

The Education Act, 1995

being

Chapter E-0.2* of the *Statutes of Saskatchewan, 1995* (effective January 1, 1997) as amended by the *Statutes of Saskatchewan*, -1996, c.45; 1997, c.35; 1998, c.21; 1999, c.16; 2000, c.10, 42 and 70; 2001, c.13; 2002, c.27 and 29; 2004, c.16 and 67; 2005, c.10, 11 and 21; 2006, c.18, 38 and 42; 2008, c.11; 2009, c.13, 14 and 15; and 2010, c.22.

*NOTE: Pursuant to subsection 33(1) of *The Interpretation Act, 1995*, the Consequential Amendment sections, schedules and/or tables within this Act have been removed. Upon coming into force, the consequential amendments contained in those sections became part of the enactment(s) that they amend, and have thereby been incorporated into the corresponding Acts. Please refer to the Separate Chapter to obtain consequential amendment details and specifics.

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

SCHOOL COMMUNITY COUNCILS

Establishment of school community councils

140.1(1) Subject to subsections (2) to (4), every board of education shall establish a school community council for each school in its division.

(2) Two or more school community councils in the same school division may petition the board of education of their school division to recommend to the minister that those school community councils be amalgamated to form one school community council.

(3) If the minister receives a recommendation from a board of education to amalgamate school community councils, the minister may approve the amalgamation if, in the minister's opinion, it is in the best interests of education in Saskatchewan.

(3.1) An amalgamated school community council may petition its board of education to recommend to the minister that that school community council be separated and two or more school community councils be established.

(4) If the minister receives a recommendation from a board of education to separate an amalgamated school community council and establish two or more school community councils, the minister may approve the separation and establishment if, in the minister's opinion, it is in the best interests of education in Saskatchewan.

2006, c.18, s.18; 2006, c.38, s.5.

Membership of school community council

140.2 Subject to the regulations and the policies of its board of education, every school community council shall consist of:

- (a) no fewer than five and no more than nine elected members who are parents or guardians of pupils or community members; and
- (b) appointed members.

2006, c.18, s.18; 2006, c.38, s.6.

Terms of office

140.3(1) Subject to subsections (2) and (4), each elected member of a school community council holds office for two years and is eligible for re-election.

(2) In the first election for each school community council, approximately half of the members are to be elected to one-year terms and the other members are to be elected to two-year terms.

(3) If there is a vacancy in an elected member's position, a board of education may appoint an individual to that position.

(4) The terms of all members of a school community council that is to be amalgamated or separated pursuant to subsection 140.1(3) or (4) terminate on the day after the election of the members of the newly constituted school community council.

2006, c.18, s.18; 2006, c.38, s.7.

Disqualification of members

140.4 A school community council member shall vacate his or her office as a member of the school community council if the member:

- (a) is convicted of an indictable offence;
- (b) is absent from three or more consecutive meetings of the school community council without the authorization of the school community council; or
- (c) ceases to be eligible for election as a member pursuant to the regulations or the policies of the school community council's board of education.

2006, c.18, s.18.

Duties and powers

140.5 Every school community council shall:

- (a) facilitate parent and community participation in school planning;
- (b) provide advice to its board of education;
- (c) provide advice to its school's staff;
- (d) provide advice to other agencies involved in the learning and development of pupils; and
- (e) comply with the regulations and the policies of its board of education.

2006, c.18, s.18.

PART IV
Pupils, Programs and Services
PUPILS

Right to education

141(1) Subject to sections 154, 155 and 157, no teacher, trustee, director or other school official shall, in any way deprive, or attempt to deprive, a pupil of access to, or the advantage of, the educational services approved and provided by the board of education or the conseil scolaire.

(2) Where any of the persons mentioned in subsection (1) contravenes the provisions of that subsection, that person is disqualified from holding his or her office or position.

1995, c.E-0.2, s.141.