



Good Governance:

A Guide for Trustees, School Boards,
Directors of Education and Communities



**Education
that Connects**

Global Achievement
with Local Accountability

A professional photograph of two people smiling. On the left, a man with short dark hair, wearing a white dress shirt and a dark tie, is smiling broadly. On the right, a woman with dark hair and glasses, wearing a white dress shirt and a grey V-neck sweater, is also smiling. The background is a soft, out-of-focus indoor setting.

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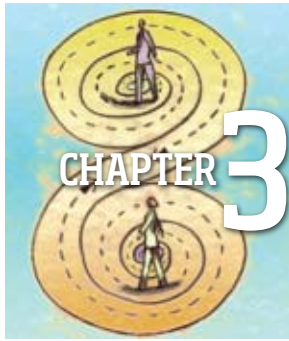
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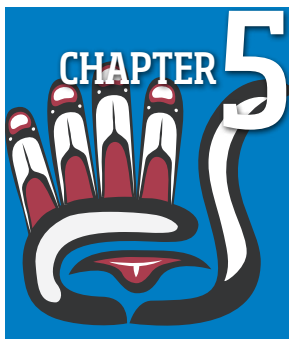


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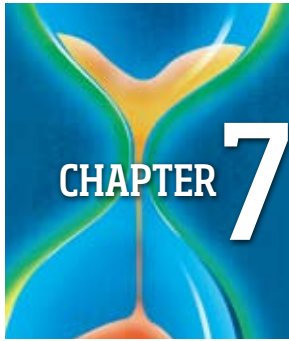
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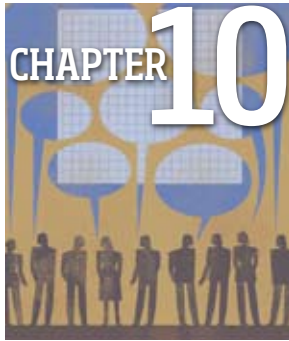
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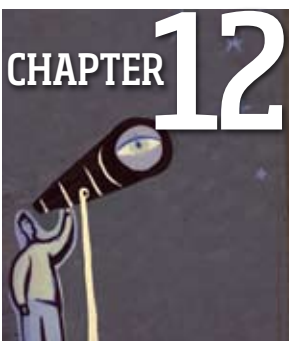
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Introduction



As a member of a school board you take your place in a history that started in 1807 when school trustees became the first democratically elected representatives in Ontario. Taking up the office of school board trustee is a call, not only to carry on that tradition of local democracy, but to improve it. It's an opportunity to leave a legacy that contributes to one of the strongest education systems in the world.

Setting the conditions that will provide a high quality education for every student to succeed in school and in life is the absolute first priority of a school board. It is why trustees, without exception, run for office.

As a leader in school board governance, your job is to ensure that Ontario's education system continues to adapt and transform to meet the ever-changing needs and challenges of our twenty-first century world. We hope you find yourself inspired by the challenges of your new position and about the influential role you will play as a member of your school board.

This handbook offers you a substantive introduction to the work of effectively governing a school board. Your many and varied responsibilities from strategic planning to policy-making to budget-setting to community engagement are all focused on the central goal of improving student achievement and well-being. The chapters in this handbook offer practical information on Ontario's education system and on your role as a leader within this system. This resource is a collaborative effort of the four organizations listed below and is also available in English and French at the following website: www.ontarioschooltrustee.org.

We congratulate you on being elected. We thank you for contributing your time, intellect, passion and commitment to the improvement of publicly funded

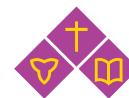
education in Ontario. We wish you a term as trustee that brings you a sense of accomplishment and professional satisfaction. Through your board service, you are making a contribution to the achievement and well-being of today's children and youth and helping to shape their future and the future of Ontario.



Association des conseils des écoles publiques de l'Ontario (ACÉPO)



Association franco-ontarienne des conseils scolaires catholiques (AFOCSC)



Ontario Catholic School Trustees' Association

Ontario Catholic School Trustees' Association (OCSTA)



ONTARIO PUBLIC SCHOOL BOARDS' ASSOCIATION

Ontario Public School Boards' Association (OPSBA)

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CHAPTER 1:

An overview of Ontario's Publicly Funded Education System



In Ontario, children and youth between the ages of 6 and 18 must be enrolled in a formal education program. The province's Education Act and the regulations made under it establish the framework for the delivery of education programs. The Act outlines the responsibilities of key partners in the education process, from the provincial government, to school boards, to teachers in classrooms. (See Note 1 on page 138) This chapter offers an overview of the roles of the key partners. (Throughout this document, relevant sections of the Education Act are referenced in square brackets.)

Ministry of Education

The Ministry of Education provides leadership and sets the direction for education policy by:

- setting provincial standards for student outcomes;
- promoting a safe, equitable, inclusive and respectful environment that supports learning;
- developing and sustaining a rigorous and challenging province-wide curriculum;
- promoting accountability throughout the publicly funded education system;
- promoting and supporting excellence in teaching; and
- providing school boards with resources, including financial resources, and support for program implementation.

In addition, the ministry sets requirements for student diplomas and certificates, and makes regulations that govern the school year, the organization of schools and school boards, and the duties of teachers, principals, and school board officials. The ministry also operates provincial schools for children with disabilities.

District School Boards

The Education Act provides for the establishment of the following four types of district school boards:

- English public
- English Catholic
- French public
- French Catholic

Although the Act refers to the non-Catholic English and French systems as 'public', all four systems are publicly funded.

Certain remote or distinct communities have school authorities rather than district school boards.

The table below shows the number of district school boards and school authorities in the province, and the number of students in each of the five categories.

ONTARIO'S SCHOOL BOARDS - 2010-11		
	Number of Boards	Number of Students
English public boards	31	1,267,875
French public boards	4	20,799
English Catholic boards	29	549,228
French Catholic boards	8	63,334
School authorities	10	1,335

Source: Ministry of Education, Average Daily Enrolment (ADE) projections, 2010 - 2011. School Authorities figure is 2009 actual enrolment.

Public School Boards

A strong public education system that prepares students to become productive and contributing citizens is the foundation of a civil society. Ontario's English and French public district school boards provide universally accessible education for all students, regardless of their ethnic, racial, or cultural backgrounds; social or economic status; gender; individual exceptionality; or religious preference.

The English and French public systems are founded on the

principle of equality of educational opportunity: every student deserves an opportunity to achieve to his or her fullest potential. Public school boards provide high standards in their programs and ensure that there are supports and resources to help all students reach those standards. Public school boards also focus on character education to ensure that students develop as caring and responsible members of their community and of Canadian society as a whole. Character education embraces values such as Citizenship,

Cooperation, Courage, Empathy, Fairness, Honesty, Humility, Inclusiveness, Initiative, Integrity, Kindness, Optimism, Perseverance, Resilience, Respect, and Responsibility. The English and French public district school boards, in partnership with parents and caregivers, prepare students for success in whatever field they choose.

Catholic School Boards

English Catholic and French Catholic district school boards have the same obligations, duties, rights, and privileges under the Education Act as do the public district school boards. In addition, however, Catholic boards strive to create a faith community where religious instruction, religious practice, value formation, and faith development are integral to every area of the curriculum.

Catholic schools exist to offer a system of education chosen by Catholic parents.

In a Catholic education, the school, the home, and the Church work together to develop within students a way of living that embodies the life of Jesus Christ. Catholic education fosters cognitive development and teaches skills and knowledge. In addition, it is concerned with the formation of the whole person of the student through the personal integration of faith and life. Roman Catholic schools seek to provide a learning experience that allows students to develop their particular skills and



individual talents, and to realize their uniqueness as children of God, and as brothers and sisters to every man and woman in the world.

Catholic district school boards provide Catholic education by:

- ensuring support and guidance to develop each school as a Catholic Christian community in all its academic and non-academic activities;
- providing teachers, principals, vice-principals, supervisory officers, and other personnel who are committed to building the school system as a Catholic Christian community; and
- preparing, upgrading, and putting to use academic curricula, including formal religious instruction, in which Catholic faith and life are integrated.

Language of Instruction

Parents with rights under Section 23 of the Canadian Charter of Rights and Freedoms are guaranteed a French-language education for their children. (See Appendix E, Canadian Charter of Rights and Freedoms, Section 23: Minority Language Educational Rights.) The province offers French-language education through both French public and French Catholic district school boards. Parents who do not have rights under Section 23 but who want to have their child or children educated in French may apply to an admissions committee

of a French-language school.

French-language district school boards may only operate schools/classes in which French is the language of instruction [s. 288]. However, they may offer English as a course of instruction at any level, and must offer English as a course of instruction in Grades 5 through 8 [s. 292; s. 293].

Correspondingly, English-language district school boards may not operate schools/classes in which French is the language of instruction [s. 289]. However, they may, with ministry permission, offer programs “involving varying degrees of the use of the French language in instruction” [s. 8(1)25]. It is important to note that the ministry’s curriculum includes various components for French-as-a-second-language instruction for use by English-language district school boards starting in Grade 4. Many school boards offer French Immersion programs as an option for students starting as early as Senior Kindergarten.

Most school authorities conduct classes where English is the language of instruction; however, there are school authorities which conduct classes in French as the language of instruction, thereby fulfilling their responsibilities to students with rights under Section 23 of the Canadian Charter of Rights and Freedoms.

It is important to note that other languages may be provided in both French- and English-language schools.

Aménagement Linguistique Policy

The majority of francophone students in Ontario live in settings in which French is a minority language. This creates particular challenges for French-language education. In 2004, the government of Ontario established a policy on aménagement linguistique, or language-planning. This policy supports the province’s French-language educational institutions in optimizing the transmission of French language and culture among young people; the goal is to help students reach their full potential in school and in society and thereby invigorate and sustain francophone communities. The policy provides a framework within which all institutions that provide French-language education must follow common guidelines to ensure the protection, enhancement, and transmission of the French language and culture in a minority setting. It is firmly linked to the mandate of French-language schools and exists to help those boards better fulfil their mission.

The objectives of Ontario’s aménagement linguistique policy are to:

- deliver high-quality instruction in French-language schools adapted to the minority setting;
- educate young francophones to become competent and responsible citizens, empowered by their linguistic and cultural identity;

- increase the capacity of learning communities, including school staff, students, and parents, to support the linguistic, education, and cultural development of students throughout their lives;
- expand and enrich the franco-phone environment through solid partnerships among the school, the family, and the community as a whole; and
- increase the vitality of education institutions by focusing on student retention and increased enrolment, thus contributing to the sustainable development of the French-language community in Ontario.

The complete policy document and an overview are available on the Ministry of Education website at <http://www.edu.gov.on.ca/eng/amenagement/>

Over the past thirty years, the ethno linguistic profile of the French-speaking community in Ontario has undergone a major transformation. For this reason, and in order to ensure that admission to French-language schools is inclusive and that the process is transparent, the Ministry issued guidelines in April 2009 requiring French-language school boards to review their local admission policies, guidelines, and administrative directives to streamline the admission process for 3 groups whose parents are not French-language education rights holders: French-speaking immigrants; children whose grandparents were

holders of French-language education rights; and immigrant children whose parents' mother tongue is neither French nor English. Boards' revised local admission policies came into effect on January 15, 2010.

At the same time, the Ministry issued a Policy Statement and Guidelines on the Admission, Welcoming and Support of Students in French-Language Schools in Ontario. School boards have been asked to develop local protocols for welcoming students and parents, to be implemented in September 2010. (<http://www.edu.gov.on.ca/eng/document/policy/Admission.pdf>)

School Board Responsibilities

School boards are 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 their students. The Education Act and its regulations set out the services that district school boards and school authorities must offer. The responsibilities of a school board include a key governance role with respect to:

- operating schools according to provincial legislation;
- having a vision statement that reflects the board's philosophy and local needs and priorities;
- setting the board's budget within the provincial grants and accompanying regulations;

- implementing curriculum according to ministry curriculum policy;
- developing and delivering other programs that reflect provincial policies and local priorities;
- providing for the hiring of teachers and other staff required in their schools;
- maintaining school buildings and property with regard to student safety and in accordance with provincial legislation; and
- monitoring the policies of the schools and the achievement of students and, through the director of education, holding the entire system accountable for meeting provincial and board standards.

School Board Trustees

The role of the school board trustee is discussed in detail in Chapter 4 of this handbook. All district school boards and most school authorities are governed by locally elected trustees. The exceptions are the six school authorities located in hospitals, which have appointed rather than elected 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.

Directors of Education

The director of education is the chief executive officer and chief

education officer (CEO) of the school board. The director is the sole employee who reports directly to the board and acts as secretary to the board. Through the director of education, a school board holds all of its schools accountable for results based on expectations set at the provincial and board levels. Directors are responsible for:

- advising the board on operational matters;
- implementing board policies;
- managing all facets of school board operations;
- ensuring that the board's multi-year plan establishes the board's priorities and identifies the resources that will be used to achieve them;
- implementing, and monitoring the implementation of, the multi-year plan, reporting on this to the board, as well as reviewing it annually with the board;
- bringing to the board's attention any act or omission by the board that could violate or has violated the Education Act or any of its policies, guidelines or regulations. If the board does not respond in a satisfactory manner, the Director is required to report the act or omission to the Deputy Minister of Education.

All school board staff report either directly or indirectly to the director of education. The director of education reports to the board, usually through the chair or his or

her delegate. As well, the director serves as the secretary of the board. (See Chapter 7, Meeting Procedures.)

Subject to exceptions set out by regulation, each district school board must hire a qualified supervisory officer as its director of education [s. 279] and must notify the Minister in writing when the director is appointed. Subject to the Minister's approval, two or more school authorities or school boards may jointly share a director of education [s. 280]. School authorities may also, with the Minister's approval, obtain the services of a supervisory officer through an agreement with another board or with the ministry itself. Under special circumstances a supervisory officer (either a director or superintendent) may be appointed by the Minister of Education. In that case, the supervisory officer is responsible to the Minister.

The Act distinguishes between a board's responsibility for policy development and the responsibility of the director for administering that policy. It is important that the board of trustees be clear about roles and responsibilities and determine, through policy, which matters are operational and therefore addressed by the director, and which matters are policy and, therefore, decided on by the board.

All directors of education belong to the Council of Ontario

Directors of Education (CODE). All 12 French-language directors of education also belong to the Conseil ontarien des directions d'éducation de langue française (CODELF). English Catholic directors of education may belong to the English Catholic Council of Directors of Education (ECCODE) and French Catholic directors of education may belong to the Conseil ontarien des directions d'éducation catholique de langue française (CODEC).

Supervisory Officers

Supervisory officers, often called superintendents, are accountable to the director of education for the implementation, operation, and supervision of educational programs in their schools. Boards must notify the Minister in writing when a supervisory officer is



appointed. (See Regulation 309 of the Education Act for more information.)

Supervisory officers lead and supervise schools and programs, working with principals and staff to ensure that schools operate according to ministry and board policy, and ensuring that performance appraisals are conducted. Supervisory officers are responsible for ensuring that school buildings are maintained according to ministry and board policy. They must also report to the medical officer of health any case in which a school building or school property is found to be in an unsanitary condition [s. 286(1)]. As supervisory officers of the board, superintendents hold the schools accountable for student achievement.

Reports to the board related to the responsibilities of the superintendent are provided through the director of education. [ss286(1)]

Supervisory officers belong to one or more of the following professional organizations, depending on the system they serve:

- the Ontario Association of School Business Officials (OASBO)
- the Council of School Business Officials (COSBO)
- the Ontario Public Supervisory Officers' Association (OPSOA)
- the Ontario Catholic School

Business Officials (OCSBO)

- the Ontario Catholic Supervisory Officers' Association (OCSOA)
- the Association des gestionnaires de l'éducation franco-ontarienne (AGEFO)

Schools

In general, elementary schools provide programs for children in Junior Kindergarten to Grade 8, and secondary schools serve students enrolled in Grades 9 through 12. (See Note 2 on page 138.)

Schools achieve excellence in education by:

- promoting high standards of individual achievement;
- promoting 21st century skills that include collaboration, communication, critical thinking, creativity and effective use of learning technologies;
- providing the understanding and basic skills required for active, compassionate

participation in the life of the family, the community, the province, the nation, and a global society;

- cultivating a love of learning;
- recognizing the value of diversity among learners and communities;
- creating a welcoming and positive school climate free of discrimination and harassment;
- seeking and welcoming parental involvement in school activities; and
- exploring creative approaches to education.

All boards must provide or purchase special education programs for exceptional students within their jurisdictions. School boards are required to make Senior Kindergarten programs available, but Junior Kindergarten is optional. In September 2010, the province began the first year of a five-year phase-in of Full-Day Early Learning Programs for four- and five-year olds. This is described in Chapter 9.

Subject to provincial direction on matters such as class size and instructional time, school boards and schools can set policies for organizing schools and grouping students. For example, boards may operate classes for individuals who have developmental disabilities, and they may hold classes in care, treatment, and correctional facilities.



Attendance at these specialized schools is declining as more students move into the increasingly inclusive environment of classrooms in the board's schools.

Principals

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. They are responsible for supervising teachers and programs within their schools, and for measuring and communicating student achievement results. They work with their staff, parents, and the community to develop and implement school improvement plans that reflect school and board priorities and set strategies to improve student results. In consultation with their school council, and in alignment with board policy, principals are responsible for establishing the vision and direction for their school.

Principals and vice-principals may belong to one or more of the following professional organizations:

- the Ontario Principals' Council (OPC)
- the Catholic Principals' Council of Ontario (CPCO)
- the Association des directions et des directions adjointes des écoles franco-ontariennes (ADFO)

In addition to any teaching duties the principal may have, he or she is responsible for the daily operation of the school, including the care of students and the supervision of staff. Some of the principal's obligations under the Education Act are:

- maintaining proper discipline in the school and attending to the care of students and property;
- registering students, and ensuring that attendance is recorded, examinations are held, and students' progress is reported on;
- preparing a school timetable, assigning classes and subjects to teachers, and encouraging cooperation among staff members;
- ensuring that students use textbooks approved by the board and, in the case of subject areas for which the Minister approves textbooks, those approved by the Minister;
- reporting on any aspect of school business required by the board and providing information to the ministry and the appropriate supervisory officer about discipline, student achievement, and the condition of school premises;
- reporting promptly to the board and medical officer of health if he or she suspects a communicable disease in the school or detects an unsanitary

condition in the school building or on school property; and

- refusing access to anyone who, in the principal's judgement, might threaten the physical or mental well-being of students.

Regulation 298 lists additional principal's duties. These include making recommendations to the board, through the director of education, about teacher appointments, promotions, demotions, or dismissals, and promoting close cooperation with parents, industry, business, and other community groups. The principal also has a key role to play in ensuring that school councils operate effectively.

Ministry Regulation 234, filed in June 2010, requires that Principals/vice-principals have an annual growth plan and be appraised once every five years. During their appraisal year, principals/vice-principals are required to set performance goals that support student achievement and well-being based on their school and board improvement plans and provincial educational priorities. The annual growth plan outlines professional learning activities and supports. The Ministry of Education has published and distributed a *Principal/Vice-principal Performance Appraisal Technical Requirements Manual* in August 2010. The Manual outlines the requirements of the appraisal process. In addition, Part XI.1 "Performance Appraisal of Principals, Vice-Principals and

Supervisory Officers” of the Education Act as well as Regulation 234 define the time-lines, processes and steps to be followed. Principal/Vice-principal Performance Appraisal (PPA) is a component of the Ontario Leadership Strategy (OLS). At the



board level it is part of the Board Leadership Development Strategy (BLDS).

Teachers

Only teachers who are members of the Ontario College of Teachers (OCT) or who have a special letter of permission from the ministry may teach in publicly funded elementary or secondary schools. (See “Ontario College of Teachers” later in this chapter.)

Teachers may belong to the Ontario Teachers’ Federation (OTF) through one or more of the following affiliates:

- the Ontario English Catholic Teachers’ Association (OECTA)
- the Elementary Teachers’ Federation of Ontario (ETFO)
- Association des enseignantes et des enseignants franco-ontariens (AEFO)
- the Ontario Secondary School Teachers’ Federation (OSSTF)

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.

The Education Act [s. 264(1)] and Regulation 298 set out the following teacher duties and expectations:

- teach classes or subjects assigned by the principal
- instruct, train, and evaluate pupils effectively

- manage the classroom effectively
- carry out the supervisory duties and instructional program assigned by the principal
- cooperate fully with other teachers and the principal in all matters related to the instruction of pupils
- use only textbooks approved by the ministry and the board
- be available and prepared before the start of classes
- prepare teaching plans and outlines
- ensure that all reasonable safety procedures are carried out in courses and activities
- cooperate with the principal and other teachers to establish and maintain consistent disciplinary practices in the school
- ensure that report cards are fully and properly completed and processed
- cooperate and assist in the administration of tests under the Education Quality and Accountability Office Act, 1996
- participate in regular meetings with pupils’ parents or guardians
- assist the principal in maintaining close cooperation with the community
- perform duties as assigned by the principal in relation to cooperative placements of pupils
- perform duties normally associated with the graduation of pupils

- participate in professional activity days as designated by the board, and
- give notice of absence

Many teachers choose to participate in supervising co-instructional activities at the school. These activities continue to be voluntary and are of significant value to the development of students.

New Teacher Induction Program

The New Teacher Induction Program (NTIP) provides further professional development for teachers to support effective teaching, learning, and assessment practices. The NTIP thus builds on the faculty year experience by providing another full year of professional support so that by the end of their first year of teaching, new teachers will have the requisite skills and knowledge to achieve success as experienced teachers.

All publicly funded schools are required to offer the NTIP, and teachers new to Ontario's publicly funded schools are required to participate. New teachers are considered to have completed the program when they have two successful teacher performance appraisals. All teachers who successfully complete the NTIP will receive a notation on their Certificate of Qualification and on the Public Register of the Ontario College of Teachers.

