



ONTARIO PUBLIC
SCHOOL BOARDS'
ASSOCIATION

Leading Education's Advocates

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To: Bruce Drewett
Director, Leadership, Collaboration and Governance, Ministry of Education
bruce.drewett@ontario.ca

Re: OPSBA Response to the Sector Engagement re: Governance-Related Issues

Dear Mr. Drewett,

Thank you for this opportunity to provide comments and submit outstanding questions regarding the ministry's sector engagement consisting of five governance related topics. Our membership was extremely interested and active in this consultation because it directly refers to how trustees and school boards conduct their work and advocacy for public education.

In April, we provided initial comments to the ministry's pre-consultation document and are thankful for the decision to not proceed at that time given the other concurrent education consultations and the end of school year timing. We still find ourselves asking, what prompted this governance review? As stated in our earlier submission, we remain concerned about "Enhancing Public Confidence" especially with Municipal and School Board Elections less than a year away.

As soon as this revised Discussion Guide was released, we shared it with our members and asked for their comments. Feedback was received from individual trustees as well as entire boards, with our Policy Development Work Team Policy taking the lead on our submission. A summary was shared with all trustees prior to their November regional meetings and it was also shared with our Northern trustees who had their meeting in October. Our consultative process included connecting with other key stakeholders including the Council of Directors of Education (CODE), the Ontario Student Trustees Association (OSTA-AECO), and the other school board/trustee associations.

Our submission is presented with commentary outlined in the separate discussion areas. We look forward to learning about the ministry's next steps for each of these topics and request that we be contacted in advance of any changes to discuss communication and implementation strategies.

Sincerely,

Laurie French
President, Ontario Public School Boards' Association

1) INTEGRITY COMMISSIONER AND TRUSTEE CODE OF CONDUCT

Integrity Commissioner

We believe there is no need for mandatory integrity commissioners (IC), either to be hired at individual boards or shared by multiple boards. Some trustees felt this would be an extra and unnecessary layer, but others felt it would be good to remove trustees from a likely sensitive issue and allow a neutral third party to step in and provide advice. To that end, we recommend that if the ministry were to proceed, that school boards be given the flexibility to determine what makes sense for their local board. It was also agreed that any new position be fully funded by the government. We also suggest the Ministry of Education monitor the use of ICs as it is now a requirement under recent legislation for municipalities.

Trustee Comments:

- Would there be a clear definition of their roles and their responsibilities?
- Would they investigate code of conduct breaches as well as conflict of interest complaints from the public?
- What are the qualifications for an IC? There is concern about what experience or understanding of locally elected school boards they have.

Trustee Code of Conduct

Trustees support all boards having a Code of Conduct policy that includes a minimum set of requirements or principles. The vast majority of our membership continues to support and use our 2012 template which included:

- A policy with six overarching principles: Integrity and Dignity of Office; Avoidance of Personal Advantage and Conflict of Interest; Compliance with Legislation; Civil Behaviour; Respect for Confidentiality; and Upholding Decisions
- A step-by-step enforcement process for both informal and formal complaint procedures.

We remain committed to our template as it allowed school boards to develop their own unique code and enforcement. It should be noted that this template will be reviewed and updated this year (2017-18).

The OPSBA template included a broader range of sanctions and stressed that informal solutions and Professional Development was often the best course of action.



Trustees attending OPSBA Professional Development Workshops.

Trustee Comments:

- Trustees requested more training and support for parliamentary procedure rules, conflict resolution, potential conflicts of interest, and ethical behaviour.
- Trustees also asked for Board encouragement and attendance at OPSBA conferences and the use of OPSBA online modules.
- Support and training for new Directors of Education and superintendents on the role of the board of trustees and good governance was also requested.

OPSBA Recommends:

- That school boards be allowed the flexibility to make local decisions about the necessity of using an Integrity Commissioner.
- The Ministry of Education monitors the implementation of ICs within municipalities beginning in 2018.
- The Ministry of Education work with school board/trustee association regarding any regulation regarding Code of Conduct.

