives the budgets approved by the Governing Boards, and incorporates them into the overall budget, which is sent to the Minister of education, Leisure and Sports (MELS) after approval by the Council of Commissioners.
- The principal administers the school budget and reports regularly to the Governing Board.
- Budgets may be revised based by the School Board over the course of the year based upon updated information.
- The types of funds allocated to the schools are described on the following pages.

### Budget Building Process

Schools must identify revenues that will be received the following year. Governing boards may wish to consult School Board "Organizational Guide DB – Financial Planning – Budget". In summary, revenues are estimated by considering the following:

- Actual amounts already identified
- Past years' experiences
- Trust Accounts amounts and purposes
- Schools must identify how revenues and balances carried forward will be spent.

*The amounts are estimates and, as a result, are subject to change.*

### School/Centre Budget & Financial Management Timeline

|                           |  |
|---------------------------|--|
| <b>October</b>            | Principals/Centre Directors report to Governing Boards on the financial results of the previous school year.   |
| <b>November</b>           | Governing Boards submit school/centre capital requests for the following school year.  |
| <b>January</b>            | Governing Boards receive for consultation the document "Objectives, Principles & Procedures for the Allocation of Resources" which describes the proposed basis for the allocation of funds.   |
| <b>February<br/>March</b> | Governing Boards consult and respond to the Objectives, Principles & Procedures for the Allocation of Resources.   |
| <b>April<br/>May</b>      | The School Board informs the Principals/Centre Directors of the allocations based upon the data available at that time. School Principles / Center Directors prepare a budget based on this information.   |
| <b>May<br/>June</b>       | <ul style="list-style-type: none"> <li>• Schools develop budgets for funds under the direct control of school</li> <li>• The Governing Board adopts the school/centre budget.</li> <li>• The School Board receives school budgets and submits the consolidated budget to the Council of Commissioners for final approval.</li> </ul> |

## Revenue Types (Sources and Uses)

Allocations to schools include the following types of funding:

**Operating Revenues** are allocated to the School Board by the MELS are distributed to schools and centres for their operations. These amounts are for materials, supplies, and services to fund operations of the school. Allocation is based on estimated enrolments in March and may be revised in November to reflect September 30 enrolment. Operating revenues are provided to fund the delivery of goods and services in the current year.

**Capital Revenues** are allocated to fund investments, which will provide value for multiple years such as the purchase of computers, or other specialized equipment. The budget includes several types of **Capital Revenues**:

- **Educational Capital** is used to purchase items necessary for the operation of the school and centre and the delivery of educational services such as desks, chairs, tables, and other equipment.
- **Technology Capital** is used to purchase computing equipment, smart-boards, or other technology that fits the school/centre success plan.
- **Buildings/Grounds Capital** is used to fund ongoing improvements and major repairs to the infrastructure of the buildings and grounds. It is not normally allocated to schools and centres, although schools and centres, via their Governing Boards, may make recommendations on local needs to support their educational projects.

All of these capital revenues are allocated to the School Board by the MELS, and are therefore subject in their usage to the MELS budget rules. These rules include the fact that the revenues must be used for the stated purpose within the budget year. However, nothing prevents a Governing Board from defining a capital project and raising funds for it's completion over more than a one-year period.

**Daycare Revenues** are composed of fees from parents using the service and a per capita allocation from the MELS for the children using the service. The fees are collected from the parents and allocated by the MELS to offset the cost of delivery of Daycare services. Estimates of both revenues and expenses are prepared for the schools by the Board to simplify the preparation of this budget. The key input to this process is the estimate of Daycare enrollment provided by Principals to the Board in March.

**Program-specific revenues** or (**Measures**) are provided by the MELS and in some cases represent grants from other sources. Such funds must be used in the year in which they are allocated. These revenues are targeted to the delivery of a specific service or program. Some examples are:

- NANS - Special allocation for high schools and elementary schools.
- Homework Assistance Program
- Wellness-Oriented Program

**The Governing Board Allocation** is an allocation by the School Board to offset the costs of the operation of the Governing Board.

**School-Level Revenues** are revenues generated at the school level, typically from parents for a specific service being provided to the student. These include:

- **School Fees** relating to the purchase of consumable items such as school agendas, workbooks, and printed materials
- **Field Trip/Activity Fees** collected from parents to help pay for transportation, entrance fees, and other costs of fields trips or other special activities

These funds are collected from parents to deliver specific services to the students. Typically, no revenues will be left over at the end of the year unless they were collected in advance for providing a service in the next year (for example Fall Graduation paid in advance).

**Supervision Fee Revenues** are collected from parents to offset the cost of providing supervision for children who remain at school during lunchtime and require supervision by lunch monitors. The School Board invoices and collects from parents, and operates the service on behalf of the schools.