Boards play an important role in the NTIP. They are responsible for overseeing the quality of the program in the schools, fiscally

managing it, and reporting the results of the program to the ministry.

Teacher Performance Appraisal

Ontario has province-wide teacher performance appraisal standards. Principals must conduct regular performance appraisals of their teaching staff in accordance with these standards. The Ministry of Education provides teacher performance appraisal manuals, approved forms, and guidelines to support implementation of the appraisal processes for teachers. Section 277 of the Education Act, Ontario Regulation 99/02, and the ministry's guidelines define the timelines and steps to be followed in appraisals, as well as areas to be covered by the parent survey and student survey components of the appraisal.

School Councils and Parent Involvement Committees

The Education Act requires each school board to establish a school council for each school operated by the board [ss. 170(1)17.1]. School councils are advisory bodies whose purpose is to improve student achievement and enhance the accountability of the education system to parents.

School boards must also establish a Parent Involvement Committee (PIC) [O.Reg 330/10]. The role of a PIC is to support improved student achievement and well-being through encouraging and enhancing parent involvement at the board level.

For more detailed information about school councils and parental involvement in education, see Chapter 11, Working with School Councils and Communities.

Ontario College of Teachers

The Ontario College of Teachers was established in 1997 to allow teachers to regulate and govern their own profession in the public interest. Teachers who want to work in publicly funded schools in Ontario must be certified to teach in the province and be members of the College.

The College:

- ensures Ontario students are taught by skilled teachers who adhere to clear standards of practice and conduct;
- establishes standards of practice and conduct;
- issues teaching certificates and may suspend or revoke them; and
- accredits teacher education programs and courses.

In order to be certified by the College as a teacher of academic subjects in Ontario, prospective teachers must have an approved postsecondary degree, complete a year of teacher training through an accredited faculty of education, submit to a criminal background reference check, and provide evidence of effective communication in one of Ontario's official languages of instruction.

For more information, visit the Ontario College of Teachers website at www.oct.ca

CHAPTER 2:

Becoming a School Board Trustee





The election of school board trustees is governed by the Education Act and the Municipal Elections Act, 1996.

There are three kinds of trustees:

1. Trustees elected through the Municipal Elections Act
2. First Nation Trustees appointed to the board by their First Nation
3. Student Trustees elected by the student body of the board

Trustees Elected through Municipal Elections

School board trustees are elected every four years during municipal elections. Voters must choose which of the four school board systems they will support, subject to certain restrictions. This means that each voter can elect a trustee to only one of the four school board systems in a jurisdiction: English public, English Catholic, French public, or French Catholic. Voters who own residential property in more than one school board jurisdiction may vote in each of the jurisdictions in which property is held.

This section of the chapter addresses questions that may arise after the votes have been tallied on election day or once the term of office has begun. It is intended primarily for trustees who are already in office. It provides some background information about the electoral process, but does not cover election procedures, such as reporting candidates' expenses or other campaign-related topics. Detailed guides for candidates and prospective candidates – *Making a Difference for Kids: Running for Election as a School Board Trustee*, are available online from the four

school boards' associations (www.acepo.org; www.afocsc.org; www.ocsta.on.ca and www.opsba.org) Election guides are also available online from the Ministry of Municipal Affairs and Housing (www.mah.gov.on.ca) and the Ministry of Education (<http://www.edu.gov.on.ca/eng/trustee-elections/>).

Qualifications to Run for the Position of School Board Trustee

Trustee candidates need not have a background in education.

A candidate for a school board must, upon nomination, be a qualified municipal elector and fulfil all of the following requirements:

- a resident within the jurisdiction of the board;
- a supporter of the board;
- a Canadian citizen;
- at least 18 years old;
- Roman Catholic (if running for a separate school board);
- not legally prohibited from voting; and
- not disqualified by any legislation from holding school board office.

Note: A candidate, if nominated, must remain qualified throughout the election and, if elected, throughout the term of office. School board candidates should confirm that they have the qualifications described in section 219 of the Education Act. It is the responsibility of the candidate to determine whether he or she is qualified to be elected to and hold office.

A candidate for school board office cannot be a clerk, deputy clerk, treasurer or deputy treasurer of a municipality within the jurisdiction of a board.

The following persons are disqualified from being elected to school board office:

- any person not eligible to vote in the municipality;
- an employee of a school board unless he or she
 - takes an unpaid leave of absence before being nominated, and
 - resigns, if elected to the office;
- a judge of any court;
- a member of the Legislative Assembly of Ontario, a Senator or a member of the House of Commons; or
- an inmate of a penal or correctional institution under sentence of imprisonment.

Note: An employee of a school board who wishes to run for office on any school board must take an unpaid leave of absence prior to being nominated. If elected, the

employee must resign. A person may not be employed by one school board and hold office on a different school board.

In a by-election for a trustee position, the following persons cannot run unless their present terms of office are due to end less than two months after the nominations close, or unless they resign from their present office before the nominations close:

- a trustee of another district school board or school authority
- a member of the council of a county or municipality included in the board’s area
- an elected member of a local board of a county or municipality included in the district school board’s area

Trustee Determination and Distribution

The provisions governing the number of elected trustees on district school boards and their distribution over a board’s territory are found in section 58.1 of the Education Act, and in Ontario Regulation 412/00, Elections to and Representation on District School Boards.

The Act was amended in 2009 and the number of elected trustee positions on a district school board is now set at the number that was determined by the board for the 2006 school board election. However, a board that experiences

demographic change or a change in its area of jurisdiction may use the formula in O. Reg. 412/00 to calculate whether the changes are sufficient to allow additional trustee positions over the 2006 number. Before these amendments, boards had to calculate the number of elected trustee positions they could have on their board (referred to as trustee “determination”) before each regular election, using the formula in O. Reg. 412/00. The minimum number of trustees in a district school board is 5 and the maximum is 22. School boards may voluntarily pass a motion to reduce the number of trustee positions.

Before each regular election, boards must allocate their elected trustee positions over their area of jurisdiction. They do so by combining municipalities and wards in their area of jurisdiction into a number of geographic areas and allocating their trustee positions to these areas. The steps are set out in O. Reg. 412/00 and the process is called trustee distribution.

In boards where there is more than one municipality, the board must pass a resolution that either:

- designates one or more municipalities as low population municipalities and directs that an alternative distribution of members be done, or



- states that the board has decided not to designate any municipality as a low population municipality.

Designation of low population municipalities allows boards to provide greater representation to rural or other areas within the board's jurisdiction than would otherwise be afforded by a strict representation-by-population calculation.

The board must submit a report on trustee determination and distribution to the election clerk of all municipalities within their jurisdiction, the secretary of all school boards within its territory and to the Minister of Education, by March 31 of an election year.

Recounts

Following an election or by-election, a recount must be held if two or more candidates receive the same number of votes.

A recount may also be held in either of the following circumstances:

- the board passes a resolution requiring a recount, or
- an elector who is entitled to vote has reasonable grounds for doubting the election results. In this case, the elector must apply to the court for a recount within 30 days after the election results are declared.

If the recount results in another tie, the municipal clerk chooses the successful candidate by lot.

Vacating a Seat

A trustee does not have to resign in order to run as a candidate for another office, as long as he or she continues to meet attendance requirements for board meetings. If a trustee chooses to resign in order to become a candidate for another office, he or she may simply file a statement to that effect with the secretary of the board. In this situation, the resignation becomes effective on November 30 or the day before the other office commences, whichever is earlier [s. 220(4)]. If the trustee is unsuccessful in the bid for the other office, he or she cannot resume the seat on the school board without being re-elected or, in some cases, appointed.

Under the Education Act [s. 228(1)], a trustee's seat is automatically vacated if the trustee:

- is convicted of an indictable offence;
- is absent – either in person or electronically – from three consecutive regular board meetings (unless the absence was authorized by a resolution entered into the minutes);
- ceases to hold the qualifications required to be a trustee;
- becomes disqualified to act as a trustee; or
- fails to be physically present in the meeting room of the board for at least three regular board meetings in each twelve-month period beginning on December 1.

Any one of these conditions will cause the trustee to lose the seat.

A school board continues to exist even if, for whatever reason, there are no longer any trustees on the board.

Filling Vacancies

All vacancies on the board must be filled, unless the vacancy occurs within one month of the next municipal election [s. 224(a)]. A vacancy that occurs after the election but before the new board is organized shall be filled after the new board is organized [s. 224(b)].

Vacancies can be filled in two ways – by appointment or through a by-election.

Appointment: If a majority of the trustees remain in office, the remaining trustees can appoint a qualified person within 90 days of the position becoming vacant.

By-election: The board can, by resolution, require that a vacancy be filled in a by-election held in accordance with the Municipal Elections Act, 1996, if the vacancy occurs:



- in a year where there is no election under the Municipal Elections Act, 1996;
- prior to April in a year where there is an election under the Municipal Elections Act, 1996; or
- after the school board election, in a year where there is an election under the Municipal Elections Act, 1996.

If a majority of the trustees does not remain in office following a vacancy, a by-election must be held.



Attending Board Meetings

Trustees are expected to attend all board meetings and all meetings of board committees of which they are members, either physically or through electronic means. A member of a board who participates in a meeting through electronic means in compliance with Ontario Regulation 463/97 is considered to be present at the meeting. If a trustee expects to be

absent from a regular board meeting, that trustee can have the absence authorized by a board resolution entered in the minutes [s. 228(1)(b)]. Note that a trustee will lose his or her seat for being absent without authorization for three consecutive meetings [s. 228(1)(b)]. In addition, a trustee must physically attend at least three board meetings in a calendar year.

Ontario Regulation 463/97 requires every school board to develop and implement a policy for using electronic means to hold meetings of the board and meetings of committees of the board, including a committee of the whole board. (See Note 3 on page 138) Members are to be provided with electronic means for participating in meetings. However, at every meeting of the board or a committee of the whole board, all of the following people must be physically present in the room:

- the chair of the board or a designate
- at least one additional member of the board
- the director of education or his or her designate

For other committee meetings, the following people must be physically present:

- the chair of the committee or a designate
- the director of education or a designate

Trustee Honoraria

Outgoing district school boards have the authority and responsibility to determine the level of remuneration for the new, incoming board using the criteria set out in Ontario Regulation 357/06. The maximum is determined using calculations provided in the regulation. The new honorarium must be determined by the board by October 15 in the year of the municipal elections. Once the new board's level of honorarium has been established by the outgoing board, the new board members can lower but not raise it during their term. School authority trustees are paid an honorarium at the same rate as was paid on December 1, 1996 [s. 191.1].

Trustees may 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 he or she is on board business.

First Nation Trustees

A school board may enter into an agreement with one or more First Nations to provide education services to First Nation students in return for an agreed-upon fee. Such agreements are called

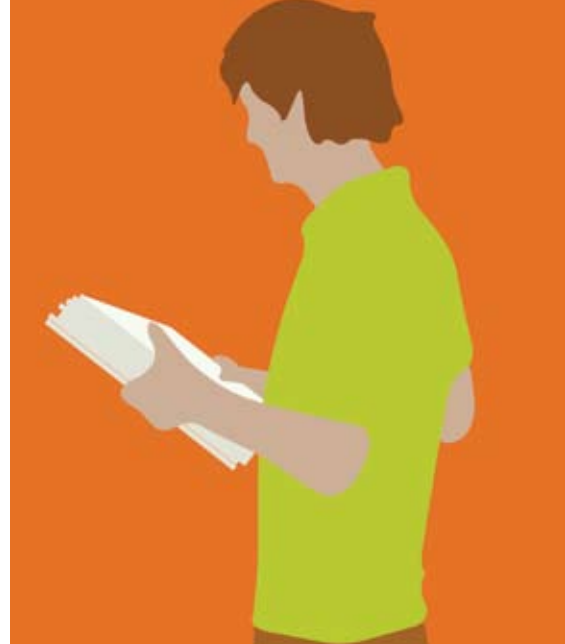
tuition or education services agreements. When students from one or more First Nations attend a school or schools operated by a school board under a tuition or education services agreement, the board may be required to have a First Nation trustee(s) on the board to represent the interests of those students. The number of First Nation trustees depends on the number of First Nation students attending under tuition or education services agreements. First Nation trustees are named by the First Nations and are full members of the board with all the rights and obligations of other board members. For details, see Chapter 5, First Nation Representation.

Student Trustees

District school boards are required to organize an election each year of one to three student trustees. They are elected by students of the board or by a student representative body. To act as a student trustee, a student must be a full-time pupil in the senior division. Their one-year term of office runs from August 1 of the year they are elected to July 31 of the following year. Student trustees are entitled to an honorarium, currently \$2,500, which is pro-rated if the student trustee serves less than one year [s. 55(8)]. The board has to reimburse student trustees for out-of-pocket expenses, The board must also implement a policy providing for

matters relating to student trustees and the payment of honoraria.

Student trustees are not board members, do not have a binding vote on the board, and are not entitled to move a motion although they can suggest a motion at the board, or at a committee of which they are a member, that may then be moved by a member of the board. If no board member moves the suggested motion, the record will show the suggested motion. Student trustees do, however, have a number of other rights, including the right to require a non-binding recorded vote, the same opportunities for participation at meetings of the board and of its committees as any other member, and the same access to board resources and trustee training opportunities as board members have. Student trustees are also permitted to participate in *in camera* board meetings, with the exception of those dealing with matters relating to intimate, personal or financial information about a member of the board or of a committee of the board, an employee (or prospective employee) of the board, a student, or a student's parent or guardian. [s. 55(5)]



CHAPTER 3:

Board Governance





Background

School boards are responsible for the provision of publicly funded education within their jurisdictions. They are leaders of publicly funded education in their communities and in the province. They carry out this responsibility within relevant statutes and regulations. A provincial funding model determines the funds that each board receives from the provincial government to deliver the education services and programs that support student achievement. Through their local governance school boards exercise their leadership to develop strategic plans, direct policy-making and approve allocation of resources. This governance role sets the conditions that will provide a high quality education for every student to meet high standards of achievement and to succeed in school and in life. Effective governance also ensures that the education system remains accountable to the people of Ontario.

What Is Governance?

Governance provides a framework and a process for the allocation of decision-making powers. Good governance is the exercise of these powers through ethical leadership. School boards are the embodiment of local governance in action. Through their decisions and policies they demonstrate to their communities effective stewardship of the board's resources in the interests of students and the community as whole.

Ultimately, governance is the exercise of authority, direction, and accountability to serve the higher moral purpose of public education. A governance structure defines the roles, relationships, and behavioural parameters for the board and its staff.

In education, the true test of any board's governance structure is its effectiveness in promoting and sustaining a board's achievement standards, accomplishing goals designed to bring positive results to communities, and demonstrating accountability. Effective board governance relies on a clear understanding of roles and responsibilities. Trustees, as individuals do not have authority to make decisions or take action on behalf of the board. They are members of the board and it is the board as a whole that exercises authority and makes decisions and does so in the interests of all students of the board. Trustees are required to uphold the implementation of any board resolution after it is passed by the board. As trustees communicate with their constituents and hear their concerns, they must at the same time convey that changes to existing board policy require consideration by the board as a whole. Trustees facilitate the concerns of their constituents by advising them as to which board staff can answer their questions or deal directly with their concerns. In some cases, trustees may bring problems that affect the entire jurisdiction to the board for resolution.

In carrying out their role trustees have the very real challenge of balancing their responsibilities and allegiances as representatives of their communities with their role as education leaders within the decision-making body of the board as a whole. Trustees are committed to, and are required under the Education Act, to bring forward to the board the concerns of parents, students, and supporters of the board; yet as members of a governing body they must work collaboratively with fellow board members and make policy decisions that are beneficial to the entire

school district community. This focus can mean that the ultimate decisions made are at variance with the specific interests of a particular geographical constituency or interest group. (See Chapter 4, The Role of Trustees.)

continue to examine their functions and their roles in relation to both the public they serve and the senior employees of the board who are responsible for the day-to-day operation of the school board. More than ever,

ensure that a board has clarified its role and its scope of responsibilities and how it will govern. This includes clarity around the goals it aims to achieve, the strategies it will employ to achieve them and its overall operating norms, processes and procedures. A clear understanding on the part of the school board with regard to its system of governance will have a significant impact on the effectiveness of its policy development, decision-making, business practices and adherence to its legal obligations. It will also influence how the public perceives the efficacy of the board and its value to the community.



The trend in changes to legislative obligations and in public expectations increases the pressures on school boards to demonstrate continued improvements in student achievement while being accountable in very transparent ways for the resources they govern; this includes government funding that is increasingly prescribed. The context within which boards operate includes meeting the challenges of maintaining quality as enrolment declines, particularly across large geographic areas which are often remote and isolated, and in environments where educational services must meet the needs of an increasingly diverse population of students.

In order to respond effectively to these challenges, school boards

effective governance, characterized by the structures and processes of decision making and accountability within the system, is critically important. To model a school system where there is a focus on continuous learning, effective school boards regularly review their performance in the governing role and plan for ongoing improvement of their practices as a governing body.

The law plays a significant role in defining governance structures and processes for school boards. School boards are “creatures of statute”, and their powers and accountability frameworks are, to a significant extent, prescribed by provincial legislation and regulations. Effective school board governance means that there is a governance system in place to

Establishing a System of Governance

Newly elected trustees will find that their school board already has a system of governance in place. Learning the existing system is a first step to easing the transition to full and informed participation on the board. With each election, the composition of the board can change and, even if the change involves only one new member, this essentially creates a new board and a new set of relationships. Each new board with its returning and new members should take the opportunity to review its governance structure to ensure that the board members can take ownership of the planning, policy and decision making processes.

Reviews of school board governance in Ontario conducted more than ten years apart outline reassuringly similar approaches and principles by which boards can assess their effectiveness as a governing body.

The School Board Governance Review Committee appointed by the Minister of Education in December 2008, received a great deal of input from trustees across the province and its final report (See Note 4 on page 138) offered the following principles of effective school board governance:

- The board of trustees has a clearly stated mission that includes high expectations for student achievement;
- The board of trustees allocates its resources in support of the goals it has set;
- The board of trustees holds its system accountable for student achievement through its director of education by regular monitoring of evidence of student achievement;
- The board of trustees engages with its constituents in the creation of policies that affect them and communicates its progress in raising student achievement;
- The board of trustees monitors its own performance and takes action to continually improve its governance processes.

In *The Road Ahead II: A Report on the Role of School Boards and Trustees*, the former Education

Improvement Commission (EIC) proposed a process for school boards to follow in establishing and assessing their system of governance. It recommended that each district school board:

- create a vision in consultation with its staff and community;
- appoint a director of education who shares the vision and the skills to work with the board to realize the vision;
- establish policies critical to achieving the vision;
- establish a budget consistent with the priorities set out in the vision and policies;
- develop an organizational model for senior staff and assign responsibilities, so that the vision and policies are implemented throughout the system;
- establish procedures for monitoring the implementation of its policies, and tie these procedures to the performance appraisal of the director of education;
- communicate its performance to the community and the ministry; and
- reassess its vision (on a regular basis.) (See Note 4 on page 138)

The steps in the process described above can be further defined as follows:

Create a vision: A board-wide vision statement goes hand in hand with a formal strategic

planning process. Most boards have vision statements, and many also have established strategic planning processes with a scope of from one to five years, to help them focus and prioritize the board's work. Recent amendments to the Education Act now require all boards to develop a multi-year plan, at least three years in scope, which is aimed at achieving the boards' goals, and to annually review the multi-year plan with the board's director of education. This multi-year plan aligns with the strategic directions set by the board; regular assessments of the vision and goals will ensure that a board's directions remain both reflective of the community and are focused on key priorities. Reviewing the board's strategic plan following local elections offers an effective way for the newly elected board to become meaningfully engaged in the board's vision and planning process. (A more detailed outline of the multi-year plan process is provided in Chapter 4.)

Share the vision: Effective school boards, working with their director of education, involve their staff and community in the development of their vision and strategic plan. This builds essential elements of ownership and cooperation among staff, parents and the community at large that are necessary to achieve the vision and implement the plan.

Align policy with vision: Part of a strategic planning process should include a cycle of reassessment of board policies. This ensures that all policies are in alignment with the board's vision statement and strategic plans.

Align budget with vision: The board's budget is the financial basis for all board activities. It is crucial, therefore, that it reflect the vision and the priorities identified in the board's strategic plan.

Align organization with vision: All effective boards have a well-defined organizational structure so that board members, staff, and the community can understand the lines of authority and responsibility. An organizational model demonstrates how the board's vision and priorities are recognized and implemented throughout the system. An organizational model also outlines the governance relationship between the political leadership (the board of trustees) and the administrative leadership (the director of education and senior board staff).

Establish procedures for monitoring the implementation of policies: If the board's strategic plan includes a policy realignment process, most of the policy-monitoring work will be undertaken as part of that process. However, government laws and regulations change and, therefore, ongoing monitoring of board policies is necessary.

Policies also require monitoring for realignment because of changes in the board's vision or priorities.

Communicate performance:

Communicating a board's vision and strategic planning processes involves everyone who has a stake in the education system and who shares a board's achievements and challenges. Effective communication raises awareness of roles and responsibilities and supports important relationships. (See Chapter 12, Communications and Media Relations.)

School board governance is a fundamental aspect of responsible stewardship. Effective governance cannot be legislated because no single model would work in every organization. The Governance Review Report (2009) agreed: *"The Committee concludes that there is no one best model for boards of trustees; in each setting, governance arrangements must take account of the organization's mission, culture, traditions and relationships. School board governance must also accommodate political processes, including political advocacy and tolerance for dissent."* The key is to begin with a commitment by a school board, regardless of size and organizational culture, to develop and adhere to decision-making processes that are transparent, accountable, and in line with the board's vision and strategic plan which are focused on student achievement and well-being.

