



CHAPTER 3

Roles and Responsibilities - School Boards and Individual Trustees

A school board is responsible for governing the school system in the best interests of all students in its jurisdiction and on behalf of the communities it serves. The school board, as a corporate body, is the legislative source of all decisions, and individual trustees are granted no authority through the *Education Act*. Unlike provincial and federal parliaments, school board members do not vote according to an official affiliation, nor are there governing trustees and opposition trustees. Both the board as a whole and

individual trustees have roles and responsibilities.

School Boards

Under the *Education Act*, locally elected school boards are responsible for operating publicly funded schools within their jurisdiction. Legal accountability for board decisions applies to the board as a corporate entity rather than to individual trustees. In fact, the *Act* gives no individual authority to trustees. As members of the corporate board, trustees are legally accountable to the public for the collective decisions of the board and for

the delivery and quality of educational services.

The *Education Act* stipulates that every school board shall:

- Promote student achievement and well-being
- Promote the prevention of bullying
- Promote a positive school climate
- Ensure effective stewardship of the board's resources
- Deliver effective and appropriate education programs to its pupils
- Develop and maintain policies and organizational structures that promote

the board's goals and, encourage pupils to pursue their educational goals

- Monitor and evaluate the effectiveness of policies developed by the board in achieving the board's goals and the efficiency of the implementation of those policies
- Develop a multi-year plan aimed at achieving the board's goals
- Annually review the multi-year plan with the board's director of education or the supervisory officer acting as the board's director of education; and
- Monitor and evaluate the performance of the board's director of education, or the supervisory officer acting as the board's director of education, in meeting their duties under this *Act* or any policy, guideline or regulation made under this *Act*, including duties under the multi-year plan, and any other duties assigned by the board.

School boards are accountable for their fiscal and operational performance as boards, and for the academic achievement of students and well-being of their students and staff. They are responsible for effectively communicating the board's

An Effective School Board:

- Understands why it exists, what difference it aims to make in the community and develops a plan for this purpose
- Maintains a focus on student achievement and well-being
- Works together as a team
- Serves as a role model for the education system and the community
- Makes informed decisions
- Strives for excellent communications with its partners and constituents
- Has a clear sense of the difference between its role and that of senior management
- Understands the distinction between policy development and implementation
- Is accountable for its performance
- Holds the director of education accountable for effectively implementing the policies of the board
- Monitors the effectiveness of policies and implementation plans
- Ensures that local provincial and federal politicians understand local issues and needs, and encourages them to make education a high priority.

performance to parents and the community - both where the board is succeeding, and where the board is struggling to meet expectations and what steps are being taken to improve outcomes.

As the governors of the school board, two important

responsibilities of Boards of Trustees are the development and monitoring of the Multi-Year Strategic Plan (MYSP) and the hiring and performance management of the director of education.



The Multi-Year Strategic Plan

Under the *Education Act*, every school board must create a multi-year plan that spans a minimum of three years. The purpose of the strategic plan is to help boards set long-term strategic priorities and goals. The plan must be based on evidence to ensure that it has a clear purpose and that it is effective. It is important that boards use a collaborative process at every step in its development, so that everyone can take ownership of the multi-year strategic plan and feel responsible for its success.

The multi-year strategic plan is a visioning and policy document that sets the

direction for the board. It is fundamental to ensuring good governance and to building public trust in boards of trustees not only to safeguard our schools, but also to ensure that they are caring, equitable, innovative, and flexible. While our schools make every effort to offer stability, they also strive to meet the changing needs and realities of our society. The operational and improvement plans created by the director of education and senior administration are based on the strategic plan and map out how it will be implemented.

A thoughtful and robust strategic plan reflects what has been learned from the past, not what has been

done in the past. A strong multi-year plan is a driver for positive change in the board. When developing their plans, boards should be relentless in their efforts to address the needs of all students and changing communities. Boards must show leadership and drive, and that they collaborate closely with families, students, staff, and community members.