**Other Revenues** that may be available to offset expected expenses include:

- Donations
- Other grants
- Trust Funds

# Section 6

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## Annual Activity Report

### CONTENTS

- The Annual Activity Report
- Informing the Community
- Content of the Annual Activity Report

## The Annual Activity Report

**Section 82 and 110.4 of the Education Act states:** *"The governing board shall prepare and adopt an annual activity report and shall transmit a copy of the report to the school board."*

The annual activity report serves as a communication tool as well as an 'accountability and planning tool. The governing board's activities include the decisions it took throughout the school year, from whom it sought and received funding, agreements signed, consultations responded to, information transmitted to the school board. The annual report can be used not only to report to the school board as required by law but also to share information with parents, the school staff and the public.

While there is no requirement for copies of the annual report to be distributed to the parents or staff members at large, you may decide to have copies available for those who wish to see it.

## Informing the Community

**Section 83 of the Education Act states:** *"Each year, the governing board shall inform the parents and the community served by the school of the services provided by the school and report on the quality of such services."*

This is a separate responsibility from that of the preparation and adoption of the annual report. The key words in section 83 are "inform" and "report". The governing board can provide information on services to the community on a regular basis through the public meetings of the governing board, newsletters, local newspaper ads, etc.

Both the educational project and the management and educational success agreement must be made public by December 31 of the school year immediately following. The governing board must also report annually on the evaluation of the implementation of the *Management and Educational Success Agreement (MESA)* and a report on the evaluation of the MESA must be distributed to the parents and the school staff. (s. 83, par. 2, 3, 4)

**Section 83.1 of the Education Act states:** *Each year, the governing board shall evaluate the results achieved by the school with respect to preventing and dealing with bullying and violence.*

A document reporting on the evaluation must be distributed to the parents, the school staff and the Student Ombudsman.

The annual report must be adopted by the governing board and submitted to the school board. Please note that, once adopted, the annual activity report should be forwarded to the Director General by October 31.

## Content of the Annual Report

The annual report should include the following information and descriptions:

|   |   |
|---|---|
| <b>Name and address of the school</b>                                     |   |
| <b>Members</b>  | List each member of the governing board, their position (eg: Chair, Treasurer, Secretary, etc) and identify the group each member represents (eg: Parents, Teachers, Daycare, Students, Community, etc.   |
| <b>Number of Meeting</b>  | Identify the number of regular and special meetings held during the year and the reasons for the special meetings.  |
| <b>Attendance Record (optional)</b>                                       | This is optional but will provide information to the school community that could assist them in the election or selection of members to sit on the governing board.   |
| <b>Message from the Chairperson (optional)</b>                            | This is optional but might include observations about the general assembly, the accomplishments, the challenges, the general functioning of the governing board, etc.   |
| <b>New programs, activities, services approved by the governing board</b> | List the major topics that were dealt with and the associated actions taken.  |
| <b>Issues and concerns addressed by the governing board</b>               | List any major issues or concerns that were handled, and the actions taken, while being careful to not divulge any confidential information   |
| <b>Sub-committees and their mandates</b>                                  | If your governing board established sub-committees to look at issues and make recommendations, these should be identified.  |
| <b>Method(s) used to inform the school community</b>                      | The school community includes parents, staff and sometimes the larger community. Briefly describe the method(s) used, e.g., newsletters, notices, etc.  |
| <b>Plans and/or recommendations for the coming year</b>                   | Indicate any recommendations for next year's governing board in terms of actions to be taken, issues to be addressed, method of operation, etc. You may wish to identify specific measures you would like the school board to take which would assist the functioning of the governing board. |
| <b>Law 19 compliance report of incidents</b>                              |   |



# Section 7

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## Annexes

|         |  |
|---------|--|
| Annex A | Election of Governing Board                              |
| Annex B | Election of Parent Representatives to Governing Board    |
| Annex C | Parent Participatory Organization                        |
| Annex D | Guidelines for the Chairperson – Main Topics & Timelines |
| Annex E | Sample Agenda – First Meeting                            |
| Annex F | Sample Agenda & Minutes – Regular Meeting                |

### Election of Governing Board

School: \_\_\_\_\_ Date: \_\_\_\_\_

The following parents have submitted their names as candidates for the seats for parent representatives on the governing board.

|    | NAME | GRADE LEVEL(S) of CHILD(REN) | VOTE |
|----|------|------------------------------|------|
| 1  |      |                              |      |
| 2  |      |                              |      |
| 3  |      |                              |      |
| 4  |      |                              |      |
| 5  |      |                              |      |
| 6  |      |                              |      |
| 7  |      |                              |      |
| 8  |      |                              |      |
| 9  |      |                              |      |
| 10 |      |                              |      |
| 11 |      |                              |      |
| 12 |      |                              |      |
| 13 |      |                              |      |
| 14 |      |                              |      |
| 15 |      |                              |      |

