

Toronto District School Board

Policy P086

Title: **GOVERNANCE**

Adopted: February 10, 2015

Revised:

Reviewed:

Authorization: Board

1.0 OBJECTIVE

To delineate the governance roles of Trustees, the Chair, and Committees, and the operational role of staff in order to ensure the effective delivery of public education in our schools.

2.0 RESPONSIBILITY

Director of Education

3.0 DEFINITIONS

Act means the *Education Act* and associated regulations.

Board of Trustees means the collective governing body of the TDSB, constituted as a board pursuant to the *Education Act*, including section 208(1) of the Act.

Chair of the Board of Trustees, or *Chair*, means a Member of the Board of Trustees elected by trustees to fill the role of Chair.

Director of Education means the supervisory officer appointed by the Board of Trustees as the chief education officer, chief executive officer, and Secretary of the TDSB.

Member of the Board of Trustees may be referred to as a “trustee” pursuant to section 1(12) of the Act, with duties specified in section 218.1 of the Act.

Officer means an officer of the TDSB including secretary and treasurer, as set out in the Act including section 198.

Principal means a person appointed as principal of a school, who has the powers and duties set out in the Act and regulations.

Staff means persons employed by the TDSB. Staff does not include any Member of the Board of Trustees.

Supervisory Officer means a person appointed as a supervisory officer pursuant to the Act

TDSB means the corporate institution identified as the Toronto District School Board pursuant to the Act and regulations, that is a corporation pursuant to section 58.5(1) of the Act, with duties and powers as set out in the Act and in other legislation. (Clarity Note: The word “board” is used only when referring to the Act or a resource document.)

4.0 POLICY

4.1 Background

As a statutory corporation, the TDSB is governed by twenty-two elected officials who make decisions at public meetings, as a collective body, to foster a strong public education system in the City of Toronto in the best interests of student success and well-being within the legislative requirements of the Province of Ontario.

The powers and duties of the TDSB, as an organization, are distinct from those of individual trustees and those of staff. For example, it is the duty of the Board of Trustees, rather than Staff, to make policy decisions. In making decisions, Trustees shall consider the interests of the TDSB as a whole. Individual Trustees will carry out their duties under section 218.1 of the *Education Act*.

Trustees are elected officials who must work closely with the community in order to make sound decisions. Trustees exercise a vitally important role, not just in representing the community, but in helping the community to understand decisions and policies. Trustees can foster constructive and respectful relations between schools and families.

The Director of Education and other staff are responsible for the day-to-day management and administration of all schools and departments, and the implementation of the policies approved by the Board of Trustees. The Director of Education is the Chief Education Officer and Chief Executive Officer of the Board. Supervisory Officers (Superintendents of Education), Principals, Teachers and certain other Staff have duties specified in the *Education Act* and regulations. All Staff report to the Board of Trustees through the Director of Education.

An effective school board:

- a) knows why it exists, what difference it aims to make in the community and develops a plan for this purpose;
- b) maintains a focus on student achievement and well-being;
- c) functions as a team;
- d) serves as a role model for the education system and the community;
- e) makes informed decisions;
- f) strives for excellent communications with its partners and constituents;
- g) has a clear sense of the difference between its role and that of senior management;
- h) understands the distinction between policy development and implementation;

- i) is accountable for its performance;
- j) holds the Director of Education accountable for effectively implementing the policies of the board;
- k) monitors the effectiveness of policies and implementation plans; and
- l) ensures that local provincial and federal politicians understand local issues and needs, and encourages them to make education a high priority.

4.2 Governance Commitments

- a) The Board of Trustees and staff are committed to ensure students and student success and well-being are the primary focus of all of our efforts.
 - Our mission is to enable all students to reach high levels of achievement and to acquire the knowledge, skills and values they need to become responsible members of a democratic society.
 - We value:
 - Each and every student
 - A strong public education system
 - A partnership of students, schools, family and community
 - The uniqueness and diversity of our students and our community
 - The commitment and skills of our staff
 - Equity, innovation, accountability and accessibility
 - Learning environments that are safe, nurturing, positive and respectful.
 - Strategic Directions:
 - Make every school an effective school
Build leadership within a culture of adaptability, openness and resilience
 - Form strong and effective relationships and partnerships
 - Build environmentally sustainable schools that inspire teaching and learning
 - Identify disadvantage and intervene effectively.
- b) The Board of Trustees and Staff recognize that all parties operate within the *Education Act* and Board-established policies.