2) TRUSTEE HONORARIA

We must point out and state that the base amount of \$5,900 has not changed since 2006 and some honoraria actually decreased due to declining enrolment. Trustees believe a reasonable increase is long overdue. In addition, the 2017 federal budget included the following change to the Income Tax Act;

- *Remove the tax exemptions for non-accountable expense allowances paid to members of provincial and territorial legislative assemblies and to certain municipal office-holders.*

This change will have a significant impact on compensation to trustees.

In early 2017, OPSBA conducted a survey among its members regarding Honoraria (similar to the questions posed in this consultation) and have been advocating for regulation changes for many years. Trustees are the only democratically elected politicians dedicated to public education. The work and time commitments for trustees continues to grow. This includes time at board/committee meetings as well as at home and in the community.

In addition to a common increased base amount, consideration could be given to a staggered or tiered enrolment amount. The majority of our trustees do not support the attendance amount component as there is a wide variety in the number of committees that trustees attend and how their attendance is compensated. An increase in the base amount would compensate for the number of required committees and hearings.

Trustee Comments:

“The trustee Honoraria should be less dependent on enrolment fluctuations. The job requirements are similar across the province. School visits, phone calls from constituents and communication demands are greater in larger centers. In smaller centers, travel time to meetings, schools and communities are increased. The demands are different but not as much as the enrolment factor changes the honorarium.”

“The base honoraria for trustees is unreasonably low, given the responsibilities that trustees assume. This base salary reflects a lack of respect for the role of elected trustees, and is completely out of line

with other municipally elected politicians, such as city councillors. This makes it difficult to attract trustees to run for office. The base salary for trustees should be commensurate with the level of responsibility of trustees. A higher base honoraria could attract more diverse and skilled candidates in future elections.”



Trustees attending regional meetings throughout the province hosted by member boards.

OPSBA Recommends:

- A reasonable increase in the base amount that reflects the work and time involved, as well as inflation over the past 11 years. We suggest a revised base amount of \$10,000.
- Appointed trustees at our children’s treatment centres/school authorities should also receive the base amount for their compensation.
- There has been discussion regarding changing the term Honoraria. The most common term suggested by our members was Trustee Compensation.
- Chairs and Vice-Chairs continue to receive extra compensation due to additional duties.
- The ministry continues to support an honorarium for student trustees.
- The ministry convenes a working group among the school board/trustee associations to review & model scenarios regarding the honoraria calculation.

3) ELECTRONIC PARTICIPATION IN BOARD AND COMMITTEE MEETINGS

This topic generated some conflicting opinions mainly due to geographical circumstances. Many boards felt that the best meetings are those with all trustees present and indicated that “rich dialogue is facilitated by face-to-face meetings.” These members feel that electronic meetings should be the exception rather than the rule. However, other boards (Northern and those with a large geographical district) are requesting more flexibility and consideration for changes to the in-person attendance requirement.



Trustees participating in public school board meeting.

Trustee Comments:

- “Any trustee, including the chair, may be unable to attend a meeting in person because of weather and road conditions, illness, business or personal travel, or other reasons, but arrangements can almost always be made to have an alternate chair for the meeting and enable the trustee unable to be present to attend and participate electronically.”
- “We hold meetings through teleconference now for some personnel issues that have a short time frame. I believe everyone should be able to be on teleconference for such meetings.
- “In the age of video/teleconference and improving technology, we need to allow trustees to work from their home areas for accessible, financial, and safety reasons.”

OPSBA Recommends:

- More funding be given to school boards to support video conferencing and improved infrastructure in order to ensure participation in meetings is reliable and interactive.
- Further discussion among trustees and member boards about the use of electronic participation and private agenda materials and discussion and the importance of maintaining confidentiality.

4) STUDENT TRUSTEE TERM OF OFFICE AND ELECTION PROCESS

OPSBA did consult with OSTA-AECO about this consultation and discussed the questions posed. We support their recommendation to allow individual school boards (in discussion with their student leaders) to determine the term length for student trustees. Given that request, many trustees and the student association did indicate that a two-year staggered term was preferable for many boards because:

- It meant that there was always one “veteran” student trustee who had some experience and could mentor the new incoming student trustee.
- The learning curve is so steep for many student trustees that it takes at least one year to fully understand the role and develop relationships.