In August 2017, the Ministry of Education released a new resource, *Multi-Year Strategic Planning – A Guide for School Board Trustees*. The Guide is available at http://www.edu.gov.on.ca/eng/policyfunding/leadership/govern_resources.html. A strong board strategic plan not only points the way forward, it provides a framework for how to get there by:

- Detailing the allocation of the board's resources among its strategic priorities
- Functioning as a guide for the board of trustees and senior administrators when they are making difficult choices
- Illustrating to stakeholders how decisions are made
- Focusing the board's attention when it is dealing with unexpected challenges, and thus preventing reactive or short-sighted decision making

- Creating a shared vision for diverse internal and external stakeholders
- Motivating the board's staff and giving employees at every level of the organization a sense of purpose.

An effective strategic plan will also:

- Help boards to reach provincial goals for education
- Help create coherence and cohesion for Ontario's publicly funded education system

- Encourage collaborative professionalism and a collective growth mindset among educational stakeholders
- Engage communities in ongoing conversations about education
- Stand as a beacon for boards as they focus on creating a measurably better future for all children, students, and staff
- Not only protect, but promote human rights and ensure equity in achievement and well-being.

The Guide focuses on the four key phases involved in developing and monitoring the strategic plan. Recognizing that boards have different contexts, this guide provides guiding questions and considerations to account for differences in board size, geographic circumstances, and demographic trends. As outlined in the Guide, the four phases of plan development are:

Phase 1 - Getting Organized

- How to best build capacity?





- Could the planning process benefit from the perspective of a third party?
- How to assign responsibilities?
- What will the timelines be?
- Have the mission, vision, and values statements been reviewed?

Phase 2 - Gathering Information

- How will data be collected and analysed?
- How will stakeholders be engaged?

Phase 3 - Developing the Strategic Plan

- What would be the ideal duration?
- Which strategic priorities should be finalized?
- What criteria should determine the strategic goals?
- How will an evaluation framework be developed?
- When should the MYSP be submitted for final approval?
- How will a communications plan be communicated?

Phase 4 - Implementing and Monitoring the Board Strategic Plan

- What are the director of education's responsibilities?
- What is the board of trustees' responsibilities?

Hiring and Performance Appraisal of the Director of Education

Selecting a new director of education is among the most important decisions a board may make in its term of office. Consistent high-quality leadership from the director of education is a key factor in the success of a school board in meeting its priorities. When recruiting and selecting a new director, the board must look for the candidate that will most effectively lead the implementation of the board's strategic plan. In order to find the right individual, the board must ensure an open, professional, confidential and objective competition which invites a broad range of diverse candidates, both internal and external.

Conducting a search for a new director of education calls for a carefully considered, coordinated plan and it is wise to

formulate a plan before a board is required to act by the pressure of the moment. The price of making the wrong selection is high. The director of education must be matched with the board and its communities with competencies to engage with all communities of the board, including marginalized ones. When the match is not good, everyone suffers and typically much time is wasted in managing difficult conflicts. This can lead to resignations, firings and expensive buyouts of contracts. It can sometimes lead to a review

of the board by the Minister of Education and much negative media attention.

Effective boards spend time on planning for the succession of their chief executive officer, and expect the chief executive to develop informal and formal succession plans for all key staff positions in the board.

Selection Process - Considerations

The following principles and procedures should be considered when designing a selection process:

- The whole board must

approve the appointment of the director of education by formal resolution. Most boards appoint an ad hoc Search Committee that includes the chair and/or vice-chair. The search committee is given clear direction by the board and develops a detailed plan of action to conduct the selection process.

- Boards need to be aware of any potential bias in all selection processes and consider how to overcome that potential bias.
- Consultation and research within the district is an





important part of the process. The board should know the strengths of the board as well as its challenges from various perspectives, including the senior team, employee groups, trustees, students, parent groups such as the Parent Involvement Committee, and the broader community. It is particularly important that the board seeks out perspectives from families and community groups representing students who are struggling and/or marginalized groups. This consultation process will help the board determine the qualities and skills the new director of education will need to demonstrate.

