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Important Information

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Newfoundland and Labrador Regulation 2024

NEWFOUNDLAND AND LABRADOR REGULATION 43/24

Provincial Advisory Council Regulations
under the
Schools Act, 1997
(O.C.2024-106)

(Filed July 11, 2024)

Under the authority of section 118 of the *Schools Act, 1997*, the Lieutenant-Governor in Council makes the following regulations.

Dated at St. John's, July 11, 2024.

Krista Quinlan
Clerk of the Executive Council

REGULATIONS

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1. These regulations may be cited as the *Provincial Advisory Council Regulations*.

Definitions

2. In these regulations,

- (a) "Act" means the *Schools Act, 1997*;
- (b) "member" means, unless the context indicates otherwise, a person appointed under subsection 4(1); and
- (c) "region" means a region referred to in section 3.

Regions

3. For the purposes of ensuring that all parts of the province are represented on the provincial advisory council, the minister shall divide the province into no fewer than 4 and no more than 7 regions and shall define the boundaries of those regions.

Provincial advisory council

4. (1) The provincial advisory council shall consist of no fewer than 9 members and no more than 15 members as follows:

- (a) one member from each region who is
 - (i) a member of a school council,
 - (ii) recommended by the chairs of the school councils in the region, and
 - (iii) appointed by the minister;
- (b) one member who is a member of a school council recommended by the chairs of the French first language school councils and appointed by the minister; and
- (c) no more than 7 members appointed by the minister.

(2) The number of members appointed under paragraph (1)(c) shall be less than the total number of members appointed under paragraphs (1)(a) and (b).

(3) The following persons are not eligible to be appointed as members:

- (a) a student;
- (b) an employee of the department;
- (c) an employee of the conseil scolaire; and
- (d) an employee of government who has responsibilities relating to school facilities, bussing for schools or procurement for schools.

(4) A member of the provincial advisory council shall be appointed for a term of up to 3 years and is eligible for reappointment but shall not serve longer than 2 consecutive terms.

(5) A member may resign the member's appointment by written notice to the minister.

(6) Where a member resigns, dies, becomes incapable of performing the member's duties or is removed from the provincial advisory council, the minister shall fill the vacancy in accordance with subsection (1) in the same manner as the member being replaced.

(7) Where the term of office for a member has expired, the member shall continue as a member until reappointed or replaced.

(8) Where after a member's appointment the member becomes an employee referred to in paragraph (3)(b), (c) or (d), the member shall stop being a member of the provincial advisory council.

Chairperson and vice-chairperson

5. (1) The minister shall appoint one member as chairperson and one member as vice-chairperson.

(2) The chairperson, or in the chairperson's absence, the vice-chairperson or a member elected as chairperson for that meeting shall preside over the meetings of the provincial advisory council and has the same right to vote as other members.

Duty to notify

6. The provincial advisory council shall notify the minister where

(a) a member resigns, dies or becomes incapable of performing the member's duties;

(b) a member is no longer a member of a school council within the region for which the member was appointed;

(c) a member is no longer a member of a French first language school council;

(d) a member becomes an employee of

(i) the department,

(ii) the conseil scolaire, or

(iii) government and has responsibilities relating to school facilities, bussing for schools or procurement for schools; or

(e) a member is absent from 3 consecutive meetings of the provincial advisory council and the provincial advisory council is of the opinion that the member's reasons for the absences are not valid.

Meetings

7. (1) The provincial advisory council shall meet at a time, place and in a manner determined by the chairperson

(a) at least 3 times a year; and

(b) at other times the chairperson determines necessary.

(2) The provincial advisory council shall keep minutes of all meetings and make the minutes available to the public on request.

Quorum

8. (1) A majority of members constitutes a quorum for meetings of the provincial advisory council.

(2) Notwithstanding a vacancy on the provincial advisory council, a quorum of members may exercise all the powers of the provincial advisory council.

Duties and powers

9. In addition to the duties and powers prescribed in subsection 116.1(1) of the Act, the provincial advisory council

(a) shall

(i) provide advice to the minister to enhance

(A) the quality of school programs,

(B) the learning environment, and

(C) the level of student achievement in schools,

(ii) communicate and collaborate with school councils, and

(iii) provide a means for school councils to provide input to the provincial advisory council; and

(b) may engage with organizations that provide support in relation to educational issues.

Report

10. In addition to the annual report required under section 9 of the *Transparency and Accountability Act*, the provincial advisory council shall, where requested by the minister, submit reports to the minister in the form, manner and time period set by the minister.

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