## Election of Parent Representatives to Governing Board Suggested Rules of Procedure

- 1) Only parents who are present can be nominated\*.
- 2) Parents may nominate themselves, but seconders are required.
- 3) If more than the required number of names is placed in nomination, the vote will be held by secret ballot.
- 4) The ballot will consist of a list of the names of the nominated candidates.
- 5) Prior to the vote, the candidates will be requested to present themselves.
- 6) The ballots are collected and counted by three people not on the ballot (the principal, election secretary and one other).
- 7) The election chairperson announces the results by reading the names of those elected but not the number of votes for each.
- 8) The ballots will be kept by the principal for a period of one month.
- 9) The decision to form a Parent Participation Organization will be determined by a show of hands.

*\* Item 1 could read:*

All parents who are present can be nominated.

Candidacy by proxy submitted in writing will be accepted.

## Parent Participation Organization

### What is the Parent Participation Organization?

The Parent Participation Organization (PPO) gives the opportunity to a larger number of parents to be more directly involved in the life of a school.

### What are the Functions of the Parent Participation Organization?

The purpose of the PPO is:

- To encourage parents' participation in fostering their child's success
- To encourage the collaboration of parents in developing, implementing and evaluating the school's educational project.

As well, it may advise the parent members on the governing board about parents' concerns. The governing board parent members may consult the PPO when additional input from parents is needed (s.96-3).

The PPO can play a valuable role and support the work of the governing board by effectively communicating with the parent body at large:

- Letting parents know about what is going on at the school and what the needs are
- Finding out about parents' concerns.

There are no regulations governing the size and general operation of a PPO except, as mentioned, that the parents attending the AGA determine its name, its composition, and its operating rules and elects its members.

Each parent community has the flexibility to organize its PPO to best suit the conditions, i.e., the number of parents who wish to be involved and the tasks that need to be done.

## Guidelines for the Chairperson: Main Topics & Timelines

|                  |   |
|------------------|---|
| <b>September</b> | <ul style="list-style-type: none"> <li>• Prepare and hold an Annual General Assembly of the parents;</li> <li>• Election of governing board members;</li> <li>• Vote as to whether to have a Parent Participation Organization (P.P.O.)</li> </ul>  |
| <b>October</b>   | <ul style="list-style-type: none"> <li>• Election of the chairperson and the secretary;</li> <li>• Establishment of the meeting dates or approval of the calendar of meetings;</li> <li>• Appointment of community representatives;</li> <li>• Decision about fund-raising activities for the year:</li> <li>• Target / funds raised – timeline for request for trust requests for monies if the project carries over more than one school year;</li> <li>• Criteria for the selection of the school principal- minutes sent to the office of the Director General;</li> <li>• Approval of GB Annual Report;</li> <li>• Review of Rules of Internal Management;</li> <li>• Approval of the programming of educational activities (field trips, etc.);</li> <li>• Approval of Capital requests and minutes submitted to Director of Material Resources.</li> <li>• Approval of the Emergency Preparedness plan and minutes submitted to the Director of Material Resources.</li> </ul> |
| <b>November</b>  | <ul style="list-style-type: none"> <li>• Adoption of the GB's operating budget;</li> <li>• Review of the educational project;</li> <li>• Approval of time allocation for compulsory and elective subjects</li> </ul>  |
| <b>December</b>  | <ul style="list-style-type: none"> <li>• Follow up on school's operating budget;</li> <li>• Review of the educational project;</li> <li>• Deposit of annual report to the public and the school board by December 31st; document must then be recorded in the Minutes, signed by the governing board chair, and sent to the director general.</li> </ul>  |
| <b>January</b>   | <ul style="list-style-type: none"> <li>• Consultation on the Rules of Conduct and Safety in preparation for the March deadline (approval);</li> <li>• Consultation of capital projects.</li> </ul>  |
| <b>February</b>  | <ul style="list-style-type: none"> <li>• Follow-up on the annual school budget (February);</li> <li>• Consultation on textbooks and instructional materials (if necessary);</li> <li>• Presentation of draft for the Rules of Conduct and Safety for the upcoming year and consultation for changes.</li> </ul>   |
| <b>March</b>     | <ul style="list-style-type: none"> <li>• Consultation on objectives and principles for the allocation of resources to schools and centres (s.193.9);</li> <li>• Approval of the Rules of Conduct and Safety for the upcoming school year; document must be recorded in the Minutes and sent to the Director of Educational Services in April;</li> <li>• Consultation on capital projects.</li> </ul>   |
| <b>April</b>     | <ul style="list-style-type: none"> <li>• Review of current school budget in preparation for next year's budget;</li> <li>• Initial preparation of the annual activity report for the school board;</li> <li>• Assessment of the implementation of the Management and Educational Success Agreement;</li> <li>• Approval of the Rules of Conduct and Safety measures for the following year and subsequently sent to the Director of Educational Services.</li> </ul>  |
| <b>May</b>       | <ul style="list-style-type: none"> <li>• Preparation of the annual report;</li> <li>• Consultation on capital projects;</li> <li>• Consultation on Emergency Preparedness plan</li> </ul>   |
| <b>June</b>      | <ul style="list-style-type: none"> <li>• Establishment of principles for determining the price of consumables and approval of the list of materials such as paper, pencils, etc. to be charged to parents or students;</li> <li>• Adoption of the school budget for the following year;</li> <li>• Approval of the GB end-of-year financial report and activities report</li> </ul>   |

