



Province of Alberta

## SCHOOL ACT

# SCHOOL COUNCILS REGULATION

### **Alberta Regulation 113/2007**

With amendments up to and including Alberta Regulation 28/2018

### Office Consolidation

© Published by Alberta Queen's Printer

Alberta Queen's Printer  
Suite 700, Park Plaza  
10611 - 98 Avenue  
Edmonton, AB T5K 2P7  
Phone: 780-427-4952  
Fax: 780-452-0668

E-mail: [qp@gov.ab.ca](mailto:qp@gov.ab.ca)  
Shop on-line at [www.qp.alberta.ca](http://www.qp.alberta.ca)

### **Copyright and Permission Statement**

Alberta Queen's Printer holds copyright on behalf of the Government of Alberta in right of Her Majesty the Queen for all Government of Alberta legislation. Alberta Queen's Printer permits any person to reproduce Alberta's statutes and regulations without seeking permission and without charge, provided due diligence is exercised to ensure the accuracy of the materials produced, and Crown copyright is acknowledged in the following format:

© Alberta Queen's Printer, 20\_\_.\*

\*The year of first publication of the legal materials is to be completed.

### **Note**

All persons making use of this consolidation are reminded that it has no legislative sanction, that amendments have been embodied for convenience of reference only. The official Statutes and Regulations should be consulted for all purposes of interpreting and applying the law.

(Consolidated up to 28/2018)

**ALBERTA REGULATION 113/2007**

**School Act**

**SCHOOL COUNCILS REGULATION**

*Table of Contents*

<b>1</b>	Definitions
<b>2</b>	School council must be established
<b>3</b>	Notice of establishment meeting
<b>4</b>	Principal may establish advisory committee
<b>5</b>	Chair and secretary at establishment meeting
<b>6</b>	Agenda at establishment meeting
<b>7</b>	Right to vote at establishment meeting
<b>8</b>	School council membership
<b>9</b>	School council executive
<b>10</b>	Faith of school council members
<b>11</b>	Remuneration of school council members
<b>12</b>	Prohibition against incorporation
<b>13</b>	Responsibilities of board
<b>14</b>	Duty to report to the board
<b>15</b>	Date for first meeting of school council
<b>16</b>	Suspension of school council
<b>17</b>	Bylaws of school council
<b>18</b>	Fees prohibited
<b>19</b>	Exemptions
<b>20</b>	Repeal
<b>21</b>	Expiry
<b>22</b>	Coming into force

**Definitions**

**1** In this Regulation,

- (a) “Act” means the *School Act*;
- (b) “board” has the meaning given to it in the Act;
- (c) “establishment meeting” means a meeting to be held under section 2 to establish a school council;
- (d) “executive” means the executive of a school council;

- (e) “model of governance” means the process and structure used by a school council to make decisions regarding its business and affairs;
- (f) “school community” in respect of a school means
  - (i) students enrolled in the school and their parents,
  - (ii) children enrolled in an Early Childhood Services program at the school and their parents,
  - (iii) the school staff, and
  - (iv) other persons who have an interest in the school;
- (g) “school day” means a day scheduled for the purpose of instruction, examinations or other student activities where student-teacher interaction and supervision are maintained.

**School council must be established**

**2** If a school that is required to have a school council has no school council, the school must, in accordance with section 3, hold an establishment meeting within 40 school days after the start of the school year.

**Notice of establishment meeting**

**3(1)** If a school is required to hold an establishment meeting, the principal must give notice to the following persons of the meeting:

- (a) a parent of each student enrolled in the school;
- (b) a parent of each child enrolled in an Early Childhood Services program at the school;
- (c) the school staff;
- (d) other members of the school community who, in the principal’s opinion, should be given notice.

**(2)** A notice under subsection (1) must

- (a) describe the purpose of the meeting,
- (b) set out the time, date and location of the meeting, and
- (c) be given at least 10 school days before the date of the meeting.

**(3)** A notice to persons referred to in subsection (1)(d) must

- (a) meet the requirements set out in subsection (2), and
- (b) either
  - (i) be posted in 2 or more locations that are accessible to the public in the area around the school, or
  - (ii) be advertised in a publication that is circulated to the general public in the area around the school.

**Principal may establish advisory committee**

**4** If there are fewer than 5 parents in attendance at an establishment meeting or if an establishment meeting is not successful in establishing a school council, the principal may establish an advisory committee for that year to carry out one or more of the duties or functions of a school council.

