

DUFFERIN-PEEL CATHOLIC DISTRICT SCHOOL BOARD
BOARD POLICY / REGULATIONS

Board Policy Number:	17.00
Subject:	School Board Governance Meta Policy
Effective Date:	(339) November 23, 2010

Catholic school boards, Trustees, Director of Education, Associate Directors of Education and Supervisory Officers are all charged in ensuring the board's Catholic Mission Statement is enlived with policies and practices that support and enhance the distinctive Catholic Mission of Catholic schools under the authority of the school board and in accordance with the local bishop for the diocese.

School boards work within a legal context that is largely set out in the *Education Act* and Regulations or Ministry Policy Memos. [Except as otherwise noted, section references are to the *Education Act*.]

From these statutes, three principles have emerged:

1. That school boards have the power to do only what is authorized by legislation, or is necessarily incidental to such authority. The board cannot expand its responsibilities and duties in areas that are not stated in (or necessarily incidental to) the legislation;
2. That a school board is a corporate entity, legally distinct from the Board of Trustees. As outlined in the *Education Act*, the school board has an operational function, carried out through the Director of Education, while the Board of Trustees is charged with governance, as outlined in the *Act*.
3. When the Board of Trustees is called to exercise authority, they may only do so as a group at a formal meeting. The legislation gives no authority to individual trustees.

Overview

Expressed most simply, the Board of Trustees is the policy maker and the Director is the implementer of policy. The Board of Trustees has one employee, namely the Director of Education, who is responsible to the Board of Trustees and to the Ministry of Education.

Unlike private and other corporations, the *Education Act* does not contemplate that the Board of Trustees will have full executive implementing functions nor does it contemplate that the Director will make policy decision except within the umbrella of the overarching legislative and board polices. However, the Board of Trustees does not have

absolute discretion in the establishment of policies but, is limited to the authority prescribed in the *Education Act* and other Legislation. As the Chief Executive Officer, the Director has an obligation not only to keep the trustees apprised of such limits but to decline to implement any directions that would have the effect of permitting the board to exceed its lawful authority. The role of the Director is to implement such policies as are established by the Board within its authority and role as the maker of those policies.

Statutory Responsibilities of the Board

The board is required [section 169.1] to:

- a. Promote student achievement and well-being;
- b. Ensure effective stewardship of the board's resources;
- c. Deliver effective and appropriate educational programs to its pupils;
- d. Develop and maintain policies and organization structures that, promote the goals referred to above and encourage pupils to pursue their education goals;
- e. Monitor and evaluate the effectiveness of policies developed by the board in achieving the boards' goals and the efficiency of the implementation of those policies;
- f. Develop a multi-year plan aimed at achieving the goals of the board;
- g. Annually review the plan with the board's Director of Education;
- h. Monitor and evaluate the performance of the board's Director of Education in meeting the director's duties under the Education Act, policy guideline or regulations made under the *Education Act*;
- i. Other duties assigned by the board that reside within the realm of policy;
- j. Creation of a multi-year plan. This plan includes measures respecting the allocation of resources to improve student outcomes that fall below the outcomes specified in regulations.

Stewardship

The board is required [section 169.1(5)] to:

- A. Effectively use the resources entrusted to it;
- B. Use the resources entrusted to it for the purpose of delivering effective and appropriate education and;
- C. Manage the resources entrusted to it in a manner that upholds public confidence.

Duties of Trustees

A member of the board is required [section 218.1] to:

- 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.

Policy Role of the Board of Trustees

Under the *Education Act*, the Board of Trustees is responsible for establishing:

- Ethno-cultural equity and anti racism policy
- Policy on drug education
- Sick leave policy
- Policy on providing payment of honoraria
- Policy under section 191.2 under which a member of the board may be reimbursed for all or part of his or her out of pocket expenses reasonably incurred in connection with carrying out responsibilities of a board member
- Policy under section 208 respecting participation at board and committee meeting through electronic means
- Appeal of a person from the decision to admit the person to the school under paragraph (m) of section 265(1)
- Policies under Part XIII Behavior, Discipline and Safety are required for the conduct of disciplinary processes and proceedings
- Decision making in the suspension appeals and recommendations for expulsion
- Consideration of the recommendations of a Special Education Appeal Board respecting an appeal of a parent/guardian of a pupil to the decision of a Special Education Identification Placement and Review Committee, under Ontario Regulation 181/98 [enacted under the Education Act]
- Suspension or dismissal of a supervisory officer under section 287 or the termination of a teacher under section 277.39

Duties of the Director of Education

The Director of Education is the Chief Education Officer and the Chief Executive Officer of the board by which he or she is employed.

The Chief Executive Officer of the board is required, within the policies established by the board, to develop and maintain an effective organization and programs required to implement such policies.

At the first meeting in December of each year, the Chief Executive Officer of the Board is required to submit to the Board a report in the format approved by the Minister on action he or she has taken during the preceding 12 months, and a copy of such a report must be submitted to the Minister on or before the 31st day of January.

The Board of Trustees hires and has one employee, the Director, who in turn is responsible for delivering the direction that is set out in the plans mandated by section 169.1, and implementing the policies adopted by the Board. It is the Director who likewise is accountable, pursuant to the combined requirements of section 169.1 and section 283.1 for his/her performance in delivering the direction of the board. As a consequence, the Director must be and is accorded the freedom within the policies and budget, as established, to select the means and the personnel necessary to fulfill that legal responsibility and accountability.

In addition to his/her other duties under the *Act*, the Director of Education is required to:

- a. Annually review with the board the multi-year plan developed under section 169.1;
- b. Ensure that the multi year plan developed under section 169.1 establishes the board's priorities and identifies specific measures and resources that will be applied in achieving priorities and in carrying out its duties under the Education 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;
- d. Report periodically to the Board on the implementation of the multi year plan;

Duties of Supervisory Officers

The board is required, subject to the regulations, to designate the title and area of responsibility for the supervisory officer [section 285].

Supervisory officers are responsible to the board through the Chief Executive Officer for the performance of their duties [section 286(3)].

Subject to the Ontario Regulations and to Ministry policies and guidelines, the board is required [section 286] to assign to the supervisory officer the duties to:

- a. Bring about the improvement in the quality of education by assisting teachers and designated early childhood educators in their practice;
- b. Assist and co-operate with board to the end that schools may best serve the needs of the pupils;
- c. Visit schools and classrooms;
- d. Prepare a report of a visit to the school or classroom when required by the ministry and give to a teacher or designated early childhood educator referred to in any such report a copy of the portion of the report that refers to the teacher or and designated early childhood educator;
- e. Ensure the schools under his or her jurisdiction are conducted in accordance with the *Education Act* and regulations;
- f. Make a general annual report as to the performance of his or her duties and the conditions of the schools in his or her area of jurisdiction;

A supervisory officer appointed by the board may be suspended or dismissed by the board, in accordance with the regulation for neglect of duty, misconduct or inefficiency [section 287].

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