Ultimately, each school board must decide on its own model for effective governance – one that is based on the needs and resources of the system and the community it serves.

Governance Models and Resources on Board Governance

Structure influences behaviour, and it is crucial for school boards to operate within a structure that allows for action and decision making that are reflective, creative and effective.

Governance literature contains many different models. Choosing a model for a particular school board and adapting it to local circumstances requires a thorough examination of the board's vision, priorities, and governance goals. Each board will find both merits and obstacles in every governance model it considers.

Many school boards already have selected a governance model and have adapted it to their local context and found that it works well. New trustees should become familiar with their board's governance model if there is one in place. Boards that are in the process of choosing or reviewing their governance model can look to the governance models in use in other district school boards throughout the province for ideas. Your school board association has access to professional and organizational development resources that can be helpful to your board in assessing the effectiveness of its governance model.

As well, there are many resources available on board governance, governance in general, and corporate governance, and much of this information can be used and/or adapted by school boards. Among them are the following:

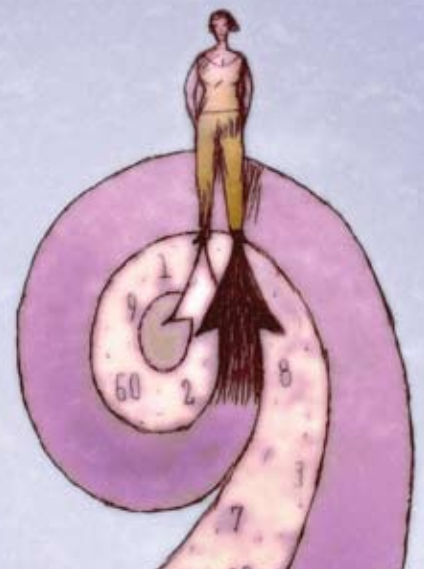
- Key Work of School Boards, a program of the National School Boards' Association in the United States, is a governance model focused on improving student achievement. You can learn more from the NSBA website at <http://www.nsba.org/keywork>.
- Beyond Compliance: Building a Governance Culture is a product of the Canadian Institute of Chartered Accountants, which has done significant work on board governance. It is available at: http://www.cica.ca/multimedia/Download_Library/Research_Guidance/Risk_Management_Governance/Governance_Eng_Nov26.pdf.
- Building on Strength: Improving Governance and Accountability in Canada's Voluntary Sector is a detailed review of governance in the volunteer sector produced by the Panel on Accountability and Governance in the Voluntary Sector. The panel, which was created in 1997 by the Voluntary Sector Roundtable (VSR), an unincorporated group of Canadian national volunteer organizations,

produced a discussion paper in 1998, which was widely circulated to many Canadian volunteer sector organizations. In 1999, the panel released *Building on Strength*, which is based on the responses and advice received following the circulation of the discussion paper. While school boards are not volunteer sector bodies, there are many aspects of governance structure and policy identified in this report that would be helpful to boards that are reviewing or developing governance models. This document is available at <http://www.vsr-trsb.net/pagvs/Book.pdf>.

- The Canadian Comprehensive Auditing Foundation (CCAF) has excellent resources on public sector governance and accountability. Learn more at: <http://www.ccaf-fcvi.com/english/about/index.html>.
- Policy Governance is a trade-marked governance model developed by John Carver. The basis for this model can be found in his book Basic Principles of Policy Governance, published by Jossey Bass Publishers in 1996. For more information on policy governance, visit: www.policygovernanceassociation.org.
- A good resource in the area of corporate governance that has some relevance for the education sector is the

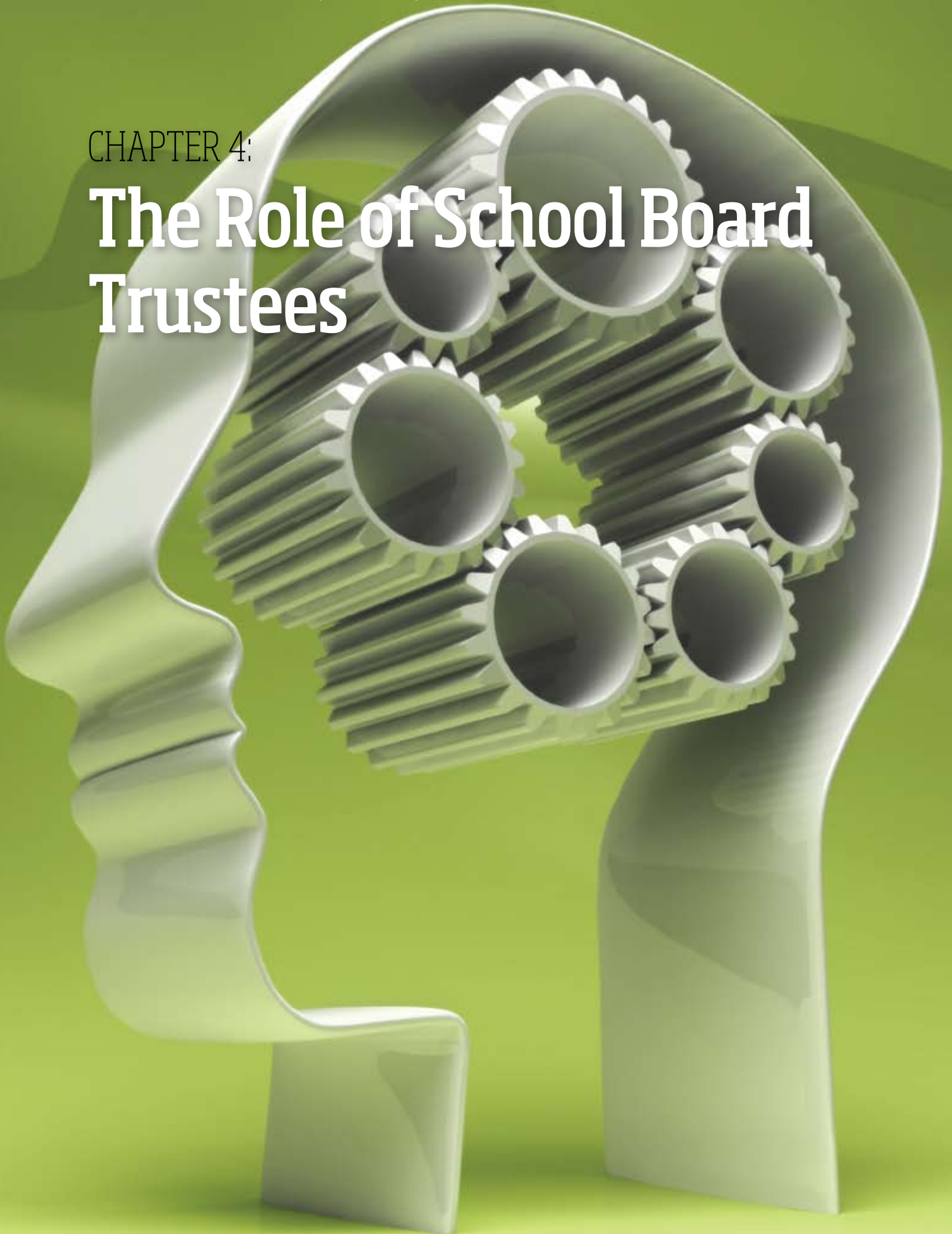
Organization for Economic Co-operation and Development's OECD Principles of Corporate Governance, which can be found online at: <http://www.oecd.org/dataoecd/32/18/31557724.pdf>

- Non-profit Governance Models: Problems and Prospects, Patricia Bradshaw, Schulich School of Business, York University, Bryan Hayday, Nonprofit Management and Leadership Program, York University, Ruth Armstrong, Vision Management Services, can be accessed at <http://www.innovation.cc/scholarly-style/bradshaw5final.pdf>
- Another source of valuable material on governance in the non-profit sector is the Ontario Hospitals Association at <http://www.oha.com/Education/GCE/Pages/GuidetoGoodGovernance.aspx>
- Ontario Education Services Corporation, Centre for Governance Excellence www.oesc-cseo.org



CHAPTER 4:

The Role of School Board Trustees



*Interdependent people
combine their own efforts with
the efforts of others to achieve
their greatest success.*

Stephen Covey

A clear understanding of a school board trustee's role and responsibilities is fundamental to good governance. 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. 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.

Recent amendments to the Education Act clarify 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 multi-year plan. 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.

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 in opposition. 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 is respectful of the board.

It is clear that trustees carry a dual responsibility. This is recognized in the Education Act and was underscored in the Governance Review report (2009):

"As a member of the board, an individual trustee is expected to act within the board's by-laws and be loyal to the board's decisions. However, as elected persons, trustees are also expected to advocate for the interests of their constituencies."

Trustees as Members of School Boards

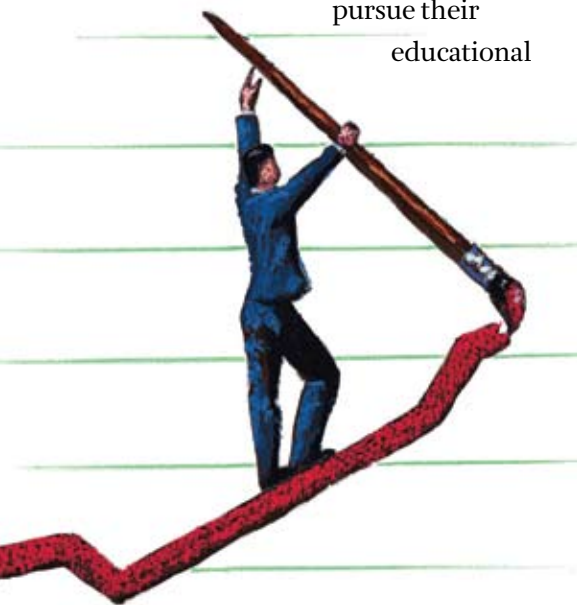
As members of the board, trustees collectively carry out the following key roles:

Establishing vision and climate. As members of the school board, trustees help establish the board's vision and climate. Through their consultative work with their community they contribute to the shaping of a vision for the board that is reflective of the input of parents, students and supporters of the board. They then work to develop a strategic plan and policies that build a climate that supports student success and emphasizes teamwork and shared accountability among board and school staff.

Planning, goal setting, and appraisal. Strategic planning is a key leadership responsibility of members of the school board. The Education Act requires boards to

have a multi-year plan that is directed at achieving the boards' goals in areas that include student achievement and well-being, capital planning, and parent engagement. This plan describes what the board hopes to achieve, what its priorities are and how it plans to meet its objectives. It is developed through a process that involves the board, the director of education, board staff, employee organizations, students and the community. It will have goals for each of the years of the plan, the board will review it annually with the director of education and it will be accessible to the public, usually through the board's website.

Policy making. 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. 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 board members 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 instructional material, student support services, administration of schools, staffing, and facilities and equipment.

Recruiting and reviewing performance of the chief executive. In many cases, trustees must recruit and hire a new director of education during their term of office. As a member of the board, a trustee participates in the evaluation of the performance of the director of education, who is ultimately responsible for carrying out the board-approved policies. (Greater detail is provided on p. 30-31)

Student achievement and well-being. The board is entrusted with the task of adopting policies that set clear expectations and standards for student achievement and that promote student well-being 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. School board trustees are ambassadors for student achievement and well-being in their local communities.

Allocating resources. The most visible and significant policy that the board will approve is the

annual budget. Board members participate in the budget process, ensuring that funding is aligned with board priorities and that all legislated 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.

Staffing. The director of education is the sole employee who reports directly to the board; recruitment and evaluation of staff is delegated through the director to the board's administrative leadership team. However, the school board is responsible for establishing policy governing all employment procedures, collective agreements, and other terms of employment.

School facilities. The board is responsible for all matters related 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.

Student supports. While school boards are primarily engaged in the provision of education services, they do so with regard for the promotion of student well-being. 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

AN EFFECTIVE SCHOOL BOARD:

- knows 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;
- functions 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; and
- ensures that local provincial and federal politicians understand local issues and needs, and encourages them to make education a high priority.

related to health, and student transportation are significant matters for the attention of school board members.

Communication. In carrying out its responsibilities, a board must engage in effective communication with school staff, students and their families, community members, and others. (See Chapter 12, Communications and Media Relations.)

Selecting and Reviewing the Performance of the Director of Education

Selecting a new director of education is perhaps the most important decision 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 student achievement priorities. When recruiting and selecting a new director, the board must look for the very best candidate and should ensure that there is an open, professional, confidential and objective competition which invites a broad range of candidates, both internal and external.

Effective boards spend time on planning for the succession of their chief executive officer, and expects the chief executive to develop informal and formal

succession plans for all key staff positions in the board. Conducting a search for a new director in today's market 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 must be matched with the board and the community. When the match is not good, everyone suffers and typically much time is wasted in managing difficult conflicts, leading to resignations, firings and expensive buyouts of contracts.

Annual review of the performance of the director of education is a legal requirement for Ontario boards. The performance review of the director should complement the annual review of the board's multi-year strategic plan and an annual review of the board's performance in its governance role.

Principles and Procedures to consider when designing a Selection Process

Experience and best practice suggest that the following principles and procedures should be considered when designing a selection process:

- The whole board must approve the appointment of the director by formal resolution. Most boards appoint an ad hoc Search Committee that

includes the chair (usually the spokesperson) and/or vice-chair and may include the whole board in some circumstances. The ad hoc search committee is given clear direction by the board and develops a detailed plan of action to conduct the selection process.*

- Consultation within the district is an important part of the process. The board should ensure that it gets a good sense of the strengths of the board as well as its challenges from various perspectives, including the senior team, employee groups, trustees, parent groups such as the Parent Involvement Committee and others and the broader community. It should also

determine the qualities and skills perceived as necessary for the next five years in the board.

- A clear description of the qualities and skills required by the board is developed and approved by the board as well as the key priorities the board wants the new director to accomplish (e.g. improvements in specific student achievement priorities, strong fiscal management, improved board-director relations, improved communication with the community and staff, improved labour relations). This description becomes the foundation of the process.
- 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 successful 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 should be carefully coordinated with the new director and the Communications Department of the board.

* EXECUTIVE SEARCH FIRMS

Boards are strongly advised to engage an executive search firm to advise and assist the board with the process. This allows the board to be fully engaged as governors and direction setters while a professional firm undertakes the planning and detailed work that constitutes an effective search for the very best director. Executive search firms assist the board by providing the time, staff resources and expertise to conduct a professional search, by recommending well tested, structured procedures to follow and by assisting the board to identify and describe its goals and preferences for the type of director it hopes to find. Specifically, an executive search firm will provide services which 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 and short listing, verification of resumes, detailed reference checks, follow up with candidates, interview format and questions for interviews, training regarding the interview process, assistance with the interviews, debriefing and contract consultation as requested. A search firm should also be able to guarantee to the board that it will not undertake any competing or conflicting searches which might have a negative impact on the ability to deliver the best possible candidates.

The best executive search firms have successful experience in the K-12 sector in Ontario, have outstanding credentials and references and excellent networks within Ontario and across the country to assist with the identification of potential suitable candidates.

- As previously noted, the whole board must approve the appointment of the director 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 and 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.

The Role of the Chair

Each year trustees elect from among themselves the trustee who will be chair of the board. There is 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.

Amendments to the Education Act in 2009 set out specific duties for the role of chair. These require the chair to:

- preside over meetings of the board
- conduct the meetings in accordance with the board's procedures and practices for the conduct of board meetings
- 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
- ensure that members of the board have the information needed for informed discussion of the agenda items
- act as spokesperson to the public on behalf of the board, unless otherwise determined by the board
- 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
- provide leadership to the board in maintaining the board's focus on the multi-year plan
- provide leadership to the board in maintaining the board's focus on the board's mission and vision
- assume such other responsibilities as may be specified by the board

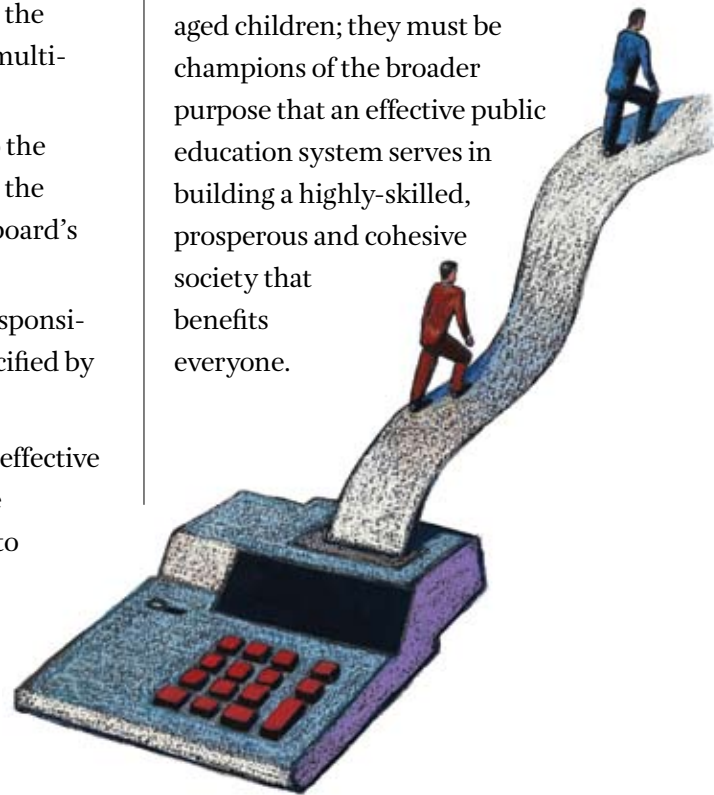
Clarity of roles is vital to effective governance and it will be important for the board to discuss and come to

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 and the board of trustees and the director of education.

The role of the chair, particularly with regard to chairing board meetings, is covered in greater detail in Chapter 7.

Effective Communication

Fulfilling their role as the elected representative of the community is challenging for school board trustees, particularly those serving large and/or diverse constituencies. Trustees must also take into consideration that not all their constituents have school-aged children; they must be champions of the broader purpose that an effective public education system serves in building a highly-skilled, prosperous and cohesive society that benefits everyone.



While democracy does not ensure that everyone will get exactly what they want, it does entitle everyone to a voice. Most boards allow groups and individuals to make written and oral submissions to the board. Trustees should encourage their constituents to take full advantage of these opportunities.

There are various ways to promote effective communication with the community, such as through school councils, parent involvement committees, community groups, parent organizations, public meetings, newsletters, the media, telephone, and the Internet. Networks with local business organizations including the Chamber of Commerce are also helpful. Regular dialogue will enhance a trustee's ability to represent constituents and help to build understanding and consensus in the community. Community input helps trustees to be clear about their communities'

concerns and priorities and to bring these forward as they contribute to board discussions and formulate workable solutions. (See Chapter 11, Working with School Councils and Communities.)

Advocacy Role of Trustees

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 that community when deciding what position to take on an issue. Trustees encourage constituents to participate in the school system. This aspect of their work can involve familiarizing people with the procedures for bringing their views before the board, such as through public or written submissions. As advocates for excellence in education, trustees may also act on constituent complaints or requests and help to find a resolution by working with appropriate board staff, usually the director of education. Boards should have a clear process that trustees can follow when they receive requests or complaints from their constituents. In addition, Catholic school trustees have a clearly defined role as stewards and guardians of Catholic education.

The trustee's role as an education advocate often extends beyond the boundaries of the district school

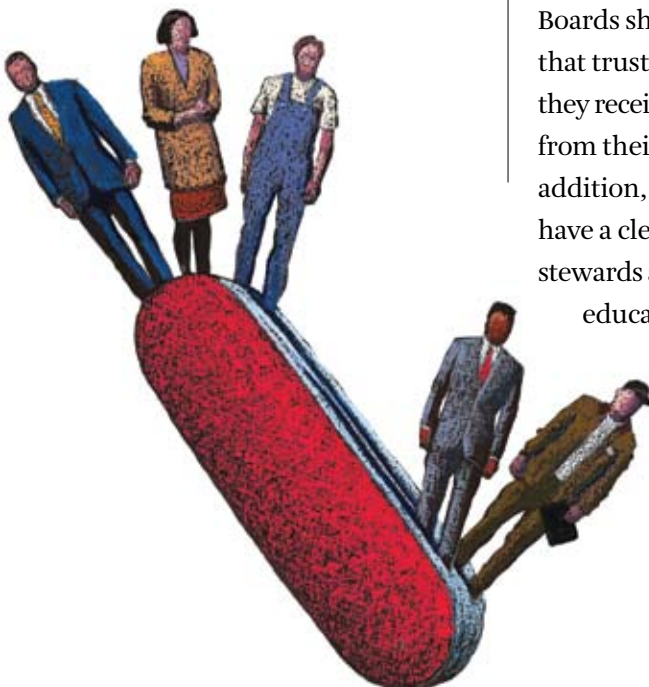
board. In the broader public domain, trustees are education advocates throughout the province and work with the provincial government in the interest of publicly funded education. They may liaise with members of the provincial government, the school system, and with local organizations or individuals in the community.

Policy Making

A policy is primarily 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. Procedures and protocols, which are usually administrative, spell out how things will be implemented.

Policy is intended to reflect the board's goals and philosophy, and provide standards to guide the school system. Policy provides overall direction for the system, a framework for the development of implementation plans, and administrative procedures and criteria to ensure accountability. 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.

Policy development is a key way in which trustees can affect the direction of education. This work is complex and requires a broad perspective, with the recognition that policies must be applied to



the whole board. In order to make effective policy, the needs and priorities of the whole community must first be assessed. This involves consultation with interested parties – including school councils, employee groups, and others – at all stages of the development process.