- A clear description of the qualities and skills required is developed, reviewed by relevant board advisory committees, and approved by the board. This document should be aligned with the strategic plan priorities and input from the consultation and research. This description becomes the foundation of the process.
- Recruitment for the position is an important step that should not be taken lightly. In order to attract a diverse pool of qualified candidates, the board needs to consider how best to advertise and recruit for this critical position.
- Confidentiality, integrity and respect for all candidates are critical. The board must hold itself to high standards and continually stress and reinforce the importance of confidentiality throughout all steps in order to preserve the integrity of the board, the candidates, and the search process from start to completion.
- Clear communication is essential. To this end, boards should expect communication to flow through the chair with regular updates to the board. The announcement of the appointment of the new director of education should be carefully

coordinated with the new director of education and the communications department of the board.

- As previously noted, the whole board must approve the appointment of the director of education by formal resolution.
- The employment contract framework and parameters are developed by the board (often with the assistance of the executive

search consultant and/or board legal counsel) early in the process. Details of the contract with the successful candidate are worked out usually with the chair, vice-chair, and board legal counsel acting on behalf of the board. It is important that any responsibilities delegated by the board to the search committee and its individual members,

including the chair/vice-chair, be specific and clearly stated in advance; this includes clarity around the communication expected with the full board as a contract is developed with the successful candidate.

Executive Search Agencies

Boards are strongly advised to engage an executive search agency to advise and assist the board with the recruitment and selection process. This allows the board to be fully engaged as governors and direction setters while an outside agency undertakes the planning and detailed work that constitutes an effective search. Executive search agencies assist the board by providing the time, staff resources and expertise to conduct a professional search. They can recommend well tested, structured procedures to follow and assist the board to identify and describe its goals and preferences for the skills and competencies they hope to find.

Specifically, an executive search agency will provide services that include developing a customized plan and timetable for the search, consultation with stakeholders, designing application and interview forms, brochures, advertising, outreach to potential

candidates, screening and assessment of candidates, shortlisting, verification of resumes, detailed reference checks, follow up with candidates, interview format and questions for interviews, training regarding the interview process including bias awareness training, assistance with the interviews, debriefing, and contract consultation as requested. A search agency should also be able to guarantee to the board that it will not undertake any competing or conflicting searches that might have a negative impact on the ability to deliver the best possible candidates.

The best executive search agencies have successful experience in the K-12 sector in Ontario, have outstanding credentials and references, will demonstrate expertise in mitigating bias in the process, and maintain excellent networks within Ontario and across the country to assist with the identification of suitable candidates.



Director of Education Performance Appraisal

The *Education Act* requires each board of trustees to review its director's performance. It is strongly recommended that these reviews be conducted annually. Since one of the director of education's primary responsibilities is to operationalize the board's multi-year strategic plan, it is incumbent on the board of trustees to base its appraisal of the director's performance on the progress made in realizing the priorities and goals of the plan, along with the director of education's job description.

The board and the director of education should ensure they have a mutual understanding

of the performance outcomes expected. One highly effective practice is to include a 360° assessment as part of the review process. This includes seeking confidential feedback from the leadership team, trustees, board committee chairs, representatives from federations and associations, and possibly other stakeholders or community partners.

Additional Responsibilities of the School Board

As members of their school board, trustees collectively carry out many important duties in addition to those noted earlier. These include:

Electing a Board Chair

Each year trustees elect from among themselves the trustee who will be chair of the board. There should always be a strong collegial relationship between the chair and the members of the board. In electing a fellow trustee to this leadership position, they are placing confidence in the chair to guide the board in its work. Clarity of roles is vital to effective governance and it will be important for the board to discuss and come to consensus on specific responsibilities they wish the chair to undertake on their behalf in addition to the duties of chair as set out in the *Education Act*. Key considerations, for example, will be any division of responsibilities around the role of public spokesperson for the board and expectations on the flow of communications between the chair, the board of trustees, and the director of education.