**Chair and secretary at establishment meeting**

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

**Agenda at establishment meeting**

**6(1)** The persons attending an establishment meeting must

- (a) decide, subject to section 8, on the size of the school council,
- (b) decide on the model of governance for the school council,
- (c) decide, subject to subsection (2), on the term of office of each member of the school council,
- (d) elect, subject to subsection (2), the initial members of the school council referred to in section 8(1)(d),
- (e) decide, subject to section 9, on the size of the executive,
- (f) decide on the term of office of each member of the executive, and
- (g) elect the initial members of the executive.

**(2)** For greater certainty, but without restricting the generality of subsection (1)(a), the persons attending an establishment meeting may decide that for the purposes of section 8(1)(d), the school council may include all parents of students enrolled in the school who wish to be members.

**Right to vote at establishment meeting**

**7** Despite section 6, only persons who attend the establishment meeting and are

- (a) parents of students enrolled in the school, or
- (b) parents of children enrolled in an Early Childhood Services program at the school

are entitled to vote on matters raised at the meeting.

**School council membership**

**8(1)** A school council must include the following members:

- (a) the principal of the school;
- (b) at least one person who is a teacher at the school, elected or appointed by the teachers at the school;
- (c) if the school includes a senior high school program, at least one person who is a student enrolled in the high school, elected or appointed by the students enrolled in the high school;
- (d) subject to section 22(2) of the Act, parents of students enrolled in the school.

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

**(3)** The members of a school council referred to in subsection (1) may establish a process to appoint or elect as members of the school council one or more persons who are parents of children enrolled in an Early Childhood Services program at the school.

**School council executive**

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

**(2)** A parent of a student enrolled in the school must be elected chair of the executive.

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

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

#### **Faith of school council members**

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

#### **Remuneration of school council members**

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

#### **Prohibition against incorporation**

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

#### **Responsibilities of board**

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

- (a) mission, vision and philosophy,
- (b) policies,
- (c) annual education plan,
- (d) annual results report, and
- (e) budget.

(2) A board must provide the school council with the school's provincial testing program results and other provincial measures and a reasonable interpretation of those results and measures.

(3) A board must at all reasonable times allow the school council free and full access to timely and accurate information of the board that is publicly available, including board policies and minutes of board meetings.

#### **Duty to report to the board**

**14(1)** The chair of a school council must prepare and provide to the board by September 30 of each year a report

- (a) summarizing the activities of the school council in the previous school year, and

(b) including a financial statement relating to money handled by the school council in the previous school year, if any, and how the funds were used.

(2) A school council must retain at the school a copy of the minutes for each meeting of the school council and make them available to the board or the public on request.

(3) A school council must retain the minutes for each meeting of the school council for at least 7 years.

#### **Date for first meeting of school council**

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

#### **Suspension of school council**

**16(1)** If a quorum is not available for a meeting of a school council and the meeting has been re-scheduled on 2 or more occasions, the board may suspend the operation of the school council until the following year.

(2) If the operation of a school council is suspended, the principal may establish an advisory committee to carry out one or more of the duties or functions of the school council until a new school council is established under subsection (3).

(3) If the operation of a school council is suspended under subsection (1), a new school council must be established within 40 school days after the start of the next school year in accordance with sections 2 to 9.

#### **Bylaws of school council**

**17(1)** Each school council may make bylaws respecting the conduct of its business and affairs including, without limitation, bylaws

- (a) respecting the calling of regular, special or annual meetings of the school council;
- (b) subject to section 6, respecting the election of members of the school council;
- (c) subject to section 6, respecting the election of members of the executive;



- (d) respecting the role of the chair and other members of the executive relating to the conduct of the school council's affairs;
- (e) respecting the number of times the school council must meet each year;
- (f) respecting the location of school council meetings;
- (g) respecting the number of school council members that constitutes a quorum at meetings of the school council;
- (h) respecting a conflict resolution process for internal school council disputes.

**(2)** A bylaw under subsection (1) does not come into force unless it is approved by a majority of

- (a) parents of students enrolled in the school, and
- (b) parents of children enrolled in an Early Childhood Services program at the school

who vote at a special meeting of the school council called for that purpose.

**(3)** The bylaws continue in force from year to year unless

- (a) they are amended at a special meeting of the school council called for that purpose, and
- (b) the amendment is approved in accordance with subsection (2).

#### **Fees prohibited**

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

#### **Exemptions**

**19** The following are exempt from the application of section 22 of the Act and this Regulation:

- (a) a school for resident students of the Government as described in section 44(7) of the Act that is provided in an institution approved by the Minister;

- (b) a school for students that is provided in an institution approved by the Minister.

**Repeal**

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

**Expiry**

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

AR 113/2007 s21;136/2016;28/2018

**Coming into force**

- 22** This Regulation comes into force on July 1, 2007.





Printed on Recycled Paper 