Creating good policy can be a long and intensive process, but the benefits justify the effort. With clear policy for reference, decisions are simplified and problems are more easily solved. Clear policy can, for example, facilitate consistent application in decisions where competing values are at play. There is greater stability and continuity for the school system at times of key staff turnover or when new trustees join the board. The ongoing monitoring and regular evaluation of policy ensures that it continues to fulfill its purpose.

As elected representatives, trustees are expected to develop public policy in an open and accountable way. The process for developing policy 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 the committee to help 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 important to consider a particular policy's effect on different groups and, where possible, to involve the major partners from the beginning. Partners, such as school councils, who have been meaningfully engaged in consultations are more likely to understand and support a board's decision. Public consultation on policy development is one important way that trustees serve their communities and ensure accountability to their constituents.

Policy decisions are not always unanimous. Trustees must use their broad range of backgrounds and viewpoints to determine a sound policy that is fair and considers the interests of all students within the jurisdiction of the board.

Trustees who disagree with a majority decision may enter a minority report, and they may inform their constituents of their opposition. However, once the vote has been decided, the new policy becomes the policy of the whole board and its implementation must be supported by all members of the board.

Financial Stewardship

School boards receive their funding from the province of

Ontario through an education funding formula. (This is set out in detail in Chapter 8.) Boards also have authority to pass bylaws to collect education development charges on new real estate developments under certain circumstances. Any revenues from this source must be applied to new school sites. Bylaws for education development charges are subject to the legislative framework laid out in Part IX, Division E, of the Education Act and Ontario Regulation 20/98.

Within the funding provided by the ministry it is the responsibility of trustees to develop a balanced budget that reflects the board's vision, is responsive to the needs of the community and supports the board's multi-year plan. While board administrators oversee day-to-day spending, the 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. Often board administrators and some community members participate on the budget committee. In some boards, trustees set the limits within which they want the budget developed and then ask administrators to prepare a plan.

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.

The fiscal year for school boards is September 1 to August 31, which coincides with the school operational year. Boards usually hold public consultations on budgets in March. However, budgets cannot be finalized until the government announces the Grants for Student Needs (GSN) for the year ahead. This announcement usually occurs towards the end of March each year.

In 2009-10, the Ministry of Education introduced funding to

support the creation of the audit committees and internal audit functions that boards are required to have. This approach facilitates an increased focus on transparency and accountability.

The internal audit function is responsible for looking at the efficacy of operations, the reliability of financial reporting, safeguarding assets, deterring and investigating fraud, and compliance with laws, regulations, policies and procedures. Internal auditors will report their findings to the audit committee during the fiscal year in order to help the school boards achieve their stated objectives.

Audit committees are comprised of trustee and non-trustee members who will assist the board of trustees to oversee and objectively assess the performance of the organization, its management and its auditors.

School Boards as Employers

The school board is the employer of all employees in its schools and in the board's administrative offices and holds staff accountable through its director of education and through its policies. The hiring, transfer, promotion, and termination of all school board staff are managed through the director of education and reported to the board of trustees. In some boards trustees may participate in interviews for the selection of superintendents and principals. For information on the roles of directors of education and

supervisory officers, and their working relationships with the board of trustees, see Chapter 1, An Overview of Ontario's Publicly Funded Education System.

There should be clearly defined relationships among the board of trustees, the director of education, and senior staff. The board of trustees depends on senior staff for information and educational expertise; the director of education and senior staff look to the board for vision, direction, and community input. In general, trustees are responsible for setting the overall direction for the board, while the director of education and senior staff are responsible for providing advice on, and implementing, board policies. Clear lines of communication that enable trustees, board administrators, and school staff to understand their respective roles are especially important in handling the concerns of parents and others in the community.

Other areas of responsibility related to a board's role as employer include workplace health and safety, adherence to human rights and equity policies, and collective bargaining (see Chapter 6 Legal Responsibilities and Liabilities, and Chapter 10, Collective Bargaining).

Director of Education

The director of education is the sole employee who reports directly to the board. The board of trustees is responsible for the recruitment, selection and

performance review of the Director of Education. As a matter of policy the board defines the responsibilities of the director as the Chief Executive Officer to take leadership in implementing the strategic directions and policies of the board and report regularly on their implementation to the board of trustees as the governing body.

With regard to performance review, the board and the director of education will have a mutual understanding of the performance outcomes expected of the director. These are grounded in the job description of the director and in his/her role for implementation of the board's multi-year plan.

A trusting, mutually respectful and cooperative relationship between the board of trustees and its director of education and a mutual understanding of their distinct roles lead to effective policy implementation and achievement of the board's goals.

Accountability

School boards are accountable for their fiscal and operational performance as boards, and for the academic achievement and well-being of their students. In addition, Catholic school boards have as their mission supporting an educational system that provides a focus on the person and message of Christ through the curriculum and life in its schools.

School board trustees are responsible not only for the

operational and pedagogical outcomes of Ontario's schools but must also ensure that these outcomes are effectively communicated to parents and the community. Further, where academic expectations are not met, school boards must explain to their constituents, or local board supporters, what steps are being taken to improve achievement outcomes. Board regularly post strategic goals and improvement plans on their websites.

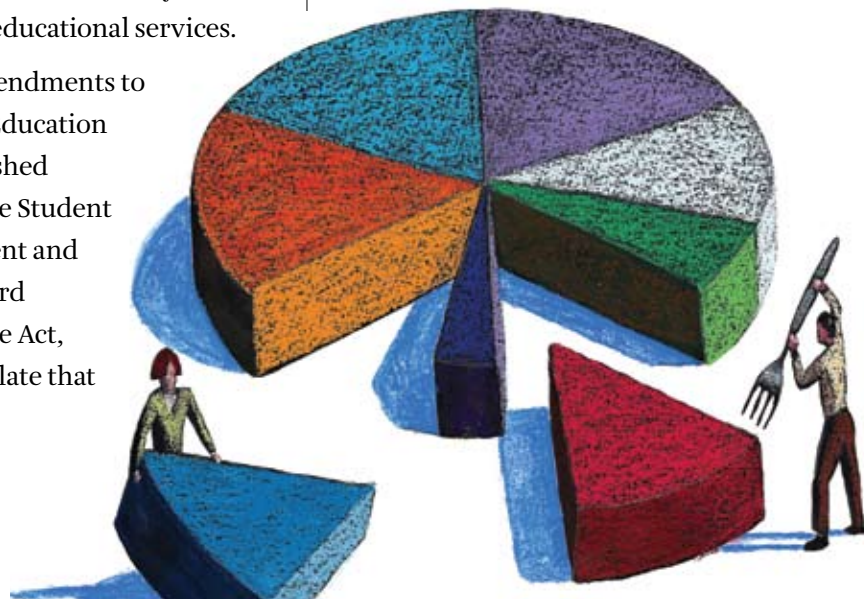
Legal Accountability

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 and refers specifically to their responsibilities in Section 218.1. 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.

Recent amendments to Ontario's Education Act established through the Student Achievement and School Board Governance Act, 2009 stipulate that

every school board shall:

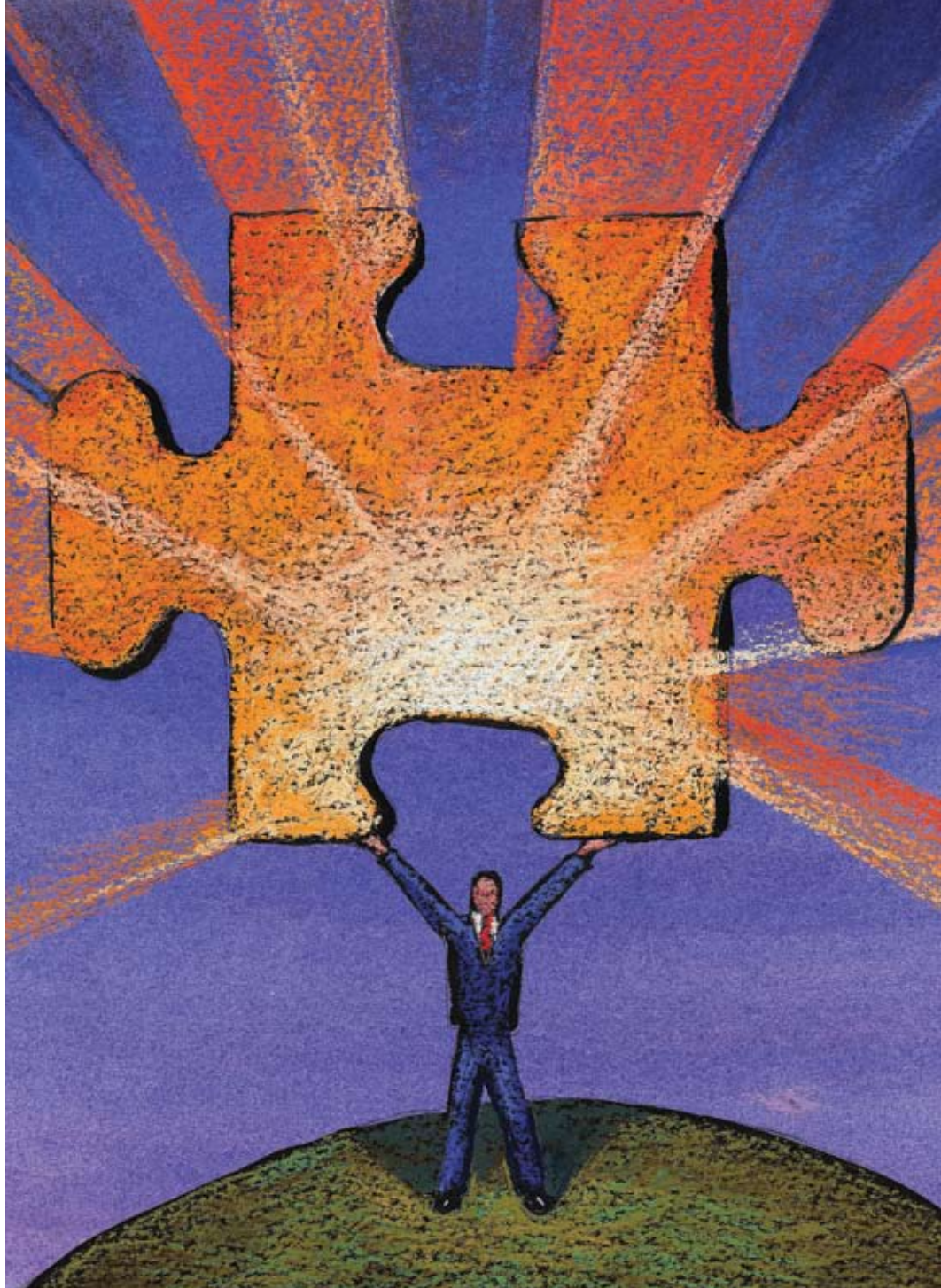
- promote student achievement and well-being;
- ensure effective stewardship of the board's resources;
- deliver effective and appropriate education programs to its pupils;
- develop and maintain policies and organizational structures that,
 - promote the board's goals and,
 - encourage pupils to pursue 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,
 - his or her 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.

Beyond these broad areas of accountability, the Education Act also spells out duties for school boards that include such obligations as effective operation of schools, setting the board’s budget, implementing the Ministry’s curriculum policies, and ensuring that appropriate staff are hired as required by schools. Boards will also make determinations about such matters as pupil transportation, school libraries, continuing education, and childcare facilities on school sites. Key sections of the Act that set out these duties are sections 170 and 171. Boards may pursue activities not explicitly addressed in the Act, but should seek a legal opinion before doing so.

In addition to their responsibilities under the Education Act, school boards must deal with the impact of many statutes administered by ministries other than the Ministry of Education. (See Chapter 6, Legal Responsibilities and Liabilities.)



Accountability for Strategic Planning

School boards must plan strategically for the educational, financial, and operational performance of the school system. This involves setting broad strategic directions that reflect the community’s expectations for high standards of student achievement and a focus on student well-being. The board’s multi-year plan, which is a legislated requirement, breaks down the strategic directions into specific year-by-year goals. The reporting processes that are part of the plan allow the board to assess its progress towards achieving the goals, review this annually with the director of education, make adjustments as necessary, and ensure, through its budget-setting processes that resources are appropriately allocated to align with the plan.

The Multi-Year Strategic Plan

Establishing and monitoring the implementation of the board's Multi-Year Strategic Plan (MYSP), with a budget that supports it, is a very important legislated responsibility of the board of trustees. The Education Act now requires boards to have a MYSP in place. The MYSP provides a compelling vision for the school district by establishing a small number of strategic directions for the board, with an emphasis on student achievement. The board of trustees is actively engaged in developing and confirming the strategic directions and in annually reviewing implementation of the plan.

A board's MYSP is its "face" to the community. It informs constituents what the board intends to achieve, what its priorities are and how it plans to achieve them. It reflects the vision for the board including its overall purpose (mission statement), beliefs, strategic directions and it establishes goals for a minimum of three school years. The local practices, traditions and cultures of boards will inform its goal-setting process.

While final decisions relating to the MYSP are the responsibility of the board of trustees, the plan is developed through a partnership involving the board of trustees, the director of education (and

staff) and the community. It may take several months to develop and should be the result of consultation. The public should have access to the board's MYSP. To promote community engagement and enhance accountability many boards also provide a more "user friendly" version of the MYSP on the board website, as well as the full plan with detailed implementation and operations plans.

The MYSP and its accompanying implementation and operations plans must address:

- student achievement and well-being
- effective stewardship of the board's resources
- the delivery of effective and appropriate educational programs

In establishing its student achievement goals, boards should be mindful of the provincial targets of 75% of students achieving at the provincial standard in Grade 6 and an 85% graduation rate for secondary students. While the goals are set for the end of the three-year period, the MYSP should also include what progress the board expects to make toward the achievement of these goals at the end of each of the three years.

The director of education is responsible for implementing the MYSP and for developing the plan

to implement the strategic directions. The director is also responsible for the variety of "operations" plans that are needed to run a complex school system effectively and efficiently. These flow from the strategic direction set through the MYSP. For example, the board Improvement Plan for Student Achievement, an annual operational plan that forms part of a board's literacy and numeracy strategy, sets out the steps that will be taken toward achieving the board's multi-year strategic direction for student achievement. (See Chapter 9, Curriculum, Student Achievement and Special Programs)

Directors are required to review the MYSP with the board each year. It is not, however, a "rolling" plan: in other words, the directions and goals do not change significantly from year to year. Annual adjustments in implementation actions and the resources to support these actions may be required, but the directions and goals will remain relatively fixed until the end of the three years, when a new MYSP is established.

(The OESC Training and Development Program for Boards offers a module that covers a recommended process and detailed requirements for the development of a MYSP. Skilled Facilitators are available through the Centre for Governance Excellence at OESC to assist boards in the development and review of the MYSP.)

Accountability for Student Achievement and Well-being

A school board must ensure that the provincial curriculum is implemented in its schools. As the representatives in their local jurisdiction, trustees consider the needs of their communities and ensure that programs and strategies are developed to address specific local needs. These can encompass programming for First Nation, Métis and Inuit students, for English Language Learners, for at-risk students, or areas such as early literacy and special education. In French language schools, programs and strategies will have a particular focus on protecting, enhancing, and transmitting the language and culture of the community. The board's multi-year strategic plan must address curriculum implementation, student achievement and well-being and include goals for improvement in these areas.

Through the director of education, school boards are also responsible for ensuring that provincial test results and other student performance indicators are considered in promoting student achievement at the school and board levels, and that tools such as board and school

improvement plans are in place, used effectively, and communicated to the public.

Political Accountability

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 community it serves. As democratically elected officials, trustees are accountable to their constituents.

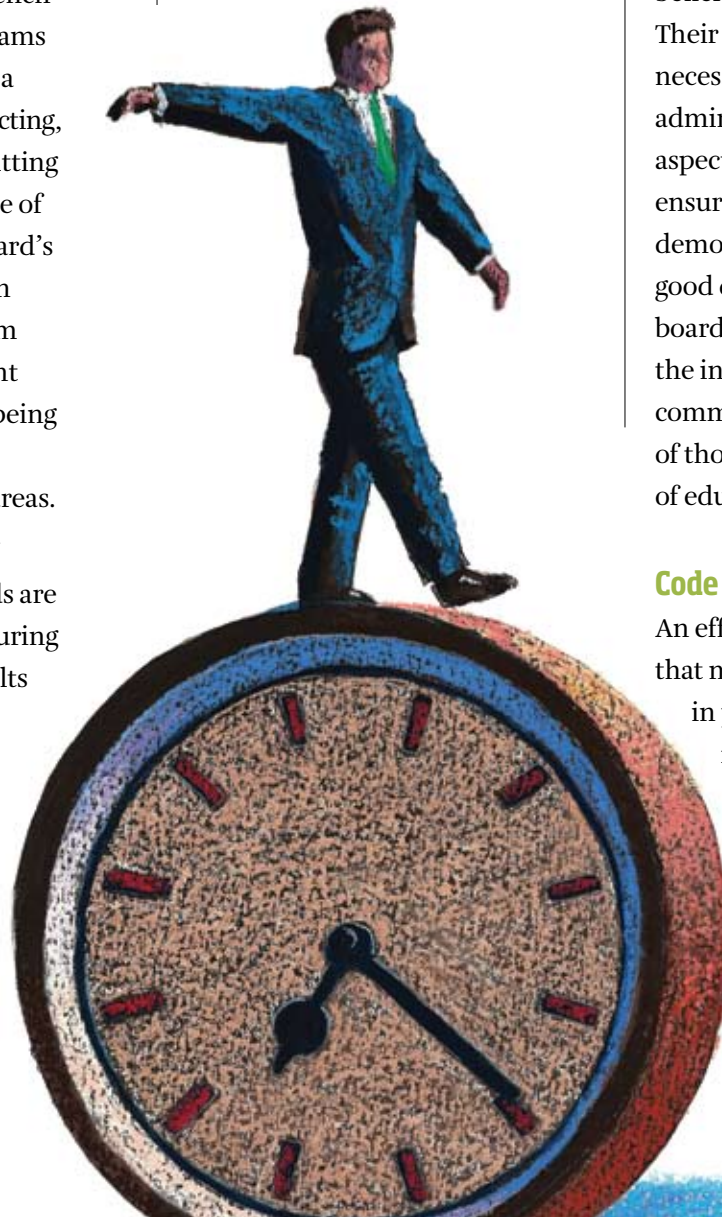
Individual trustees interpret “representing their community” in different ways. Some community

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 do 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 fulfills 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 ensures that board processes are democratic and contribute to good decision-making. The board is better able to balance the interests of the broader community and the interests of those involved in the delivery of education.

Code of Conduct for Trustees

An effective governance practice that many school boards have in place is a code of conduct for its members. Boards recognize that the public trust placed in them as a collective body is honoured through determining and enforcing norms of acceptable



behaviour. Codes of conduct cover such matters as integrity, guarding against conflict of interest, complying with legislation, maintaining confidentiality, respecting the decision-making authority of the board, and engaging in civil conduct in meetings that is respectful of all members of the board and that maintains public confidence.

Recent amendments to the Education Act [s21 8.3] provide a mechanism for a board to enforce its code of conduct. (See Chapter 6, Legal Responsibilities and Liabilities)

Although many boards have taken the initiative to establish a Code of Conduct, changes in the Education Act enable regulations requiring boards to adopt such a code. This regulation will also set provincial standards for the content of the code. Boards will be able to adopt additional provisions that address local concerns and reflect the mandate and vision of their board.

Codes of conduct are not intended to prevent individual trustees from expressing their opinions on issues under consideration by the board, nor are they intended to prevent the public from evaluating a board's decision-making procedures. Like any school board policy, codes of conduct are developed in consultation with all board members. They are intended to provide a common understanding with regard to

how to conduct the work of the school board with appropriate authority and integrity and, thereby, promote public confidence.

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 be knowledgeable about the school system and stay informed about the societal and global trends as well as the legal developments that have an impact on student achievement and well-being and on the many aspects of governing a school board. The pace of change has increased dramatically in the first decade 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 ways to keep up to date. Trustees can talk to qualified people or read education publications and periodicals or access relevant websites. Many boards have developed policies that provide for ongoing professional development for trustees and make funding available to support this. 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. (Appendices A to D provide specific information about each of the four school board associations.)

Through the Ontario Education Services Corporation, the four school board associations and the Council of Ontario Directors of Education have established a new Centre for Governance Excellence that offers boards a series of training modules that cover all aspects of school board governance. The insert at the end of Chapter 4 provides a summary of these professional learning modules.