## Suggested Agenda for the First Meeting

### YOUR SCHOOL GOVERNING BOARD

Wednesday, October 21, 2015

#### AGENDA

1. Welcome - Principal
2. Introduction of Members (allow each member to introduce themselves)
3. Reading and Approval of the Agenda
4. Working Together as a Team - Principal
5. Refreshments and an Icebreaker
6. Election of Chairperson
7. Operation:
  - 7.1 Review of Rules of Operation (as outlined in the Education Act)
  - 7.2 Approval/Modification of Internal Rules of Management
  - 7.3 Approval/Modification of Guidelines for Conduct of Members
8. Dates and Times of Meetings
9. Review of Functions and Powers
10. Discussion: Appointment of Community Representatives
11. Other Business
12. Next meeting: *date and suggested contents*
13. Adjournment

## Sample Agenda for a Regular Meeting

**YOUR SCHOOL GOVERNING BOARD**  
**Wednesday, November 18, 2015**  
**7:30 p.m.**  
**Staff Room, YOUR School**  
**123 Anjou, Chateauguay**

### AGENDA

1. Adoption of Agenda
2. Adoption of the Minutes of the Meeting of October 14, 2015
3. Business Arising from the Minutes
  - 3.1. Guidelines for Conduct of Members
4. Question Period
5. Reports
  - 5.1. Regional Parents' Committee
  - 5.2. Treasurer's Report
6. New Business
  - 6.1. Adoption of the Governing Board's Annual Budget
  - 6.2. The Educational Project
  - 6.3. School's Annual Budget
7. Varia
8. Adjournment

## Sample Minutes of a Regular Meeting

Minutes of a meeting of the governing board of **YOUR School** held on Wednesday, November 18, 2015 at 7:30 p.m. in the staff room of YOUR School, 123 Anjou, Chateaugay

Present: (list names of the members of the governing board)

Regrets: (list names of the members who sent regrets).

Absent: (list names of absent members).

Also present: (list names of guests, commissioner, etc. if applicable)

Approximately 12 members of the public were in attendance.

### 1. **Adoption of Agenda**

It was moved by A. Teoli, seconded by M. Frost and unanimously resolved that the agenda be adopted. Vote: 14-0-0

### 2. **Adoption of Minutes of the Meeting of October 14, 2015**

It was moved by G. Woods, seconded by I. Patel and unanimously resolved that the minutes of the meeting held on October 14, 2015 be adopted as circulated. Vote: 14-0-0

### 3. **Business Arising from the Minutes**

#### 3.1. Guidelines for Conduct of Members

The chairperson distributed copies of the guidelines agreed to at the last meeting.

### 4. **Question Period**

A parent expressed a concern about the cost of field trips. The chairperson replied that the item would be discussed at the next meeting of the governing board.

### 5. **Reports**

#### 5.1. Regional Parents' Committee

G. Woods reported on the meeting of October 13, 2015.

#### 5.2. Treasurer's Report

M. Smith reported that the Board allocation is expected within the next week. No expenses have been incurred to date.

### 6. **New Business**

#### 6.1. The Governing Board Annual Budget

It was moved by S. Brown, seconded by M. Smith and unanimously resolved that the governing board budget be adopted. Vote: 14-0-0

#### 6.2. The Educational Project

The Educational Project was presented and members were asked to review the document and bring any questions to the next meeting.

#### 6.3. Follow-up on the School Budget

The principal presented the adjustments to the school budget following the September 30th enrolment. It was moved by H. Jones, seconded by S. Randall and resolved that the adjustments to the budget be adopted. Vote: 13-0-1

### 7. **Varia**

None

### 8. **Adjournment**

The meeting was adjourned at 9:30 p.m. on a motion by J. Landau.



# MY NOTES...