Establishing the Board Vision

As members of the school board, trustees play a critical role in establishing the board's mission, vision, values, and climate. Through their consultative work with their communities and their own thinking and ethical leadership, the board



shapes a vision that is aspirational, inspirational, and motivational. This important work creates the foundation on which all other work will be built.

Maintaining a Focus on Student Achievement and Well-Being

The board is entrusted with the task of developing and adopting policies that set clear expectations and standards for achievement and well-being of students and staff, in accordance with provincial legislation and regulations. All decisions about programs of

instruction, student services, learning materials and matters regarding student safety should be based on the board's policies aimed at promoting student achievement and well-being. It can be beneficial to focus on improving the outcomes for struggling students, and groups of students who show trends in lower achievement rates and well-being. Such a focus will have a positive impact on all students. School board trustees are ambassadors for student achievement and well-being in their local communities.

Developing Policies and Procedures

A key responsibility of any school board is to develop and adopt policies that are based on the board's vision and that provide a framework for implementation of the vision. Research indicates that "growth in student achievement and well-being is encouraged when elected boards of trustees focus on board policy and concern themselves with ensuring the district mission and vision drive the district's improvement efforts."

The Education Act requires boards to develop and



maintain policies and organizational structures that promote the board's goals and encourage pupils to pursue their educational goals. It is the responsibility of the board to monitor and evaluate how efficiently the board's policies are implemented and how effective they are in achieving the board's goals. Policies will cover such matters as student support services, instructional material, administration of schools, staffing, transportation, accommodation reviews, facilities and equipment, etc. It is through policy that the board informs the public, the administration, and other

staff of its intent. All policies should align with the board's vision and goals. A policy is a principle or rule that guides decisions that will achieve the organization's goals. It articulates what must be done and the rationale for it but does not deal with how it is to be done. A procedure, or a protocol, is usually administrative, and provides the details of how policies are to be implemented.

As elected representatives, boards are expected to develop policies in an open and accountable way. The process for developing policies may vary depending on the size of the board. Boards may choose to begin

policy development at the committee level, in a standing committee, or a special-purpose ad hoc committee. Boards may also simply choose to use the committee of the whole board for this purpose. Generally, administrative staff are assigned to support committee members with the information and material they need. Board members rely on the director of education and senior staff for expertise and advice to help them reach informed decisions.

It is recommended that, as part of the policy development process, boards consult on draft policies before approving and implementing them. Some boards post draft policies to their website and provide a four to six-week window for public input. For some policies, consultation will come before beginning to draft the policy as well.

Allocating Resources

The most visible and significant annual decision of any board is the approval of the budget. Board members participate in the budget process, ensuring that funding is aligned with the board's priorities for improving student achievement and well-being, and that all legislated and contractual obligations are

taken into consideration. A board is legally required to ensure effective stewardship of the board's resources and to file a balanced budget.

School boards receive their funding from the province of Ontario primarily through an education funding formula, yet there are other sources of revenue that boards receive such as special grants from the ministry, and tuition fees charged for specified students.

Within the funding provided by the ministry, it is the responsibility of trustees to establish a balanced budget

that reflects the board's vision, the needs of the community, and that supports the board's strategic plan. While board administration oversees day-to-day spending, the elected Board is the steward of its resources and must ensure that funds are spent according to the approved budget.

Since school boards rely on the provincial government for funding, their flexibility in adding to or adapting local programming is limited by the dollars available. It is the responsibility of board members to help their

constituents understand the parameters within which the budget is developed.

Boards establish their own budget process. How the process is structured will vary depending on the size and dynamics of the board. For example, the whole board may sit as a budget committee, or a group of trustees may form a budget committee and bring a recommended budget forward for the consideration of the whole board. Staff provide detailed input and draft a budget for the board to consider. In some boards, trustees set the limits within





which they want the budget developed and then ask administration to create a planned budget.

Boards must adopt budgets during open meetings and should, by holding public consultations, actively seek the viewpoints of interested parties, including school councils and the board's Parent Involvement Committee, before finalizing a budget.