4.3 Roles, Responsibilities and Duties

As stated in the *Education Act*, a strong public education system is the foundation of a prosperous, caring and civil society.

The Trustees and Staff shall work together in the public interest in a manner that respects their respective roles at the TDSB. They shall perform their duties and exercise their powers in compliance with the *Education Act* and other legislation and regulations, including the following:

4.3.1 Board of Trustees

The elected Board of Trustees is responsible for student achievement and well-being, for ensuring effective stewardship of the board's resources and for delivering effective and appropriate education programs for its students. In broad terms, it is the role of the elected Board of Trustees to:

- a) govern in a manner that is responsive to its entire community;
- b) act in the interests of all learners in the district;
- c) advocate actively for students, their learning and their well-being in the board's work with the community, the municipality and the province;
- d) promote confidence in publicly funded education through its communications about the goals and achievements of the board.

The *Education Act* and its regulations set out the services that district school boards must offer. The responsibilities of the Board of Trustees include:

- a) operating schools according to provincial legislation;
- b) having a vision statement that reflects the board's philosophy and local needs and priorities;
- c) overseeing the effectiveness and efficiency of the collective board;
- d) developing strategic directions for the board;
- e) considering and protecting the future of the board and to always consider the long-term effects of each decision;
- f) exercising innovation and creativity to ensure continuous improvement through changing environments;
- g) engaging in broad-based collaboration and co-operation to engender public confidence and commitment to publicly funded education;
- h) setting the board's budget within the provincial grants and accompanying regulations;
- i) implementing curriculum according to ministry curriculum policy;
- j) developing and delivering other programs that reflect provincial policies and local priorities;
- k) providing for the hiring of teachers and other staff;
- l) maintaining school buildings and property with regard to student safety and in accordance with provincial legislation;
- m) hiring the Director of Education and ensuring that the employment contract with the Director includes a conflict resolution mechanism for dealing with any potential conflict between the Director and the Board; and
- n) through the Director of Education, holding the system accountable for achieving the results established through its planning process. It does this by establishing roles and responsibilities for the results at various levels throughout the organization, and then by establishing a monitoring and evaluation system whereby reports are made to the board on a regular basis.

4.3.2 Trustees

Trustees play a key leadership role in ensuring that schools operate within the standards established by the province, and that the programs and services remain responsive to the communities they serve.

A member of the Board of Trustees shall:

- a) carry out his or her responsibilities in a manner that assists the board in fulfilling its duties under this Act, the regulations and the guidelines issued under this Act, including but not limited to the board's duties under section 169.1;
- b) attend and participate in meetings of the board, including meetings of board committees of which he or she is a member;
- c) consult with parents, students and supporters of the board on the board's multi-year plan under clause 169.1 (1) (f);
- d) bring concerns of parents, students and supporters of the board to the attention of the board;
- e) uphold the implementation of any board resolution after it is passed by the board;
- f) entrust the day to day management of the board to its staff through the board's director of education;
- g) maintain focus on student achievement and well-being; and
- h) comply with the board's code of conduct. [section 289.1]

4.3.3 Chair

The chair of the board is also an individual trustee and, as an individual, has no greater rights or powers than any other member of the board. However, the members of the board, as a whole, in electing one of their peers to be the chair of the board confer on her or him a leadership role. In addition to any other duties under the Act, the Chair shall,

- a) reside over meetings of the board;
- b) conduct the meetings in accordance with the board's procedures and practices for the conduct of board meetings;
- c) establish agendas for board meetings, in consultation with the board's director of education or the supervisory officer acting as the board's director of education;
- d) ensure that members of the board have the information needed for informed discussion of the agenda items;
- e) act as spokesperson to the public on behalf of the board, unless otherwise determined by the board;
- f) convey the decisions of the board to the board's director of education or the supervisory officer acting as the board's director of education;
- g) provide leadership to the board in maintaining the board's focus on the multi-year plan established under section 169.1;

- h) provide leadership to the board in maintaining the board's focus on the board's mission and vision; and
- i) assume such other responsibilities as may be specified by the board.

4.3.4 Director of Education

Under the *Education Act*, the Director of Education is the “chief education officer” and “chief executive officer” and is required to “develop and maintain an effective organization and programs required to implement board policies” (s. 283).