Ontario Education Services Corporation Professional Development Program for School Board Trustees

OESC is a non-profit corporation jointly owned by all School Boards in Ontario whose mission is to provide outstanding services to all Boards at a reasonable cost. With support from the Ministry of Education, OESC has worked with its partner organizations to develop a series of professional development modules, including certification programs, that offer school trustees and their boards learning opportunities that are founded on:

- **A focus on the board's higher moral purpose: student achievement and well-being**
- **Building collective capacity**
- **Developing ethical leadership skills**
- **Understanding roles and responsibilities of the board, of its members and of its Director of Education**

The Ontario Education Services Corporation (OESC) is a partnership of:



**Education
that Connects**
Global Achievement
with Local Accountability

Association des conseils scolaires des écoles publiques de l'Ontario (ACÉPO)
Association franco-ontarienne des conseils scolaires catholiques (AFOCSC)
Ontario Catholic School Trustees' Association (OCSTA)
Ontario Public School Boards' Association (OPSBA)
Council of Ontario Directors of Education (CODE)

www.acepo.org
www.afocsc.org
www.ocsta.on.ca
www.opsba.org
www.ontariodirectors.ca

Centre for Governance Excellence

Professional Development Modules

Module 1:

Authentic Governance through Ethical Leadership

CORE

- Explores the components of ethical leadership and multiple facets of trustee role as leader. Highlights the key concepts of school board governance
- Illustrates the role of school boards as democracy in action

Module 2:

Raising the Bar: Governance and Student Achievement

CORE

- Establishes the path from effective school board governance to high levels of student achievement
- Focuses on principles and strategies that keep the governance focus on student achievement and well-being

Module 3:

Roles and Responsibilities

CORE

- Examines the complementary roles of the Board and Director of Education and the distinct responsibilities they undertake
- Explores the specific role of the Board Chair and of individual trustees

Module 4:

Relationships

CORE

- Focuses on winning dynamics in the key relationships among school board members, the Director of Education, the Chair, and the board's constituents
- Emphasis on building a successful board team and a leadership partnership with the Director

Module 5:

Performance review

- Illustrates role of effective and collaborative performance management in achieving goals, delivering results and building a strong leadership team

- Explores the essential components involved in evaluating both the performance of the Director of Education and the self-assessment of the board as a governing body

Module 6:

Multi-year Strategic Planning

- A practical exploration of the components of an effective strategic plan
- Engaging inclusive and consultative approaches to building the plan
- Effective approaches to evaluating the plan's progress and success

Module 7:

School Board's Role as Policymaker

- A practical discussion of what makes good policy
- Policy that keeps students at the centre
- Policy as an act of governance – differentiating from administrative procedures

Module 8:

Conflict Management

- Handling conflict to build trust and create greater group cohesion
- Increase individual facilitation skills
- Improve self-knowledge and practise techniques to resolve conflict and ease difficult situations

Module 9:

Family and Community Engagement

- Strategies to increase family involvement
- Effective School Councils and Parent Involvement Committees
- It takes a whole village – working with the board community

Module 10:

Advocacy Role

- Trustees as the voice of public education – advocating for student achievement and well-being
- Winning strategies to build public confidence and strengthen the advocacy role
- Influencing public policy and funding decisions – local democracy in action
- Building effective partnerships at all levels of government and within the education community

Module 11:

Conflict of interest; quasi-judicial hearings - Some legal aspects of governance

- The board member in position of public trust
- Being clear about conflict of interest and the trustee's obligations
- The trustee role in quasi-judicial hearings (student suspensions and expulsions)

Module 12:

Running Effective Meetings

- Run meetings that achieve the decision-making and policy development role of the board
- Engage with the public to demonstrate transparency and accountability
- Build public confidence through orderly and productive meetings



Module 13:

Finance

- An expert-led guide to the complexities of the provincial education funding model
- Understanding capital planning
- Effective budget development



Module 14:

Human Resources

- Exploring the role of the school board as employer
- Understanding employment law in the education context
- Collective bargaining in the public sector
- Health and safety in the workplace

School Board Capacity Building

The professional development framework for these 14 modules reflects the recommendations of the 2009 report *School Board Governance: A Focus on Achievement*. It offers all school board members a range of effective practices, strategies and skills to hone their capacity as leaders in the education sector.

The new **Centre for Governance Excellence** draws on the expertise of school board and director of education organizations to focus on effective practices in governance from the education and other sectors. The Centre researches, develops, delivers, evaluates and administers programs for Ontario's School Trustees and provides expert

facilitator services to boards to support them in auditing and reviewing current governance practices with the aim of identifying and implementing an exemplary model of governance. Further Programs and Modules will be developed over time.

The new Centre will be governed by a Board of Directors with membership from the 4 Trustee Associations and CODE, the Ministry of Education, recognized university business schools and other external governance experts. It will be administered by the Ontario Education Services Corporation (OESC).

Certification Courses

1 | Essentials of Good Governance for School Boards

One-day certificate program

Presented by a team including Team Leader from a recognized university business school

Content to cover the "essentials" from the core modules plus introductions to other modules

Certificates provided to participants who successfully complete the program

2 | Leading Board Committees

One-day certificate program

Presented by a team including Team Leader from a recognized university business school

Content to deepen the understanding of governance principles and the roles of Standing and Ad Hoc Committees

in the governance of a Board. A specific focus on the role of the Chair of a Committee, including the successful management of a committee, planning for a meeting, chairing well with effective meeting procedures, following-up and evaluating meetings, rules of order and reporting.

Certificates provided to participants who successfully complete the course

3 | Chairing a District School Board

Two to Three-day certificate program

Presented by a team including Team Leader from a recognized university business school

Content to deepen the understanding of governance principles and the leadership role of the Board Chair and Vice-Chair in the governance of a Board.

Certificates provided to participants who successfully complete the course

“THERE IS NO POSSIBILITY OF A BOARD'S GOVERNING WITH EXCELLENCE IN THE ABSENCE OF REGULAR AND RIGOROUS SELF-EVALUATION.”

CHAPTER 5:

First Nation Representation





In Ontario, First Nation students who live in First Nation communities attend schools in their own communities or the province's publicly funded schools. In 2009-10 approximately 13,000 First Nation students attended schools in their own communities and approximately 6,300 attended elementary and secondary schools in Ontario's publicly funded school system. Financial responsibility for the education of First Nation students resident in First Nation communities, whether they attend publicly funded schools or schools in First Nation communities, falls under the jurisdiction of Indian and Northern Affairs Canada (INAC).

First Nation students who live in First Nation communities and attend schools operated by a district school board or school authority do so under an education services or tuition agreement. These agreements are legal and binding and are usually negotiated by the school board and the First Nation community. The First Nation community will decide who will negotiate on their behalf; in some cases they will ask their First Nation Provincial Territorial Organization or Tribal Council to represent them. In a small number of cases INAC is directly involved in the negotiations process. The agreement between the board and the First Nation contains the details of the standard services that are provided to all students and other specific services to be provided to the First Nation students covered by the agreement. It also outlines the fees that the First Nation will pay to the Board for the education services provided.

Forty public and Catholic school boards in Ontario have tuition agreements with First Nation communities. As outlined in Ontario Regulation

462/97, "First Nations Representation on Boards", First Nation representation on a school board is determined first by the existence of one or more tuition agreements and then by the number of First Nation students attending the board's schools.

Historical Context

In the early 1950s, as a result of widespread criticism of the residential school system, the federal government changed its policy on First Nation education from one that segregated students and actively discouraged First Nations cultures to one that promoted the integration of students into provincial schools and mainstream culture. The shift in policy increased the role of the provincial government and reduced that of the federal government and the churches in the education of First Nation students. It also marked the beginning of the use of tuition agreements, with the agreements at that time being negotiated by the federal government, represented by INAC, and the school boards.

In 1972, the National Indian Brotherhood (now the Assembly of First Nations) responded critically to government policy and action on the education of First Nation students in its paper *Indian Control of Indian Education*. This policy document clearly called for local control of education by First Nations. It stated that, while financial responsibility for First Nations education would remain with the federal government, decisions about curriculum, language of instruction, cultural education, teachers, counsellors, and teacher training would be made by First Nations and parents of First Nation students.

Indian Control of Indian Education became the basis of the federal government’s policy on First Nation education in 1972. But, in practice, First Nations and parents of First Nation students experienced slow progress in gaining real influence over their children’s education. First Nations were not included in the negotiation of tuition agreements until 1990, and even then had little or no input. It was not until 1994 that the First Nation education authorities could participate in negotiating bilateral agreements with the school boards. In the same year, the federal government removed itself as a participant in the negotiations, except in rare situations. However, it remains responsible for funding the cost of education for students living in First Nation communities.

First Nation communities operate a significant number of schools and alternative education programs and the majority of these are at the elementary level. In addition, there are currently six federally administered schools for Grades 1 to 8 in Ontario. One is on the Tyendinaga Reserve, near Belleville; the other five are on the Six Nations of the Grand River Reserve, near Brantford.

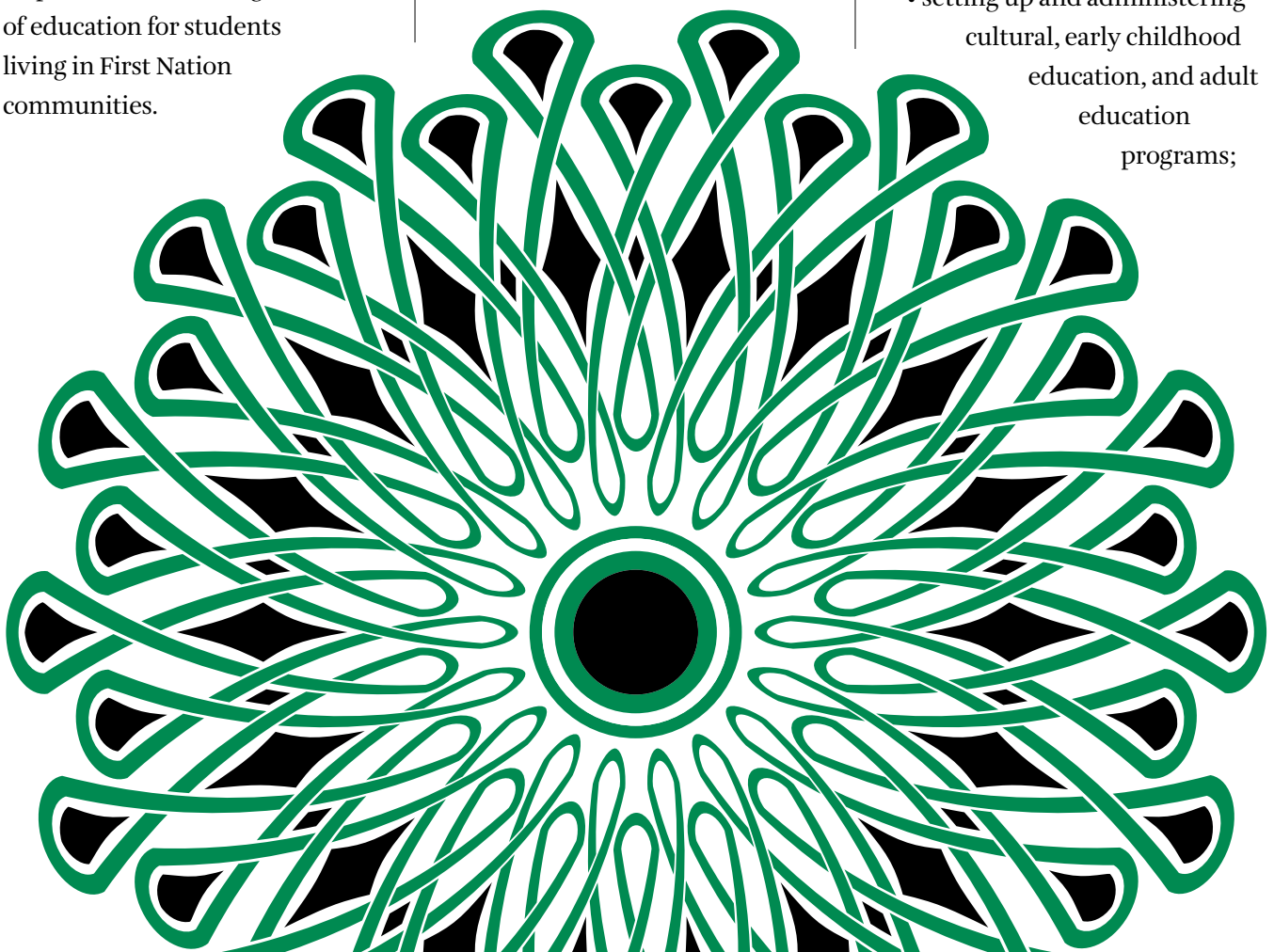
First Nation Education Authorities

Their presence as equal partners in the negotiation of tuition agreements gave First Nations greater control over the education of their school-aged children. In

1988, First Nation band councils in Ontario began to establish local education authorities – which in many cases identify themselves as boards of education – to administer education for their school-aged children.

In addition to negotiating the tuition agreement, the education authority has a wide range of responsibilities within its jurisdiction. These responsibilities include:

- staffing (hiring teachers, including Native-language teachers; administrators; and support staff);
- managing budgets;
- determining the curriculum;
- evaluating educational programs;
- setting up and administering cultural, early childhood education, and adult education programs;



- setting up and administering counselling services;
- providing secondary support services and support budgets;
- distributing financial assistance for postsecondary education; and
- operating and maintaining school buildings.

Education Services (Tuition) Agreements

Section 188 of the Education Act permits school boards to enter into agreements with a band council, an education authority, or INAC. The tuition or education services agreement is, essentially, a purchase-of-service contract stating that the school board will, for an agreed-upon fee, provide accommodation, instruction, and special services to First Nation students. Education services agreements can vary, depending on the types of services and programs that the First Nation community and the board agree should be provided. Once the education services agreement is in place, the board is committed to providing the programs and services in the agreement.

Beyond the contractual obligations, however, the board has a general obligation to provide:

- educational services on par with the general provincial standards;
- an educational environment and teaching staff that respects First Nation, Métis, and Inuit cultures;

- First Nation, Métis, and Inuit cultural-specific programs;
- consistent and timely reporting to the First Nation education authority; and
- First Nation involvement in schools attended by First Nation students.

Section 185 of the Education Act permits school boards to enter into agreements with a band council or Native education authority regarding the admission of board pupils to an elementary Native school. These arrangements are commonly known as reverse tuition fee agreements.

Recommendations from the Report of the Royal Commission on Aboriginal Peoples

The Report of the Royal Commission on Aboriginal Peoples, released in 1996, recommended that “provincial ministries require school boards serving Aboriginal students to implement a comprehensive Aboriginal education strategy, developed with Aboriginal parents, elders and educators”.⁶

The report also recommended that boards:

- provide a curriculum for all subject areas that includes the perspectives, traditions, beliefs, and world view of Aboriginal peoples;⁷
- provide teaching staff who are responsive to the needs of First Nation students (and seek teachers who are of First

Nation ancestry, especially for secondary schools);

- involve First Nation elders in school; hire First Nation support staff for administrative and leadership positions, and
- hire a First Nation education counsellor or liaison officer; provide mechanisms for family and community involvement;
- provide mechanisms for accountability to parents and the First Nation community; and
- include education programs that combat stereotypes, racism, and prejudice.⁸

The Role of School Boards

Beyond the contractual obligations boards have under education services agreements, the opportunity is available to them to play a significant role in developing education programs that meet the unique needs of First Nation, Métis, and Inuit students at both the elementary and secondary levels. The opportunity also exists to create education programs for all students which highlight the benefits for them, their communities and society as a whole, of learning experiences that draw on the rich cultures, histories, perspectives and world views of First Nation, Métis, and Inuit peoples. The First Nation, Métis and Inuit Education Policy Framework introduced in 2006 sets out objectives and strategies

that boards are required to implement. (See below.)

The Role of First Nation Trustees

Section 188 (5) of the Education Act allows for a regulation to provide First Nations representation on school boards. Ontario Regulation 462/97, “First Nations Representation on Boards”, sets out the conditions governing the number of First Nation trustees that boards which have one or more tuition agreements in place can appoint. These are:

- Where the number of First Nation students enrolled in the schools of the board is fewer than the lesser of 10 per cent of the average daily enrolment and 100, the board has the discretion of appointing a First Nation trustee to the board.
- Where the number of First Nation students enrolled in

the schools of the board is more than 100, the First Nation(s) may name one person and the board shall appoint that person to be a member of the board.

- Where the number of First Nation students exceeds 25 per cent of the average daily enrolment of the board, the First Nation(s) may name two persons and the board shall appoint those persons to be members of the board.

A person appointed to the board to represent the interests of the First Nation students is deemed to be an elected member of the board, with all the rights and responsibilities of the position.

The role of all trustees is to help create the vision and set the strategic direction that will guide the board and its schools. As the representative of First Nation students, the First Nation trustee is in a unique position to ensure that First Nation culture is part of that vision and that the strategic direction of the board includes the interests of First Nations.

The First Nation trustee is responsible for:

- monitoring the negotiation of the education services agreement;
- ensuring that the actions of the board reflect the education services agreement;
- ensuring that both parties to the agreement are fulfilling their obligations;

- ensuring that mechanisms are in place for effective accountability to the First Nation community;
- ensuring a high-quality academic and cultural education for First Nation students; and
- ensuring that First Nation students are free from any expression of racism and harassment as students of the board’s schools.

The First Nation trustee is also in a position to encourage the involvement of the parents and the First Nations communities in their students’ education. Such encouragement would support the recommendation in the Report of the Royal Commission on Aboriginal Peoples that “all schools serving Aboriginal children adopt policies that welcome the involvement of Aboriginal parents, elders and families in the life of the school – for example, by establishing advisory or parent committees, introducing teaching by elders in the classroom, and involving parents in school activities.” (See Note 9 on page 138) This value is also embedded in Ontario’s First Nation, Métis, and Inuit Education Policy Framework.

Some tuition agreements also specify First Nation representation on the school board’s Special Education Advisory Committee (SEAC). Where a First Nation trustee is required by regulation to be a member of the board, the



SEAC must also have one or two First Nation members to represent the interests of First Nation students. As well, a large number of school boards have established First Nation advisory committees to provide a forum for discussing First Nation education issues (see “Models for First Nation Representation” below). In these committees, the First Nation trustee is usually the chair or co-chair, and membership includes a representative from each First Nation that has students in the board’s schools.

Models for First Nation Representation

A number of Ontario school boards have, for many years, had strong structures in place to ensure vibrant First Nation representation. With the inception of the Ontario First Nation, Métis, and Inuit Education Policy Framework effective practices have grown and are well-established in many more boards. Examples include:

- Algoma District School Board and Huron-Superior Catholic District School Board have formed an Aboriginal Education Committee whose mandate includes improving student achievement, increasing cultural awareness, sharing resources and promoting and strengthening respectful meaningful partnerships with Aboriginal communities.



- District School Board Ontario North East has an active First Nations Education Committee which provides advice to the Board on programs and services related to students from First Nations communities.
- Dufferin-Peel Catholic District School Board and Peel DSB are partners in a Region of Peel Aboriginal Steering Committee that includes representatives from many community organizations and provides opportunities to discuss educational issues and educational programming in the region.
- Lakehead District School Board has established an Aboriginal Education Advisory Committee and developed a range of resources including “Aboriginal Presence in Our Schools: a Guide for Staff.”
- Rainbow District School Board has strong initiatives in place and its First Nation Advisory Committee includes members from the eleven First Nations in the district.
- Thames Valley District School Board has a First Nations Advisory Committee which makes recommendations to the Board, provides a forum to share issues or concerns with regard to programs and services, and celebrates the accomplishments of the First Nation students in the board’s schools. The Board also has a First Nation, Métis and Inuit Student Advisory Council which focuses on communications, FNMI perspectives within the curriculum and extracurricular activities, course selection and encouraging First Nation, Métis and Inuit students to challenge themselves.

Ontario's First Nation, Métis, and Inuit Education Policy Framework

The Ministry of Education released its First Nation, Métis, and Inuit Education Policy Framework in 2007. (See Note 10 on page 138) This Policy Framework sets out objectives and strategies designed to meet two primary challenges by the year 2016 – to improve achievement among First Nation, Métis, and Inuit students and to close the gap between Aboriginal and non-Aboriginal students in literacy and numeracy, student retention, graduation rates, and advancement to postsecondary studies.

The framework clarifies the roles and relationships among the ministry, school boards, and provincially funded elementary and secondary schools in supporting First Nation, Métis and Inuit students to achieve their educational goals and in closing the gap in academic achievement with their non-Aboriginal counterparts by 2016.

The introduction to the framework describes its directions as follows:

“The strategies outlined in the framework are based on a holistic and integrated approach to improving Aboriginal student outcomes. The overriding issues affecting Aboriginal student achievement are a lack of awareness among teachers of the particular learning styles of Aboriginal

students, and a lack of understanding within schools and school boards of First Nation, Métis, and Inuit cultures, histories, and perspectives. Factors that contribute to student success include teaching strategies that are appropriate to Aboriginal learner needs, curriculum that reflects First Nation, Métis, and Inuit cultures and perspectives, effective counselling and outreach, and a school environment that encourages Aboriginal student and parent engagement. It is also important for educators to understand the First Nations perspective on the school system, which has been strongly affected by residential school experiences and has resulted in intergenerational mistrust of the education system. It is essential that First Nation, Métis, and Inuit students are engaged and feel welcome in school, and that they see themselves and their cultures in the curriculum and the school community.”

Since it was released in 2007, intensive and successful efforts, supported by Ministry funding, have been made in school boards across the province to move towards realization of the objectives of the policy framework. A holistic and integrated approach is required in order to improve Aboriginal student outcomes. Factors that contribute to student success include teaching strategies that are appropriate to Aboriginal learner needs, curriculum that reflects Aboriginal cultures and perspectives, effective counselling

and outreach, and a school environment that encourages Aboriginal student and parent engagement.

Resources on First Nation Representation

The legislation concerning First Nation representation on school boards is found in Section 188 of the Education Act and in Ontario Regulation 462/97, “First Nations Representation on Boards”. More information on First Nation representation can be found at the Indian and Northern Affairs Canada website, at www.inac.gc.ca, and in the following publications:

- Canada, The Report of the Royal Commission on Aboriginal Peoples, Volumes 1–5, 1996.
- Chiefs of Ontario, The New Agenda: A Manifesto for First Nations Education in Ontario, available at <http://www.chiefs-of-ontario.org>.
- Education Improvement Commission, Best of Effective Practices: Progress Review of Ontario's New District School Boards, April 2000.
- Ontario First Nation, Métis, and Inuit Education Policy Framework, 2007 at <http://www.edu.gov.on.ca/eng/aboriginal/fnmiFramework.pdf>
- Ontario Public School Boards' Association, School Boards/ First Nations, Tuition Agreements Resource Manual, (Revised version due for release in late 2010).