Public sessions also provide an opportunity for parents, students, taxpayers, businesspeople, and board staff to offer their opinions and to indicate their level of support for the directions proposed by the board.

Managing Board Facilities

The board is responsible for setting policy relating to facilities, including: maintenance, acquisition and disposal of sites; building renewal plans; and site operation. All policies relating to facilities must first take into consideration requirements related to the achievement and well-being of students of the board.

Providing Support Services

The board sets policies that guide the actions of administration and school staff in their dealings with students and their families. In this regard, issues such as student safety, student discipline, food services, attendance, matters related to health, and student

transportation are significant matters for the attention of school board members.

Communicating with Stakeholders

The board and individual trustees have responsibilities to communicate effectively both within the board, and with the public.

Ensuring Staff are Well Supported

Even though the director of education is the sole employee who reports directly to the board of trustees, the board is the employer of all employees in its schools and in the board's administrative offices. The board holds staff accountable and implements hiring, promotion and termination policy through its director of education. These policies must reflect collective agreements, be inclusive, and equip the board to staff appropriately and effectively.

Individual Trustees

A school trustee is a member of a board, not a member of a parliament, and it is important for both trustees and the general public to understand that school board trustees hold no individual authority. A clear understanding of a school board trustee's role and responsibilities is fundamental to good governance.

As the representatives in their local jurisdiction, trustees are required to listen to the concerns and needs of their communities, bring those to the attention of the board, and ensure that programs and strategies of the board help all students. It is through the process of collaborating and engaging in joint decision-making as members of the board that trustees work with the values, priorities, and expectations of the community to translate them into policy.

The *Education Act* provides clarity about the responsibility of individual

trustees to bring to the board the concerns of parents, students and supporters of the board and to consult with them on the board's strategic plan.

Once the board of trustees has voted, individual trustee members are legally bound by the majority decision, regardless of whether they supported it during debate or voted against it. They are required to uphold the implementation of resolutions passed by the board. Although they may not agree with the decision, trustees should be able to explain the rationale for the policy and

ensure that it is understood, implemented, and monitored. Trustees who wish to explain a school board decision should do so in this context and express any divergence in their personal views in a manner that respects the decision-making authority of the collective board. In this way trustees carry a dual responsibility – as a representative of their area and as a member of the board.

As required under the *Education Act*, individual school board trustees are to:

- 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

- Attend and participate in meetings of the board, including meetings of board committees of which he or she is a member
- Consult with parents, students and supporters of the board on the board's multi-year plan under clause 169.1 (1) (f)
- Bring concerns of parents, students and supporters of the board to the attention of the board
- Uphold the implementation of any board resolution

after it is passed by the board

- Entrust the day-to-day management of the board to its staff through the board's director of education
- Maintain focus on student achievement and well-being
- Comply with the board's code of conduct.

Individual trustees interpret the role of representing their community in different ways. Some community members expect a trustee to be very active, others do not. Because Ontario's communities are so diverse, the job of school trustee varies widely. What all trustees have in common is serving the community as elected representatives

while focusing on the primary task of acting as members of a board that makes policy decisions, oversees curriculum and program delivery, and fulfils its responsibilities as an employer.

Trustees bring a range of skills, experience, knowledge, values, beliefs, and opinions to their role. Their background does not necessarily include teaching, administration, or any other aspect of education. This diversity can support processes to be democratic and can contribute to good decision-making. The board must balance the interests of the broader community with the interests of those involved in the delivery of education.

Advocates of Public Education

Trustees act as education advocates at various levels. At the local level, they work on behalf of the community and must consider the unique needs of their communities when deciding what position to take on any issue.

The trustee's role as an education advocate often extends beyond the boundaries of the district school board. In the broader public domain, trustees are education advocates throughout the province and work with the provincial

government in the interest of publicly funded education. They may liaise with members of the provincial government, the school system, and with local organizations or individuals in the community.