An elected board's most influential governance relationship is the relationship they have with the Director of Education. A trusting, respectful and cooperative relationship between the Board of Trustees and the Director of Education, and a mutual understanding of their distinct roles, lead to effective policy implementation.

In broad terms, it is the role of the Director of Education to display excellence as an educational leader, to be politically sophisticated, to be aware of and active in legislative developments, to have an extensive knowledge of relevant provincial laws, to be an exemplary educator, and to personify effective communication.

The Director of Education shall:

- a) annually review with the board the multi-year plan developed under clause 169.1(1)(f) of the Act;
- b) ensure that the multi-year plan developed under clause 169.1 (1)(f) establishes the board's priorities and identifies specific measures and resources that will be applied in achieving those priorities and in carrying out its duties under this Act, in particular, its responsibility for student achievement as set out in section 169.1;
- c) implement and monitor the implementation of the multi-year plan developed under clause 169.1 (1) (f);
- d) report periodically to the board on the implementation of the multi-year plan developed under clause 169.1 (1)(f);
- e) act as secretary to the board;
- f) immediately upon discovery bring to the attention of the board any act or omission by the board that in the opinion of the director of education may result in or has resulted in a contravention of this Act or any policy, guideline or regulation made under this Act; and
- g) if a board does not respond in a satisfactory manner to an act or omission brought to its attention under clause (f), advise the Deputy Minister of the Ministry of the act or omission.

4.3.5 Staff

Supervisory Officers, often called superintendents, are accountable to the Board of Trustees through the Director of Education for the implementation, operation, and supervision of educational programs in their schools.

Principals are the educational leaders within their school communities and ensure that the programs that are in place are effective and align with board and ministry policies.

Teachers are the front-line representatives of the education system. Their many activities go beyond instruction and include encouraging students to pursue learning, maintaining classroom discipline, and evaluating students' learning and progress.

Support Staff – It takes a whole range of people to support students and keep a safe and healthy school environment. Educational Assistants, Early Childhood Educators, Caretakers, School Secretaries, Social Workers, Speech and Language Pathologists are just some of these.

- a) Staff report to the Board of Trustees through the Director of Education.
- b) The duties of certain staff members such as the Director of Education, Officers, Supervisory Officers, Principals, Vice-principals, and Teachers are specified in the *Education Act*, Regulations and Ministry Policies. However, TDSB policies, collective agreements, terms and conditions of employment, and job descriptions also govern the responsibilities of staff.
- c) Staff shall perform their statutory and assigned duties.
- d) Staff are responsible for the day-to-day managerial, operational, administrative and policy implementation functions in respect of schools, departments and TDSB facilities, including instruction, school and student services, performance appraisal, staff supervision, and staff issues.

5.0 SPECIFIC DIRECTIVES

The Director has authority to issue operational procedures to implement this policy.

6.0 REFERENCE DOCUMENTS

Education Act R.S.O. 1990 Chapter E.2 (excerpts attached)

Ontario Public School Boards' Association Resource Document titled "OPSBA on Good Governance" dated 2014 <http://cge.ontarioschooltrustees.org/en/introduction.html>

School Board Governance, A Focus on Achievement: Report of the Governance Review Committee to the Minister of Education of Ontario (Ministry of Education) April 2009

Good Governance for School Boards: Trustee Professional Development Program – Module 3: Right from the Start: Roles and Responsibilities

<http://modules.ontarioschooltrustees.org/en/read/right-from-the-start-roles-and-responsibilities>

Board Documents:

TDSB By-Laws December 2014

Policies:

P012: Budget Approval

P016: Employee and Trustee Expenses

P023: Parent and Community Involvement P027: Education Plan

P040: Accountability for Student Achievement

P049: Performance Management of Director of Education

P066: Open Communication

P073: Respectful Learning and Working Environment

P075: Code of Conduct and Ethics for Trustees

P078: Community Engagement

Operational Procedures:

PR505: Parent Concern Protocol

PR 558: Parent and Community Involvement

PR582a: Employee Expenditure Guidelines

PR582b: Trustee Expenditure Guidelines

PR583: Communicating with Trustees: Staff Reports, Briefing Notes and Memoranda

PR611: Governance, Conduct and Ethics Review Committee

PR652: Trustees Webpages

PR684: Board Agendas, Minutes, Policies, Procedures and

Forms PR704: Community Engagement