CHAPTER 6:

Legal Responsibilities and Liabilities

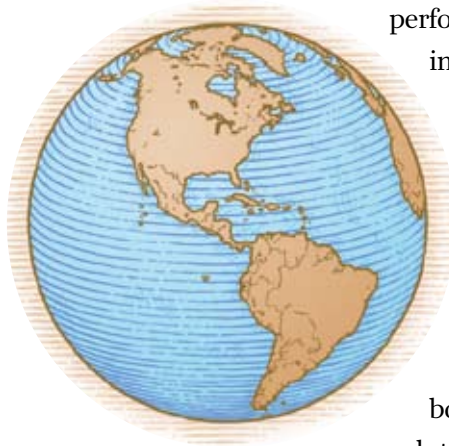


Note: This handbook can provide only a basic introduction to the legal issues that affect trustees and school boards. The following information is not conveyed as legal advice and should not be acted on without first consulting legal counsel.

School boards are responsible for local governance of the delivery of education services in Ontario. This is a vital service in our society and one which employs a great many people. It is not surprising then that school boards are subject to a wide range of legal obligations and responsibilities, arising from both legislation and common law (court rulings).

Ontario's Education Act is the primary statute governing elementary and secondary education in the province. Particular sections of the Act are referred to in squared brackets throughout this handbook. Other Acts that significantly affect school board operations include:

- Accessibility for Ontarians with Disabilities Act
- Child and Family Services Act
- Education Quality and Accountability Office Act
- Employment Standards Act
- Immigration Act (Canada)
- Immunization of School Pupils Act
- Labour Relations Act
- Municipal Act, 2001
- Municipal Conflict of Interest Act
- Municipal Elections Act, 1996
- Municipal Freedom of Information and Protection of Privacy Act
- Occupational Health and Safety Act



- Ontarians with Disabilities Act
- Ontario College of Teachers Act
- Ontario Human Rights Code
- Pay Equity Act
- Planning Act
- Public Inquiries Act, Part II
- Sabrina's Law, 2005 (an Act to Protect Anaphylactic Pupils)
- Statutory Powers Procedure Act
- Teaching Profession Act
- Trespass to Property Act
- Youth Criminal Justice Act (Canada)

Statutory Duties and Powers of School Boards

The Education Act sets out the duties and powers of school boards.

Sections 169.1 and 170 of the Act outline the duties of school boards in Ontario. Failure by a board to perform any one of these duties may result in that board's liability to third parties who are in some way damaged by the board's act of omission.

Sections 171 to 197 outline various powers that school boards may exercise. Failure by a board to exercise any of these powers will not create any liability. However, once a board undertakes any such power, it has a duty to exercise reasonable care and skill in the performance of that power, and failure to do so could result in the board's liability to third parties to whom the duty of care extends for any damages sustained.

A school board may face liability if it inadvertently or intentionally acts beyond the scope of its legal authority. For example, a ratepayers' group may appeal to the court to quash a decision of a school board on the grounds that the board lacked proper jurisdiction.

School Board Policies and Liability

To reduce the risk of liability, school boards should establish clear and accessible policies, especially in certain critical areas:

- field trips
- medicine administered to pupils by school staff
- school dances
- student transportation provided by the board or school
- use and possession of drugs and alcohol
- school violence
- trespass on property
- human rights including religious accommodation
- child abuse
- expulsions
- suspensions

Board policies should be reinforced clearly by operational procedures and standards at the board level and in each school.

Standard of Care for Students

A school board and its employees or volunteers are expected to provide the same standard of care for students as would be provided by a reasonably careful or prudent parent in the circumstances. This

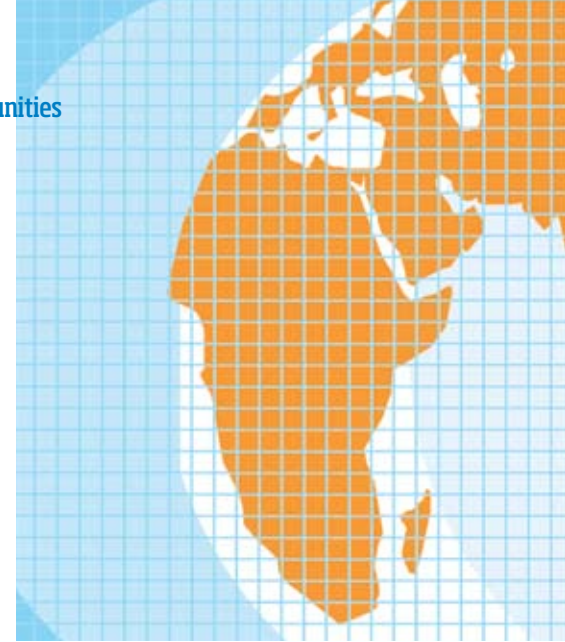
is commonly referred to as the “Reasonably Prudent Parent Doctrine.” The duty of care is to protect the student from all reasonably foreseeable risks of harm. The precise degree of care required in any given case will vary with the particular facts, which may include:

- the number of students being supervised at any given time;
- the nature of the exercise or activity in progress;
- the age of the students, and the degrees of skill and training they may have received in connection with such activities;
- the competency and capacity of the students involved; and
- the nature and condition of the equipment in use at the time.

Negligence

Generally, if a student is injured, the school board will be found liable for that injury if the court determines that all of the following conditions apply:

- There was a duty of care owed by the school authorities to provide adequate supervision and protection of its students.
- The school authorities breached that duty of care by either failing to supervise or protect the student or were otherwise negligent (intentionally or unintentionally).
- The student suffered actual damage or loss.



- The breach of that duty of care was the cause of the student's injury.

Vicarious Liability

It is important to note that a school board may be considered vicariously liable for all acts of negligence performed by its employees and volunteers acting within the scope of their employment or authority. In the case of a principal or teacher, liability flows to the corporate board.

Standard of Care Requirements for Principals and Teachers

In addition to the requirement of adhering to the common law standard of care of the careful or prudent parent, principals and teachers also have statutory duties under the Education Act [s. 264 and s. 265] and Regulation 298. Principals' and teachers' performance of statutory duties must be monitored to determine whether their performance creates a standard of reasonable conduct. Violation of a statute is



only evidence of negligence and does not necessarily prove negligence.

Personal Liability of Trustees

Generally, with the exception of subsections 198(4), 230.12(3) [Part VIII], 253(6), and 257.45(3) of the Education Act, trustees will not be found personally liable for their inadvertent acts and omissions as trustees, as long as they act within the scope of their authority.

Trustees have been held personally liable where their actions either were considered to be in wilful disregard of the provisions of the governing legislation or were not performed honestly, conscientiously, or in good faith.

Subsection 198(4) of the Education Act establishes that a trustee of a board is personally liable if a school board, of which he or she is a member, refuses or neglects to take proper insurance on the treasurer, or other persons to whom it entrusts board money, if any of the money is lost because the board did not obtain insurance.

A trustee is not liable if he or she can prove that he or she made reasonable efforts to obtain such insurance. The lost monies may be recovered by the school board, or by any ratepayer, assessed for the support of the schools under the jurisdiction of the board, who sues personally and on behalf of all other such ratepayers.

Subsection 253(6) of the Education Act provides that any trustee who refuses or neglects to provide to an auditor of the school board:

- access to the records of the school board;
- information; or
- an explanation

as required by subsection 253(5), is guilty of an offence and, on conviction, is liable to a fine of not more than \$200. However, no trustee is liable if the trustee proves that he or she has made reasonable efforts to provide the access or the information or the explanation.

Finance

One of the most significant responsibilities of the board of trustees is to set the board's budget each year. While the ministry provides the grants used to support their local education system, trustees must work with the dollars provided and, in accordance with statutory requirements, develop a budget that best suits the programs and services offered in their communities. In order to set policies and approve the final

budget, all trustees must understand Part IX of the Education Act. This sets out complex rules on the funding of education, and on the borrowing and investment activities of school boards.

The Education Act requires that boards set only balanced budgets [s. 231(2)]. The penalties for failing to do so, which can be severe, are laid out in Division D of Part IX of the Education Act. Division D permits the Minister of Education to appoint an investigator (auditor) to investigate the financial affairs of a school board under certain circumstances. These are:

- Financial statements indicate that the board operated on a deficit;
- Failure to pay any debentures;
- Defaulting on debts or other financial liabilities; or
- The Minister has concerns about the board's ability to meet its financial obligations.

Ultimately, Division D permits the Minister to issue orders, directions, and decisions relating to the affairs of the board, and even to assume complete control over all the board's affairs.

Subsection 257.45(3) provides that a trustee is personally liable if all of the following conditions apply:

- the board is subject to an order under subsection 257.31(2) or (3) (Division D);
- the board uses any of its funds contrary to the Minister's orders; and

- the trustee voted for that use of funds.

A trustee who voted to use funds in a way that contravenes an order is jointly and severally liable for the amount used, and those funds may be recovered through a court action.

Compliance with Board Obligations

The Education Act also contains provisions for the use of ministerially ordered investigations into non-financial matters [Part VIII, Compliance with Board Obligations]. The Minister of Education has the authority to direct an investigation into general school board operations, including program and curriculum matters, class size, trustee compensation, items that promote provincial interest in education, and spending [s. 230].

Such an investigation could result in a finding of non-compliance and lead to either the Minister's issuing a direction to the board to address the non-compliance (or the likelihood of non-compliance), or in the ministry's taking control of the board's affairs; this could involve the appointment of a supervisor.

Where the Minister has issued a direction, and he or she is of the opinion that the board has failed to comply with a direction, the Lieutenant Governor in Council can grant a vesting order giving the Minister control over the administration of all board affairs.

The Minister would maintain control until the board is in compliance.

As is the case with s257.45(3) described previously, under s.230.12(3) any trustee who votes to use funds in a way that contravenes an order is jointly and severally liable for the amount used, and may face court action for recovery of the funds.

Provincial Interest Regulation

In accordance with Ontario Regulation 43/10 known as the Provincial Interest in Education Regulation, the Minister may provide for a review of the performance of a school board, if the Minister has concerns regarding the performance of a school board with respect to the following areas:

- academic achievement of students;
- student health and safety;
- good governance of the school board;
- performance of the board and of the director of education in carrying out their responsibilities under the Education Act; and
- parent involvement

The review process would result in a report to the Minister. The board would be consulted about this report which could result in the Minister making recommendations to the board to address concerns that have been reviewed. The Minister would likely not consider board supervision

pursuant to section 230, unless a school board refuses to or does not fully participate in a review process, or refuses to give full and fair consideration to recommended changes arising out of the review.

Conduct of Trustees

Bill 177, Student Achievement and School Board Governance Act, 2009 amended the Education Act to include duties of individual trustees [s.218.1]. This section provides that a trustee shall:

- carry out his or her responsibilities in a manner that assists the board in fulfilling its duties under the Act, the regulations and guidelines issued under the 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, and
- comply with the board's code of conduct

Code of Conduct

Although many boards currently have a Code of Conduct, there is now a regulation pending that would enable the setting of provincial standards for a code of conduct and require boards to adopt such a code. A school board may add additional requirements.



Enforcement of Code of Conduct

The enforcement provisions relating to a trustee code of conduct are in the Education Act [s.218.3]. A trustee who has reasonable grounds to believe that another trustee has breached the board's code of conduct may bring the alleged breach to the

attention of the board of trustees.

If a board of trustees determines that a trustee has breached the board's code of conduct, the board of trustees may impose one or more of the following sanctions:

- censure
- bar the trustee from attending all or part of a meeting of the board or meeting of a committee of the board, or
- bar the trustee from sitting on one or more committees of the board, for the period of time specified by the board.

Duties of Board Chair

The 2009 amendments to the Education Act also set out the following additional duties of the chair of a school board:

- preside over meetings of the board
- conduct the meetings in accordance with the board's procedures and practices for the conduct of board meetings
- 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
- ensure that members of the board have the information needed for informed discussion of the agenda items
- act as spokesperson to the public on behalf of the board, unless otherwise determined by the board

- 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
- provide leadership to the board in maintaining the board's focus on the multi-year plan
- provide leadership to the board in maintaining the board's focus on the board's mission and vision, and
- assume such other responsibilities as may be specified by the board

Duties of Director of Education

Trustees should be aware of the director of education's duties under the Education Act. In particular, subsection 283.1(1) requires a director of education, immediately upon discovery, to bring to the attention of the board of trustees 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 the Education Act, or any policy, guidelines or regulation made under the Act.

Trustees should note as well that if a board of trustees does not respond in a satisfactory manner when an act or omission is brought to its attention, a director of education has the duty to advise the Deputy Minister of Education of the act or omission.

Confidentiality and Privacy

The Municipal Freedom of Information and Protection of Privacy Act

School boards are subject to the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA). This Act provides that every person has a right of access to recorded information in the custody, or under the control, of a school board unless the information falls within one of the limited and specific exemptions listed in the Act.



In addition, the Act protects the privacy of individuals with respect to personal information, as defined in MFIPPA, that is held by school boards, and provides those individuals with a right of access to their information. MFIPPA governs the collection, use, and disclosure of personal information by boards. Of necessity, school boards have large volumes of personal information pertaining to both employees and students. All school board officials and employees, including trustees, should familiarize themselves

with the basic provisions of MFIPPA to prevent inadvertent violation of the statute. Any person found guilty of wilfully contravening the Act, as set out in section 48, is liable to a fine not exceeding \$5000.

Every school board may designate, in writing, an individual trustee or a committee of trustees to act as “head” of the school board for the purposes of MFIPPA. In the absence of such a designate, the school board is the “head.” The head usually then delegates its powers or duties under the Act to officers of the school board who carry out the day-to-day management of the matters covered by MFIPPA.

Confidentiality of Student Records

The Education Act requires the principal of a school to establish and maintain an Ontario Student Record (OSR) for each student enrolled in the school. The contents of that record are specified in Ministry of Education guidelines.

In addition to the protection of confidentiality of the OSR offered by MFIPPA, section 266 of the Education Act establishes that the OSR information is privileged for the information and use of supervisory officers, principals and teachers of the school for the improvement of instruction of the student, and should not be disclosed to anyone else, including a court of law, except in

certain limited circumstances.

As of September 2003, each student of a board is assigned an Ontario Education Number (OEN). This number is the key identifier on the OSR. It follows the student throughout his or her elementary and secondary education, making it easier to keep reliable records on the movement and progress of individual students while also protecting their privacy. The OEN is used on:

- student records (the OSR and other related forms);
- applications for enrolment into specific programs, schools, or institutions; and
- provincial assessments, tests, and evaluations of the student’s achievement.

The data gathered through the use of OENs allows the ministry to evaluate the implementation of new initiatives, identify areas that require improvement, and analyze trends and identify future needs.

The collection and use of personal information about students through the OEN complies with the provincial Freedom of Information and Protection of Privacy Act.

The Youth Criminal Justice Act

In April 2003, the Youth Criminal Justice Act (YCJA) came into force, replacing the former Young Offenders Act. The YCJA applies to persons between the ages of 12 to 17 inclusive.

The YCJA establishes that no person shall publish by any means the name of any young person or child, or any information that could identify such person as the offender, victim, or witness concerning an offence committed, or alleged to have been committed, by a young person. This includes any report concerning the hearing, adjudication, disposition, or appeal with respect to such an offence.

The Act provides an exception to the non-disclosure of the identity of the young offender where the young person has received an adult sentence. The Act also allows for disclosure where a Youth Court judge has ordered such disclosure, or where the provincial director, a youth worker, a peace officer, or any other person engaged in the provision of services to a young person determines that it is necessary to disclose the identity of the young offender to a representative of a school board or school to ensure the safety of staff, students, or other persons, to facilitate rehabilitation of the young person, or to ensure compliance with a court order.

The representative of the school board or school who receives this information may subsequently only disclose that information to other persons as is necessary to ensure the safety of staff, students, or other persons.

Any person to whom this information has been disclosed must:

- keep the information separate from any other record of the young person to whom the information is related (including the OSR);
- ensure that no other person has access to the information; and
- destroy the information when the information is no longer required for the purpose for which it was disclosed.

This means that school board officials must be very careful not to identify any young person or child connected with an offence to anyone – including students, parents of other students, the community, or the media – except as specifically authorized by the YCJA or a court.

Safe Schools

School safety is a fundamental prerequisite for student success and academic achievement. School boards and schools play an important role in providing a safe and respectful environment in which students can develop and learn.

Behaviour and Discipline

The Education Act sets out specific obligations for school boards with respect to behaviour, discipline and safety of students. The provincial Code of Conduct sets the standard of behaviour for all persons in schools.

The Act clearly identifies:

- Activities that must be considered for suspension or expulsion of a student;

- Who has the authority to suspend or expel a student;
- The mitigating and other factors to be taken into account when considering suspension or expulsion decisions.

Conducting a Suspension Appeal/ Expulsion Hearing

The Education Act states [s. 302(6)] that a board shall establish policies and guidelines governing appeals of a decision to suspend a pupil, principals' investigations to determine whether to recommend that a pupil be expelled, and expulsion hearings. The Act also requires that the policies and guidelines address such matters and include such requirements as specified by the Minister.

The board may authorize a committee of at least three members of the board to exercise and perform powers and duties on behalf of the board and may impose conditions and restrictions on the committee.

Suspension

The following persons may appeal, to the board, a principal's decision to suspend a pupil:

- the pupil's parent or guardian, unless the pupil is at least 18 years old, or is 16 or 17 years old and has withdrawn from parental control
- the pupil, if the pupil is at least 18 years old, or is 16 or 17 years old and has withdrawn from parental control

- such other persons as may be specified by board policy.

Every board shall designate a supervisory officer for the purposes of receiving notices of intention to appeal a suspension. The board shall hear and determine the appeal of a suspension and the decision of a board on an appeal is final.

Appeals of suspensions are conducted by the board in accordance with the board’s developed procedures.

Expulsion

If a principal recommends to the board that a pupil be expelled, the board shall hold an expulsion hearing and, for that purpose, the board has powers and duties as specified by board policy.

The board may authorize a committee of at least three members of the board to exercise and perform powers and duties on behalf of the board and may impose conditions and restrictions on the committee.

The parties to the expulsion hearing are:

- the principal
- the pupil’s parent or guardian, unless the pupil is at least 18 years old, or is 16 or 17 years old and has withdrawn from parental control
- the pupil, if the pupil is at least 18 years old, or is 16 or 17 years old and has withdrawn from parental control

- such other persons as may be specified by board policy.

The board shall not expel a pupil if more than 20 school days have expired since the pupil was suspended unless the parties to the expulsion hearing agree to a later deadline.

The board’s decision to expel may be appealed to a designated tribunal. The Child and Family Services Review Board is designated to hear appeals of board decisions to expel pupils. (Ontario Regulation 472/07.)

Trustees who serve on the board or the suspension appeal and/or expulsion hearing committees of the board must remember that they are serving in a quasi-judicial capacity. Members of the committee or board should seek legal advice before the hearing to ensure that they conduct the appeal/hearing properly, follow all rules of procedural fairness, and meet their legal obligations to protect both board employees and students.

Boards are required to provide programs for students on long-term suspension and for students expelled from all schools of the board. A long-term suspension is a suspension for a term of from 6 to 20 school days.

The Keeping Our Kids Safe at School Act, that came into effect on February 1, 2010, requires all board employees to report serious student incidents that must be considered for suspension or

expulsion, to the principal. It also requires principals to contact parents of victims who have been harmed as the result of such incidents and requires school staff who work directly with students to respond to inappropriate and disrespectful student behaviour.

Child Abuse and Duty to Report

Every person who performs professional or official duties with respect to a child should be familiar with the duty to report a child who is or who may be in need of protection. This is required under the Child and Family Services Act. For the purposes of this Act, a child is defined as “a person actually or apparently under the age of 16”.

The Student Protection Act, which came into force on September 3, 2002, is intended to help protect students from sexual abuse and other forms of professional misconduct by teachers. It sets out a new, broader definition of sexual abuse and imposes certain reporting and information-sharing requirements on all employers of certified teachers. It also requires school boards to remove any teacher, including temporary teachers from contact with students, if they become aware that the teacher has been charged with, or convicted of, an offence under the Criminal Code (Canada) which, in the board’s opinion, indicates that pupils may be at risk of harm or injury.

Student Protection

Provincial legislation provides the Ontario College of Teachers, the professional body that regulates the teaching profession and governs its members, with the added authority it needs to take strong action against those who harm or would harm our children.

Students are protected in Ontario schools through all of the following initiatives:

- All employers must report to the Ontario College of Teachers a certified teacher charged with a sexual offence against a student. School boards as well as public schools, private schools, tutoring companies, and other organizations are required to do this if they employ teachers certified by the Ontario College of Teachers to instruct students.
- Sexual abuse is defined in a comprehensive way to include sexual harassment and inappropriate sexual remarks towards a student.
- Any teacher in a publicly funded school is removed from the classroom if he or she is charged with sexual assault against a student.
- Improved information sharing makes it much more difficult for a teacher who has been disciplined for sexual abuse to quit and move from one

board or school to another undetected.

- Employers of certified teachers will face fines, upon conviction, of up to \$25,000 for breaking the reporting rules.

Criminal Background Reference Checks

Ontario Regulation 521/01, Collection of Personal Information, provides school boards with another tool to promote student education in a safe environment. The regulation requires that school boards collect police records from all employees and service providers who have direct and regular contact with students.