There are student trustees at all of our member boards with varying levels of participation. Many boards have established a mentoring program either with an adult trustee or a senior staff person. Trustees are supportive of the value student trustees bring to the board table and the student voice in board decision-making.

With regards to the election process for student trustees among school boards, we support OSTA-AECO's recommendations that this be determined locally with a minimum set of principles. "Each school district is different, and it would be difficult to prescribe a single consistent process that would work effectively in all districts." We support the need for an election/voting process, a nomination or application process and an opportunity for candidates to present themselves to the student body (interview, speech etc.).



Student trustees at the "By Any Measure" Student Accessibility Video Launch.

Trustee Comments:

- "Our board has increased the student voice in decision-making by including the student trustee at the committee level."
- "The voice of the Student Trustee is heard at every Board meeting by providing an opportunity for the Student Trustee to report to the Board as a regular agenda item."

OPSBA Recommends:

- More information/communication to provide clarification about the role of student trustees and what meetings they can attend and vote. This seems to be an area of confusion for both boards and student trustees.
- Boards and the ministry continue to provide professional development opportunities that include student trustees.
- Member boards assign the Student Trustee/Senate an active and valuable role and to listen on appropriate topics.
- More work should be done in Grade 10 Civics classes to include Student Trustee and Student Senate.

5) BROADENING THE DIRECTOR OF EDUCATION QUALIFICATIONS

OPSBA strongly respects the role and responsibilities of Directors of Education and have connected with the Council of Directors of Education (CODE) about this consultation. When seeking a Director of Education, trustees develop a job description that includes specific attributes for their particular board. The Board needs to be clear in the kind of person it wants in the role and the supporting rationale must be evident.



Directors and Trustees working collaboratively at an OPSBA event.

When asked about common job description skills, the following was suggested:

- The Director must match the board and community – grasp of local board issues.
- High quality leadership skills
- Student achievement and well-being a priority
- Strong fiscal management
- Strong communications skills
- Integrity/Trust/Credibility
- Experience – deep and broad understanding of education
- Creativity
- Action-oriented
- Ability to recognize and distinguish between the practical/operational and the political
- Familiarity with the legislative/regulatory environment for education
- Broad familiarity with the business elements of education (finance and budget, human resources, infrastructure requirements)
- Ability to advocate and negotiate at all levels
- Ability to evaluate and apply new research findings
- Actual teaching and leadership experience
- Belief in the value of public education

Trustee Comments:

- “Experience as a superintendent is invaluable preparation for becoming a director of education, especially if the superintendent experience has involved broad portfolios or opportunities to rotate through several different specialized portfolios.”
- “Access to the Supervisory Officer's Qualification Program (SOQP) training could perhaps be made easier, but probably the most important aspect for many potential candidates is whether they see the job of superintendent or director as an attractive position.”
- “Perceptions of significantly increased workload and loss of family/personal time discourage some candidates from applying for positions. Would-be leaders need to believe their work as leaders will be valued, respected and recognized.”
- “When hiring directors of education, boards generally benefit from the services of executive search firms with experience relevant to K-12 education leadership recruitment.”
- OPSBA supports ongoing professional development opportunities for all senior staff in our member boards. The Association will continue to seek joint learning opportunities with our trustees and Directors of Education.

OPSBA Recommends:

- The Ministry of Education continue to dialogue with the sector about recruitment challenges,
- An increase in professional development opportunities for Directors and senior board staff at OPSBA events and provided via the Ministry of Education.

The Ontario Public School Boards' Association (OPSBA) represents public district school boards and public school authorities across Ontario. The Association advocates on behalf of the best interests and needs of the public school system in Ontario. OPSBA believes that the role of public education is to provide universally accessible education opportunities for all students regardless of their ethnic, racial or cultural backgrounds, social or economic status, individual exceptionality, or religious affiliation.