Code of Conduct for Trustees

Boards recognize that the public trust placed in them as a collective body is honoured through determining and enforcing norms of acceptable behaviour, as set out in local codes of conduct for trustees.

All school boards are required to have a publicly available code of conduct for trustees and review their code on a regular basis, generally after each municipal and school board election. Ontario Regulation 246/18: Members of School Boards - Code of Conduct provides additional information.

A code of conduct is not intended to prevent individual trustees from expressing their opinions on issues under consideration by the board, nor is it intended to prevent the public from evaluating a board's decision-making





procedures. If used effectively, the code of conduct can serve to encourage respect for divergent views and help boards focus their efforts on student achievement and well-being. It is intended to provide a common understanding about how to conduct the work of the school board with appropriate authority and integrity and, thereby, promote public confidence.

Like any school board policy, a code of conduct is developed in consultation with all board members. As a matter of good practice, boards may consider engaging accountability and transparency experts (e.g. integrity commissioners) when developing/revising their code of conduct.

Professional Development Opportunities

As education leaders in their community and as advocates for the value of publicly funded education, trustees need to engage in ongoing professional learning. They must continually increase their knowledge of the education sector and good governance practices, and further develop their skills as ethical leaders, community advocates, inclusive policy makers, and strategic thinkers.

The pace of change has increased dramatically in the first two decades of the twenty-first century and it is important for trustees to be aware of changes that could affect their role. A strong level

of awareness will enhance the contribution they make to the work of the board.

There are many publications that trustees can read to support their professional learning. Additionally, boards have funding for professional development to enable trustees to participate in workshops, attend conferences, and complete courses. Trustees are strongly encouraged to participate in these and other professional development activities that allow them to grow, become more effective in their roles, and be well-informed decision makers.

A key source of professional development for trustees is through their provincial associations. In addition to timely reports and analyses of emerging issues and a rich array of website services, provincial associations offer conferences, symposia, online professional learning and training customized to meet the needs of school boards.

For additional information, visit <http://modules.ontarioschooltrustees.org/>.

Trustee Expenditures

The *Education Act* also enables school boards to establish a policy that provides for reimbursement of travel and other expenses incurred in fulfilling the role of trustee [s. 191.2] Guidance is

also provided by the Trustee Expenditure Guideline. See: http://www.edu.gov.on.ca/eng/policyfunding/memos/july2009/Guideline_2009B08.pdf.

Trustees do not have access to board benefit plans that are provided to school board staff, such as group life insurance; general accident insurance; and sickness, hospital/medical, dental, and extended health insurance. The board may provide accident and third-party liability insurance for trustees, but a trustee would only be covered while on board business.

Trustee Honoraria

A board may pay each of its members an honorarium while in office. District school boards are required to establish a policy for the payment of trustee honoraria and the amount varies from board to board in accordance with the limits set out in Ontario Regulation 357/06: Honoraria for Board Members. The outgoing school board has the responsibility to determine the level of remuneration for the new, incoming board. The honorarium for the incoming board must be determined by October 15 in the year of the municipal and school board elections.

The honorarium is made up of: a base amount; an enrolment amount tied to the board's average daily enrolment; an attendance amount payable for attendance at eligible committee meetings; and a distance amount payable for attendance at eligible board and committee meetings in certain geographically dispersed boards. First Nation trustees receive the same honorarium as other members of the board. Annual trustee honoraria across Ontario range from \$7,500 to \$29,500. The chair and the vice-chair of a board may receive additional amounts for the responsibility of their office.

Trustees elected to school authorities are paid honoraria according to locally established policies within limits set out under the regulation.

Student trustees are entitled to an annual honorarium of \$2,500, which is pro-rated if the student trustee serves less than a full year [s. 55(8)]. The board must implement a policy providing for matters relating to student trustees and the payment of honoraria.

The funding formula provides \$5,000 annually per trustee for professional development and to reimburse out-of-pocket expenses.

As of August 24, 2018, compensation adjustments for trustees and executives have been suspended until the new government can conduct a review and put in place an appropriate expenditure management strategy.