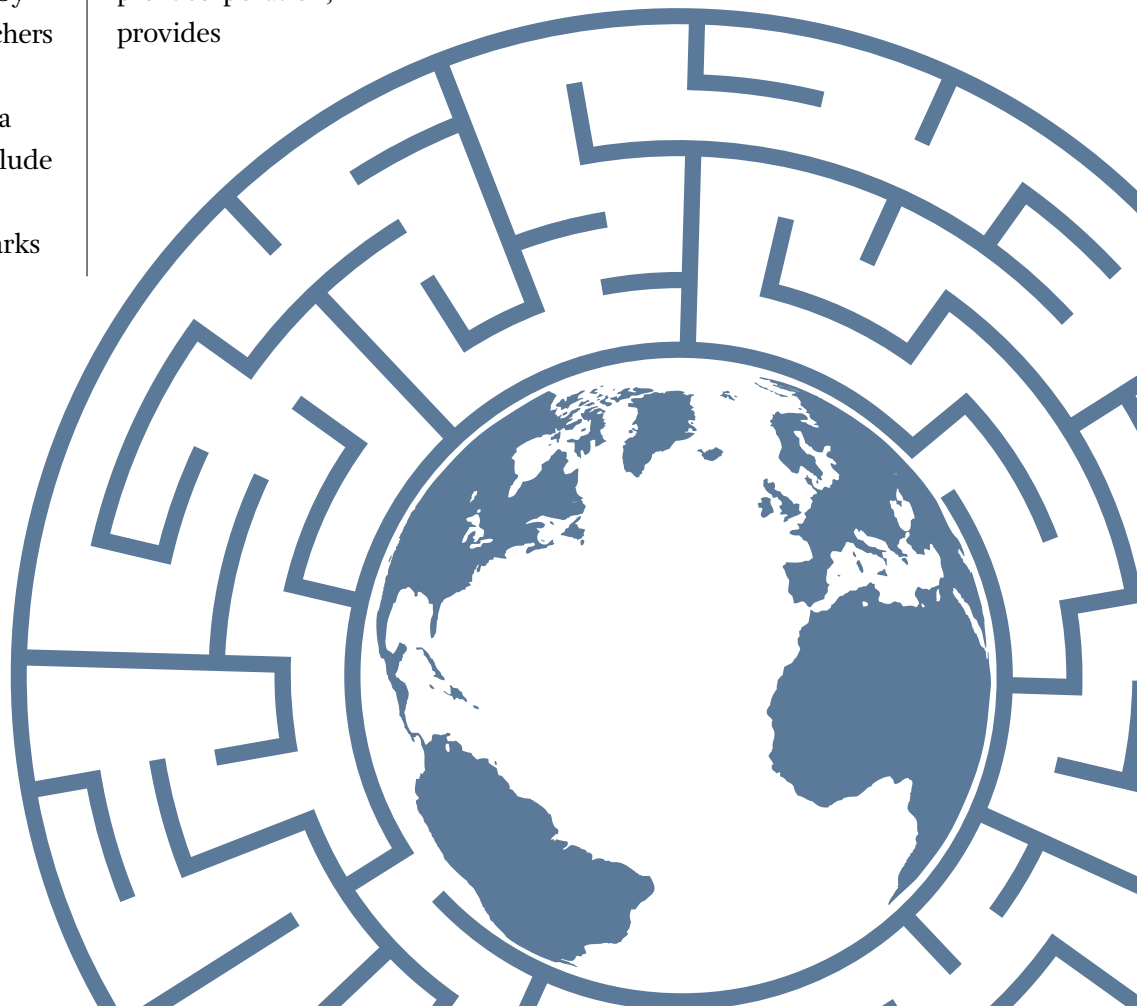
The Ontario Education Services Corporation (OESC), a non-profit corporation, provides

police record check services in both official languages to all school boards in Ontario. OESC is a partnership of Ontario's four school board associations and the Council of Directors of Education (CODE).

Protecting Pupils with Life-Threatening Allergies

Sabrina's Law, An Act to Protect Anaphylactic Pupils, helps to protect pupils with life-threatening allergies and to create a safe and healthy school environment.

Anaphylaxis is a serious allergic reaction that can be life-threatening. It is essential that school board staff, including principals, teachers and other staff who have direct



contact with students at risk for anaphylaxis on a regular basis throughout the school day, are aware of the issues they face and are equipped to respond appropriately in the event of an emergency.

Sabrina’s Law requires every school board to establish and maintain an anaphylaxis policy and every school principal to develop individual plans for pupils with an anaphylactic allergy.

Specifically, school board policies must include:

- strategies to reduce risk of exposure to anaphylactic causative agents;
- a communication plan for the dissemination of information on life threatening allergies to parents, pupils and employees;
- regular training on dealing with life-threatening allergies for all employees and others who are in direct contact with pupils on a regular basis;
- a requirement that every school principal develop an individual plan for each pupil

who has an anaphylactic allergy;

- a requirement that every school principal ensure that, upon registration, parents, guardians and pupils be asked to supply information on life-threatening allergies; and
- a requirement that every school principal maintain a file for each anaphylactic pupil of current treatment and other information, including a copy of any prescriptions and instructions from the pupil’s physician or nurse and a current emergency contact list.

The individual plan for a pupil with an anaphylactic allergy must include:

- details on the type of allergy, monitoring and avoidance strategies, and appropriate treatment;
- a readily accessible emergency procedure for the pupil; and,
- storage for epinephrine auto-injectors, where necessary.

Employees of a board may be preauthorized to administer medication or supervise a pupil

while the pupil takes medication in response to an anaphylactic reaction, if the school has up-to-date treatment information and the consent of the parent, guardian or pupil. If an employee has reason to believe that a pupil is experiencing an anaphylactic reaction, the employee may administer an epinephrine auto-injector or other medication that is prescribed, even if there is no preauthorization to do so.

No actions for damages shall be instituted respecting any act done in good faith or for any neglect or default in good faith in response to an anaphylactic reaction, unless the damages are the result of an employee’s gross negligence. The Act preserves common law duties.

School Food and Beverage Policy

As of September 1, 2011, school boards are required to ensure that all food and beverages sold on school premises for school purposes meet the requirements set out in the School Food and Beverage Policy (Policy/Program Memorandum 150), including the nutrition standards.

The nutrition standards apply to all food and beverages sold in all venues (e.g., cafeterias, vending machines, tuck shops), through all programs (e.g., catered lunch programs), and at all events (e.g., bake sales, sports events).

The nutrition standards do not apply to food and beverages that are:



- offered in schools to students at no cost;
- brought from home or purchased off school premises and are not for resale in schools;
- available for purchase during field trips off school premises;
- sold in schools for non-school purposes (e.g., sold by an outside organization that is using the gymnasium after school hours for a non-school-related event);
- sold for fundraising activities that occur off school premises;
- sold in staff rooms.

The following requirements must also be met:

- School boards must comply with Ontario Regulation 200/08, “Trans Fat Standards”, and any other applicable regulations made under the Education Act.
- Principals must take into consideration strategies developed under the school board’s policy on anaphylaxis to reduce the risk of exposure to anaphylactic causative agents.
- Food and beverages must be prepared, served, and stored in accordance with Regulation 562, “Food Premises”, as amended, made under the Health Protection and Promotion Act.
- School boards must ensure that students have access to

drinking water during the school day.

- The diversity of students and staff must be taken into consideration in order to accommodate religious and/or cultural needs.

The school principal may designate up to ten days (or fewer, as determined by the school board) during the school year as special-event days on which food and beverages sold in schools would be exempt from the nutrition standards outlined in this memorandum. The school principal must consult with the school council prior to designating a day as a special-event day. School principals are encouraged to consult with their students in making these decisions.

School boards are responsible for monitoring the implementation of this memorandum.

At the end of the 2010–11 school year, school boards will be required to attest that they will be in full compliance with this memorandum on September 1, 2011.

Supervised Alternative Learning

School boards are required by regulation to establish a Supervised Alternative Learning Committee, which is to include a trustee. The board’s committee approves applications for students age 14-17 to be excused from attendance at school to participate in Supervised Alternative Learning.

This may include employment, credit courses, life skills courses, training or other studies/activities that the committee deems suitable for the student. Regular monitoring of the student is required. The intent is for the student to retain a link to the board and to continue learning when other strategies have not proven effective.

Recognizing Diversity

As public service providers and as employers, school boards are subject to the requirements of the Ontario’s Human Rights Code. Under the Code and previous court decisions, boards must provide harassment-free work and learning environments. Furthermore, boards may be subject to legal sanctions if they do not deal appropriately with instances of harassment and discrimination.

Equity and Inclusive Education

An equitable, inclusive education system is fundamental to achieving the Ministry’s three core priorities: high levels of student achievement, reduced gaps in student achievement and increased public confidence. Providing a high-quality education system for all is a key means of fostering social cohesion, based on an inclusive society where diversity is affirmed within a framework of common values that promote the well-being of all citizens.

In 2009, the ministry released Ontario’s Equity and Inclusive Education Strategy (Strategy) and also issued Policy Program Memorandum No. 119, “Developing and Implementing Equity and Inclusive Education Policies in Ontario Schools”, 2009 together with Guidelines for policy development and implementation.

The Strategy envisions an equitable and inclusive education system in Ontario in which all students, parents, and other members of the school community are welcomed and respected; and every student is supported and inspired to succeed in a culture of high expectations for learning.

The Strategy establishes a framework to help Ontario’s education community identify and remove discriminatory biases and systemic barriers to student achievement related to the prohibited grounds of discrimination set out in the Ontario Human Rights Code. It honours diversity and affirms respect for all in Ontario schools. Equity does not mean treating all students the same way, but, rather, responding to the individual needs of each student and providing the conditions and interventions needed to help him or her succeed. All boards are expected to develop a policy or revise their existing policies on equity and inclusive education and have a guideline on religious accommodation by September 2010. The principles of equity and inclusive education

build on successful ministry, board and school practices. These principles are to be embedded into ministry, board and school policies, programs, practices and operations to foster and support a culture of continuous improvement.

For Catholic and French-language boards, development and implementation of equity and inclusive education policies will take place within the denominational rights of Catholic schools set out in section 93 of the Constitution Act, 1867 and the Education Act, and the language rights of French-language rights holders as set out in the Canadian Charter of Rights and Freedoms and the Education Act. French-language boards should also refer to Ontario’s Aménagement linguistique Policy for French-language education.

School Councils

The Education Act requires each school board to establish a school council for each school operated by the board [s. 170(1)17.1].

School councils are advisory bodies whose purpose is to improve student achievement and enhance the accountability of the education system to parents. This purpose is clearly set out in Ontario Regulation 612/00. This regulation also describes the composition of school councils and the process for the election of members, the role and responsibilities of the school council, and operational matters

relating to the school council. In addition, the Ministry of Education publishes a guide for members of school councils, which is available at: <http://www.edu.gov.on.ca/eng/general/elemsec/council/>.

The role and responsibilities of the principal, as a member of and as a support to the school council, are described in Regulation 298.

Ontario Regulation 612/00 and Regulation 298 together address three key areas pertaining to school councils: the purpose of school councils, membership and operational matters, and the obligation of boards and principals to consult with school councils on certain matters.

The membership of school councils consists of:

- a majority of parents, as specified in a bylaw of the school council or by the board if such a bylaw does not exist
- the principal or vice-principal (the principal may delegate membership responsibility to the vice-principal)
- one teacher employed at the school, other than the principal or vice-principal
- one member of support staff of the school
- one student, in the case of secondary schools (optional for elementary schools)
- one or more community representatives

- one person appointed by an association that is a member of the Ontario Federation of Home and School Associations or the Ontario Association of Parents in Catholic Education or Parents partenaires en éducation, if the association is represented at the school

For more information on the role and responsibilities of school councils, see Chapter 11, Working with School Councils and Communities.

Parent Involvement Committee

Ontario Regulation 330/10 requires every school board to establish a Parent Involvement Committee (PIC) and sets out provisions for the composition and functions of the PIC.

The purpose of the PIC is to encourage and enhance parent involvement at the board level to support student achievement and well-being. The PIC is a parent-led-committee that is an important advisory body to the board. (For more information, see Chapter 11, Working with Parent Involvement Committees, School Councils and Communities.)

Conflict of Interest

The main purpose of the Municipal Conflict of Interest Act is to protect the public interest by ensuring that public officials do not personally benefit from their positions of trust. The Act applies to all members of local councils,

committees, and boards, including school boards, either elected or appointed. The Act also applies to members of advisory committees and other committees established under the Education Act.

Pecuniary Interest

Conflict-of-interest legislation is concerned only with pecuniary, or financial, interests. The Municipal Conflict of Interest Act refers to three kinds of pecuniary interest: direct, indirect, and deemed. The following are examples of each:

- A trustee would have a direct interest if the board was considering buying property that the trustee owns.

- A trustee would have an indirect interest if the trustee is a senior officer of a company bidding for a board contract.
- A trustee would have a deemed interest if the trustee's spouse, child, or parent owns a company that is bidding for a board contract.

Declaring a Conflict

A member who identifies a direct, indirect, or deemed conflict of interest in a matter and is present at a meeting of the board or committee of the board at which the matter is the subject of consideration, must declare the conflict before any discussion of the matter begins. Specifically, the member must follow these steps:



- Publicly declare the conflict of interest, state the general nature of the interest, and have the declaration recorded in the minutes;
- Do not vote on any question in respect of the matter;
- Do not take part in the discussion of the matter;
- Do not attempt in any way, whether before, during or after the meeting, to influence the voting on any question in respect of the matter; and
- When a committee of the board, including a committee of the whole board, is in closed session, leave the room for as long as the matter is under consideration, and have the fact that he or she left the room recorded in the minutes.

If a member is absent from a meeting during which that member would have been placed in a conflict of interest, at the next meeting attended by the member, the member must disclose the interest and otherwise refrain from discussing, influencing, or voting on the matter.

If there are any doubts about a possible conflict of interest, trustees should seek legal advice.

Contravention of the Provisions

Under existing legislation, only an elector entitled to vote at the board elections can allege conflict of interest by a member or a former member. The elector must

apply to a judge alleging conflict within six weeks of learning of the alleged contravention. The application to the judge must be made within six years of the alleged conflict.

Where a judge finds that a member has contravened his or her disclosure obligations under the Municipal Conflict of Interest Act, the judge must declare the member’s seat vacant. The judge also has the discretion to disqualify the member from office for up to seven years and to require the member to make restitution if the contravention has resulted in personal financial gain. If the contravention occurred inadvertently or because of a bona fide error in judgement, the legislation allows that the member will not be disqualified from the board or have his or her seat declared vacant. However, the member may still be required to make restitution.

A member who considers an interest to be “so remote or insignificant in its nature that it cannot reasonably be regarded as likely to influence the member” need not declare it. If a trustee is challenged at a meeting to declare a conflict of interest, the challenge carries no weight unless it is followed up with an application to a judge, alleging contravention. The board cannot force a member to declare a conflict or leave the room. If a trustee is in doubt, however, he or she should consider declaring a conflict.

If a member who voted or participated in a board proceeding failed to disclose an interest, the school board may void the proceeding, within two years from the date of the proceeding, unless this would hurt an innocent third party.

School boards may obtain insurance to protect trustees who are absolved of charges brought against them under the Municipal Conflict of Interest Act. This insurance might cover costs or expenses incurred in successfully defending against a proceeding under the Act.

Audit Committee

Amendments to the Education Act made in 2009 make it mandatory that every district school board in the Province establish an audit committee. The audit committee is composed of both trustees and non-trustee members appointed by the school board in accordance with its by-law on the selection process. School board staff are not permitted to be a member of the committee. The purpose of the audit committee is to provide oversight of the school board’s financial reporting and controls and risk management. Ontario Regulation 361/10 describes the composition, functions, powers and duties of an audit committee.



CHAPTER 7:

Meeting Procedures

One of the primary ways that school boards meet public expectations of transparency and accountability is to make policy decisions at open, public meetings. The Education Act sets out a structural framework for conducting these meetings. Within this framework, boards have flexibility to create their own policies and procedures that ensure orderly, productive meetings. Although specific practices may vary, most school boards follow accepted rules of parliamentary procedure for their public decision-making processes. The practices of individual school boards are rooted in their own rules of procedure.

Inaugural Meeting

The new term of office begins on the first day of December following the election. The board must have its first meeting within one week of that date. The meeting is held when and where the board decides or at the board's head office on the first Wednesday after the start of the term of office [s. 208(2)]. The Education Act also provides for a majority of the members of the newly elected board to petition, through their supervisory officer, for an alternate date for the first meeting [s. 208(3)].

One of the first jobs of a new board is to review the financial situation of the board. The treasurer is required to report at the first meeting on the status of any money borrowed from board reserves [s. 241(5)].

Subsequent Meetings

The board decides the dates and locations of future meetings [s. 208(6)], how meetings will be called, and how they will be structured. It also ensures that minutes are recorded [s. 170(1)4].

Most boards adopt a regular meeting schedule. The chair, or the secretary of the board if a majority of the board members make a written request, may also call special meetings. Special meetings are usually called to deal with emergency situations or specific topics [s. 208(13)].

Attending Board Meetings

Trustees are expected to attend all regular meetings of the board, either physically or through electronic means. Trustees are also expected to attend all meetings of any committee of which they are a member. (See Chapter 4, The Role of Trustees.)

Quorum

For a meeting to have formal status, a quorum must be present. For most business of the board, a quorum consists of a simple majority of those members of the board who are entitled to vote on an issue [s. 208(11)]. Declaration of conflict of interest on the part of one or more members of the board does not destroy a quorum as long as there are at least two remaining members who are not disabled from participating in the meeting. In the presumably rare case where there is only one eligible member remaining, the board can apply to a court judge for an order authorizing the whole board to consider, discuss, and vote on the matter as if none of the members had a conflict of interest.

Board Treasurer and Board Secretary

The Education Act requires each board to appoint a treasurer. If the board has no more than five members, the treasurer may be a board member [s. 170(1)]. The treasurer is required to receive and

account for all money of the board and produce, when required by the board or auditors or other competent authority, papers and money in his or her possession, power or control that belong to the board.

The Education Act also states that the director of education shall act as the secretary of the board. There is a provision that if the board has no more than five members it may appoint one of its members to act as secretary.

The director of education as secretary of the board ensures there are records of the minutes of meetings, that reports requested by the ministry are forwarded, and that all members are notified of board meetings. The secretary also calls any special meetings requested by a majority of board members [s. 198(1)]. Correspondence addressed to the secretary, including correspondence sent to a director of education in his or her capacity as secretary, must be shared with the board.

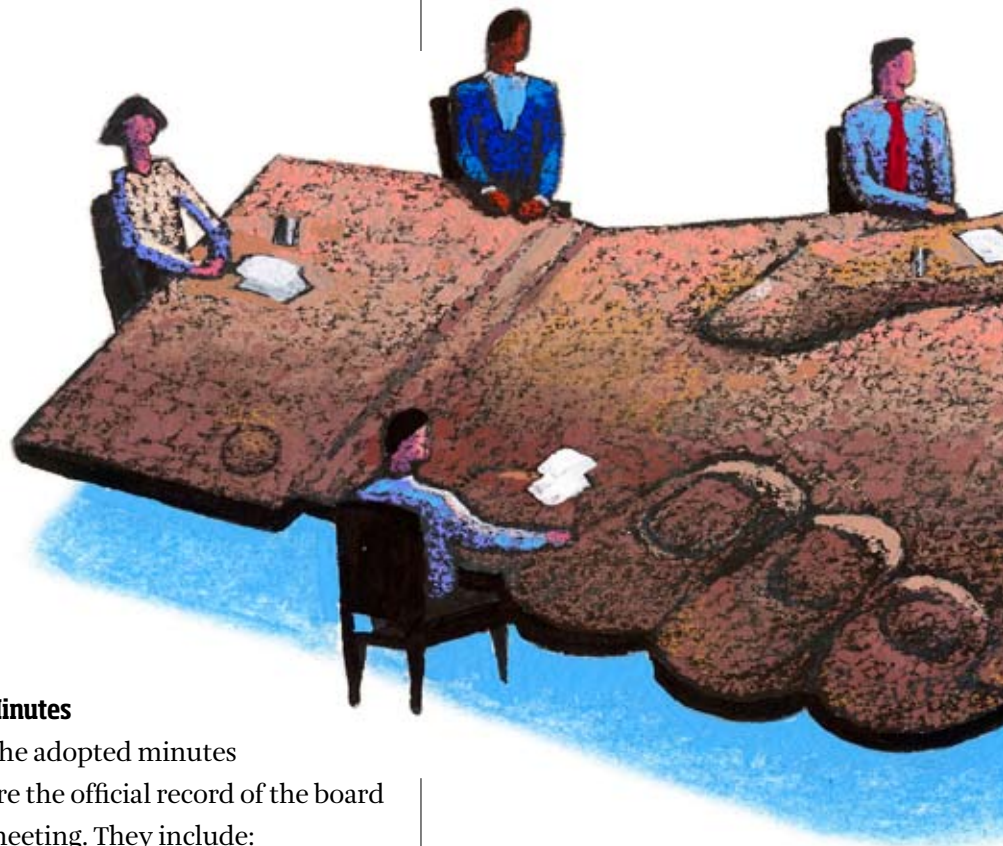
If the secretary is absent, the chair of the meeting may appoint a member or anyone else as temporary secretary to record the minutes for that meeting [ss.208(10)]

Agenda

The agenda outlines the order of business for the meeting. Unless there is a change in the regular date or other changes that need to be announced, the agenda often serves as notification of the meeting as well. Trustees can check

their board’s rules of procedure for information about the agenda format used by the board. Agendas are usually posted, for the information of the community, on the board’s website.

responsible for keeping a full and accurate record of the proceedings of every meeting of the board in the minute book, and for ensuring that the minutes, when confirmed, are signed by the chair



Minutes

The adopted minutes are the official record of the board meeting. They include:

- when and where the meeting took place;
- who was present; and
- motions brought before the board and the result of the vote on each motion.

Individual ‘ayes’ and ‘nays’ are not indicated unless a recorded vote has been requested. When a vote is taken following debate in a private session, only the resolution as voted on in the public session appears in the minutes.

The secretary of the board is

or presiding member.

The minutes are a public document and anyone may inspect the minute book, the audited annual financial report, and the current accounts of the board at the head office of the board [s. 207(4)].

Under the Education Act, the Minister of Education may have access at all times to all records of a board, including the minute book and all records relating to the financial transactions of the board [s. 257.44]. Any report or background information consid-

ered by the board at the meeting should be recorded with the minutes.

Some boards find it helpful and a matter of good public relations to produce a summary of board

trustees to elect a chair from among themselves to preside at all meetings [s. 208(5)]. This election occurs each year at the first meeting in December. Trustees may also elect a vice-chair to act in the



decisions soon after the meeting to distribute to trustees, board staff, parents, the media, and the public. Boards usually post this summary on their websites.

Chair and Vice-Chair

Term

Although a school board is elected for a four-year term, the chair's position is filled for only one year at a time. The Education Act refers to the process of electing a chair and vice-chair. The Act instructs

chair's absence [s. 208(7)] and, in the absence of both, a temporary chair for that meeting only [s. 208(9)]. A tie vote for the position of either chair or vice-chair requires that board members draw lots [s. 208(8)]. Many boards also elect the chair and vice-chair for any standing or other committees at the same time.

The Act does not indicate the number of years or terms that the same person may continue as chair. Individual boards may have rules of procedure or a policy or bylaw regarding the number of years or terms that a chair or vice-chair may serve.

Attendance

The chair or the chair's designate must be physically present in the meeting room for every meeting of the board or committee of the whole board. He or she cannot attend meetings by electronic means.

Responsibilities

Amendments to the Education Act in 2009 set out the following responsibilities of the chair:

- preside over meetings of the board
- conduct the meetings in accordance with the board's procedures and practices for the conduct of board meetings
- 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
- ensure that members of the board have the information needed for informed discussion of the agenda items
- act as spokesperson to the public on behalf of the board, unless otherwise determined by the board
- 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
- provide leadership to the board in maintaining the board's focus on the multi-year plan

- provide leadership to the board in maintaining the board’s focus on the board’s mission and vision
- assume such other responsibilities as may be specified by the board

As the legislated role description suggests, the position of chair of the board involves responsibilities that extend beyond presiding over board meetings. The chair acts as the main spokesperson for the board, a role that involves interaction with the community and the media. The board may also determine that their spokesperson on specific issues be another member of the board or other person approved by the board.

The leadership role of the chair is conferred through an election by his/her fellow trustees and the chair must adhere to the board’s directions and may not act unilaterally. The chair of the board is also an individual trustee and, acting as an individual trustee, has no greater rights or powers than any other member of the board.

In most boards, the chair sets the agenda for meetings in consultation with the chief executive officer, with input from other trustees and senior administrative staff. The chair works closely with the administration to ensure that the board’s wishes are understood, and works with the board to present and clarify any concerns of the administration.

The chair may call special meetings of the board [s. 208(13)] and, as the presiding officer, may have people removed from meetings for improper conduct [s. 207(3)]. This includes members of the public, who may otherwise attend all meetings of the board except those sessions held in private. The legislation does not specify what constitutes improper conduct.

Voting Rights

Unless the presiding officer at the meeting happens to be the chief executive officer of the board (or another staff delegate), the chair may vote on all motions [s. 208(12)].

Qualifications

To run productive meetings, a chair should:

- have a basic knowledge of the rules of parliamentary procedure;
- ensure that all relevant information has been provided;
- allow open debate;
- provide opportunities for and encourage all members to speak;
- manage conflict;
- ensure that issues are separated from individuals;
- lead the board as a team; and
- help the board reach its decisions.

At the same time, the chair must keep in mind that his or her vote is one among many and that the

process of decision-making aims to capture the view of the corporate board rather than allowing any individual’s view to predominate.

Rules of Order

School board meetings are run according to parliamentary procedure. Bourinot’s Rules of Order, used in the Canadian Parliament, or Robert’s Rules of Order, which originated in the United States, or Le Code de procédures de Victor Morin, which is used mainly by French-language boards, are generally accepted as the standard rules of procedure. These rules of procedure are designed to allow trustees to introduce motions and proceed with debate, dissent, and decision making in an orderly way.

Knowledge of basic procedures and terminology will result in more efficient and productive meetings. Some boards conduct orientation sessions for new trustees that include the basic rules of parliamentary procedure. Others may have a staff member present at meetings who can answer procedural questions.

On all matters dealing with the decision-making process, boards will have their own rules of order. The following guidelines address the most common situations:

1. A board’s primary means of taking action is through motions, which are moved, seconded, debated, and put to a vote. The chair or members

may ask the mover to write down the motion before it is acted on. The chair may help the mover if clarity in the wording is needed.

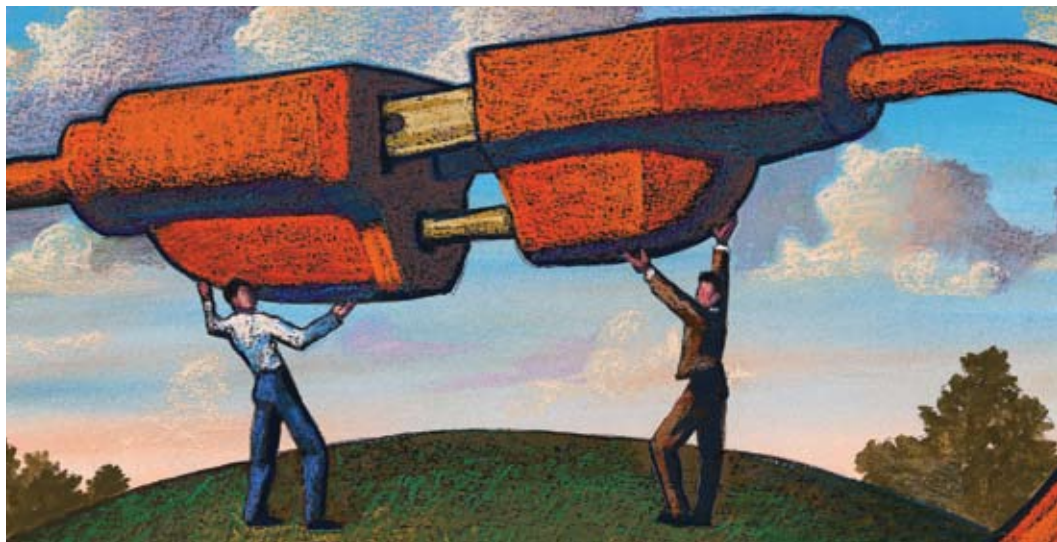
2. Each motion should deal with only one matter or idea. The chair or a member may ask that a motion be rephrased or rewritten if it deals with two or more matters.
3. Debate must be limited to the issue at hand. Speakers who stray from the issue or attempt to introduce new matters should be ruled out of order.
4. Each speaker should be allowed to speak once on a subject under debate. The chair may refuse to allow a trustee to speak again until everyone has had a chance to speak.
5. A member may rise to a point of order at any time. After the point has been stated, the chair issues a ruling, which a member may appeal.
6. Any two members may appeal or challenge the chair's decision. The issue is then decided by a majority of those present.
7. While a motion is on the floor, no new motions may be made.
8. Motions may be amended. Votes on amendments must be taken before the main motion is voted on as amended. The amendment cannot change the intention of the

original motion. No more than one amendment to a motion may be permitted at one time. There can be amendments to the amendment.

9. Before motions are voted on, the motion (as amended) should be read.
10. The chair should indicate before each vote whether a simple or two-thirds majority is needed and whether the issue calls for a simple voice declaration, roll call, or paper ballot vote.
11. A trustee may require the recording of affirmative and negative votes on a question. A trustee may also request that his or her vote be recorded.
12. The chair may not refer a main motion to a committee or postpone voting on it unless proper subsidiary motions are made and voted on.
13. If the chair wishes to make, second, or debate a motion, he or she must yield the chair to the vice-chair or

another trustee until after the vote has been taken.

14. Before a vote on a main motion is taken, business may be interrupted by a motion to lay it on the table, postpone the vote, refer the motion to a committee, withdraw it from consideration, or adjourn the meeting.
15. Debate may be closed formally with a subsidiary motion (to close or limit debate or to move the previous question) and a two-thirds affirmative vote. In cases where the chair believes that discussion has ended, a vote on the main motion may be taken without a formal motion to close debate unless a member objects.
16. After motions have been passed or rejected, no further discussion on the same issues should be allowed at that same meeting, other than through a motion to reconsider.



Public Meetings

Public accountability is a cornerstone of Ontario’s education system. The Education Act states that all meetings of the board shall be open to the public [s. 207(1)]. Meetings of a committee, including a committee of the whole board, shall be open to the public unless the members are dealing with certain topics, such as those listed below in “In Camera Meetings”. In these cases, members may choose to hold the meeting behind closed doors [s. 207(2)].

Every board must decide, in accordance with ministry policies and guidelines, whether to permit members of the public to participate electronically in meetings of the board or committees.

In Camera Meetings

From time to time the agenda includes items that are more appropriately discussed in private. The Education Act provides that a meeting of a committee of the board, including a committee of the whole board, may be closed to the public and the media when the matter to be discussed involves any of the following [s. 207(2)]:

- the security of the property of the board
- the disclosure of intimate, personal, or financial information about a member of the board or one of its

committees, an employee or prospective employee of the board, or a pupil or his or her parent or guardian

- the acquisition or disposal of a school site
- negotiations with employees of the board
- litigation affecting the board



Strictly speaking, a board itself cannot conduct a meeting *in camera*; the board must first go into committee of the whole board and the committee of the whole may then conduct its meeting in a private session.

Most boards have policies related to *in camera* meetings. Generally, only board members, administrative staff such as the board

secretary, and anyone directly involved with the issue may be present. Student trustees may participate in *in camera* meetings with the exception of those dealing with matters relating to intimate, personal or financial information about a member of the board or of a committee of the board, an employee (or prospective employee) of the board, a student, or a student’s parent or guardian. Members of the public, the media, and others must leave the boardroom during an *in camera* meeting. Discussions held at *in camera* meetings are confidential. These discussions are not recorded in the minutes and are not to be repeated by anyone outside the meeting. Further, material distributed during *in camera* meetings is also confidential and must not be shared outside of the meeting.

Trustees must be aware of the confidentiality that applies to *in camera* sessions. As a member of the board, a trustee’s role is to respect the board’s decision-making processes.

It is important to be aware that each resolution passed in an *in camera* meeting must still be adopted formally in a public session.

Board Committees

The Education Act permits boards to establish committees of board members to deal with the broad areas of “education, finance,

personnel and property” [s. 171 (1)]. Boards may also establish other committees and sub-committees that include non-trustees [s. 171(1)]. Committees that have members who are not trustees cannot deal with matters in the areas of education, finance, personnel, or property.

There are three kinds of board committees:

- **Standing or permanent committees** generally deal with ongoing or recurring matters, such as those specified in the legislation, and are an integral part of the board structure. Although a standing committee is composed of trustees – and only trustee members can vote – a staff person is also assigned as a resource person to provide expertise, fulfill administrative requirements, and provide necessary information.
- **Ad hoc committees**, like task forces or work groups, investigate a specific issue and report to the board within a stated time frame.
- **Advisory committees**, established on either a short- or long-term basis, provide input into policy development or other areas where the board would benefit from the experience and expertise of other participants. Non-trustee members might include teachers, students, parents, members of the

community or local business-people and, in the case of Catholic boards, members of the clergy. Many boards now turn to advisory committees as part of their regular consultation process.

Most boards have a structure for their committees that contributes to efficient and effective board meetings. Committees can ensure that the board has the necessary information to make decisions. They can do fact finding, involve members of the community, and hear delegations from the public without using limited board time.

Committee meetings generally follow the same parliamentary procedure adopted by the board, and follow the terms of reference set by the board. The chair of the committee and the director of education or their designates must be physically present at every committee meeting. Committees are required to record the minutes of their meetings, and to report and make recommendations to the board. Only the board itself, however, has the legal authority to make decisions binding on the school system.

Serving on committees has several advantages for board members. Committee work allows new trustees to become familiar with the conduct of board business at a less formal level and to learn more about a specific topic. Trustees also have

opportunities in committees to provide input in areas in which they have special interest or expertise.

Committee of the Whole Board

With a majority vote, the board can decide to go into committee of the whole board, generally called “committee of the whole”. Doing so allows the board to suspend the rules of procedure and have a less formal debate or discussion. For example, people may speak more than once. Some boards have a committee of the whole to deal with matters that are not the responsibility of other committees, or to deal with representatives of other levels of government.

Student Trustees

Student trustees are an important and valuable voice in representing the interests of the student body at meetings of the board. They are not members of the board and are not entitled to exercise a binding vote on any matter before the board [s. 55(2)]. However, they are entitled to request a recorded non-binding vote in order to have their opinion officially reflected in the board minutes. They also have the same opportunities for participation at meetings of the board and the same access to board resources and opportunities for training as members of the board.

CHAPTER 8:

Education Funding





Financial planning is a vital and integral part of the overall planning responsibilities in areas of program, capital and facilities, and long-term strategy that school boards undertake to ensure effective stewardship of the board's resources. School boards are required to develop a balanced budget within the funding allocated to them by the Ministry of Education.

Funding Sources

Since 1998, the provincial government has had full control of property tax revenues and has assumed the previous authority of school boards to levy local property taxes. At that time as well, the government introduced a funding approach that determines the revenue each board receives; it is based on series of formulae within the various grants. This funding formula, known as the Grants for Student Needs (GSN) has undergone significant adjustments over the past decade.

Property taxes continue to support the education system. Under the present system, the government sets a uniform tax rate, based on a current-value assessment system, for the education portion of property taxes for all residential properties in the province. The Province also sets a rate that varies by municipality for the education portion of business property taxes. Municipalities collect the education portion of property taxes for the school boards in their communities on behalf of the Province. The Ministry of Education, using the funding formula, determines each board's overall allocation. Property tax revenues form part of the allocation, and the Province provides additional funding up to the level set by the funding formula.

Grants for Student Needs

The Grants for Student Needs funding formula is designed to distribute funds equitably among all school boards across the province. (See Note 11 on page 138) The purpose of the Grants for Student Needs is to:

- provide fair and equitable funding for all students, wherever they live in Ontario;
- provide funding to maintain schools and build new schools where they are needed;
- protect funding for students with special needs;
- increase accountability of school boards by requiring them to report consistently on how they spend their allocations; and
- translate the provincial standards and vision for education into financial resources for school boards.

School boards have some flexibility when determining how they use their funding to meet local priorities, but must adhere to certain limitations set out by the government:

- Achieve balanced budgets (this is a specific legal obligation in the Education Act);
- Achieve class size targets;
- Use funding for special education only for special education;
- Ensure that School Renewal funding is used only for capital renewal expenditures;
- Limit spending on administration and governance to what the allocation provides;
- Ensure New Teacher Induction Program funding is used only to meet eligible expenditures and the program's requirements.

A board's total Grants for Student Needs allocation is determined by: the formulas in the Pupil Foundation Grant; the School Foundation Grant; thirteen special purpose grants and allocations; and, funding for Interest Expense and for Non-Permanently Financed Capital Debt. These grants are intended to provide a total amount of revenue based on the specific needs of a board and its students.

Pupil Foundation Grant



The Pupil Foundation Grant, projected to be \$9.5 billion in 2010-11, supports the components of classroom education that are required by, and generally common to, all students. The Pupil

Foundation Grant makes up over half of the total Grants for Student Needs allocation to school boards. The grant provides funding, on a per-pupil basis, to cover the basic costs of educating a student related to the following:

- classroom teachers (including supply teachers, Specialist Teachers/preparation time (elementary), Student Success teachers/preparation time (secondary), Secondary

- Programming teachers, and professional development;
- classroom consultants;
- library and guidance services;
- educational assistants;
- professional and paraprofessional supports;
- elementary supervision;
- textbooks and learning materials;
- classroom supplies; and
- classroom computers.

School Foundation Grant

The School Foundation Grant, projected to be \$1.36 billion in 2010-11, supports the costs of salaries and benefits for principals, vice-principals, and school secretaries, as well as supplies for school administration purposes.

For every eligible school, the School Foundation Grant provides funding for:

- One (1.0) full-time equivalent (FTE) principal, where the enrolment of the school is 50 or more. Schools with fewer than 50 students are provided with 0.5 FTE principal;
- One (1.0) FTE secretary with more staff added as enrolment at a school increases;
- Vice-principal support for a school based on school enrolment;
- A per-school amount for supplies; and
- A per-pupil amount for supplies.

Special Purpose Grants

Thirteen special purpose grants, projected to be \$8.77 billion in 2010-11, recognize that the cost of education varies significantly depending upon the needs of the students and where the students live. These grants may change from time to time to reflect government priorities. In the 2010-11 Grants for Student Needs, the special purpose grants are:

- Special Education Grant – a six-part grant; the first part provides flexible funding to meet the needs of most exceptional students while the remainder is proportional to each school boards' share of students with high needs;
- Language Grant – for language instruction, including English as a Second Language, Actualisation linguistique en français, and Programme d'appui pour nouveaux arrivants;
- First Nation, Métis, and Inuit Education Supplement – for programs specific to Aboriginal students;
- Geographic Circumstances Grant – for the additional costs faced by boards in rural, northern and remote areas, boards operating small schools, and/or serving sparse student populations;
- Learning Opportunities Grant – for a range of programs that help students who are at greater risk of poor academic achievement;

- Safe Schools Supplement – for prevention support, for early intervention and discipline programs and services, and opportunities for students to continue their education;
- Program Enhancement Grant – for programs and activities such as the arts, physical education, and outdoor education;
- Continuing Education and Other Programs Grant – for programs for adults 21 and over including credit courses leading to an Ontario Secondary School Diploma; this also funds summer school for secondary school students and International Languages instruction for elementary students (often called “Heritage Languages”);
- Cost Adjustment and Teacher Qualifications and Experience Grant – to match school boards’ funding to the benchmark costs of teachers’ qualifications and experience, based on a provincial average salary grid, and to match the difference between the salary benchmark and the actual average salary costs of school board personnel;
- Student Transportation Grant – for transporting students to and from school;
- Declining Enrolment Adjustment – to address the gap between revenue loss due to declining enrolment and boards’ ability to reduce costs;

- School Board Administration and Governance Grant – for the cost of trustees, directors and supervisory officers, and the central administration of school boards;
- School Facility Operations and Renewal Grant – for the operation and maintenance (lights, heating, and cleaning) costs, and repairs and renovations of schools.

Capital Funding - School Buildings

As enrolments fluctuate and as the environment and technology change school boards have to plan for the needs of their students and budget for schools and classrooms that will be required several years into the future.

Starting in 2010–11, there are several significant changes that affect how the capital programs are funded that enable boards to plan for the accommodation of their students.

The New Pupil Places funding model which has been in place since 1998, was designed largely to provide boards experiencing enrolment growth with funding to construct new schools or additions. Under this funding model, the long-term capital debt from construction could be supported by the increases in revenue boards receive as enrolment increases. However, in a declining enrolment environment, most boards found that New Pupil Places funding only

supported their existing capital debt, and there was no support available for new projects. Due to this limitation, the New Pupil Places model is being replaced with a Debt Support Grant that is not tied to enrolment.

Starting in 2010–11, the Ministry will recognize and support all expenditures incurred by boards through their New Pupil Places allocation. The Ministry will protect funding for a small number of boards that have an approved allocation that is sufficient to build at least one new school.

The phase-out of the “New Pupil Places” program – the previous approach to capital funding – will be implemented through a

one-time grant that as of August 31, 2010, recognizes all existing capital debt that is being supported by the existing capital programs. Boards will receive this grant over the remaining term of their existing capital debt payment schedule.

Starting in 2010–11, the Ministry will recognize and support all the expenditures incurred by boards against their previously approved allocations for the following programs:



- High and urgent renewal needs in schools across the province (“Good Places to Learn” - Renewal Stages 1 to 4);
- Additional classrooms that were required to accommodate smaller primary classes (“Primary Class Size Reduction”);
- To build schools needed in areas of new residential development but for which the New Pupil Places funding was insufficient (Growth Schools);
- To support capital needs of French-language school boards that had enrolment needs in areas without permanent accommodation (Capital Transitional Adjustment Funding);
- To support construction to repair or replace schools in poor condition (Prohibitive to Repair); and
- For projects identified by school boards as top priorities based on submitted business cases (Capital Priorities Program).

This approach to recognition of capital debt also includes a one-time grant recognition, as of August 31, 2010, of all the permanently financed capital debt that existed and was approved prior to 1998. The Ministry will also protect funding for boards receiving amounts for

Outstanding Capital Commitments that were financed from board funds.

In October 2009, the Government announced a phased-in approach to support full-day early learning (ELP) for four- and five-year olds, with the goal of full implementation by 2015–16. In the 2010 Provincial Budget, nearly \$245 million in capital funding was identified for investment in this program over the next two years. School boards will be allocated capital funding in cases where the Ministry recognizes the need to create new classrooms. This will include both classroom additions and retrofitting of existing classrooms.

Education Development Charges

An education development charge is a levy on new construction in a municipality. A school board may pass bylaws to collect education development charges on new real estate developments within the board’s jurisdiction when elementary enrolment exceeds its elementary capacity and secondary enrolment exceeds its secondary capacity, or when a board has an existing education development charge deficit. The revenue is to be used solely to pay for new school sites. The legislative framework for this appears under Part IX, Division E of the Education Act and Ontario Regulation 20/98.

Reforms to the Funding Formula

Over the past decade the funding formula has undergone significant reform. Improvements have been shaped and informed by consultations and discussions with education stakeholders, which includes trustees and trustee associations. Formal consultations take place each year in advance of the release of the annual regulation that sets out the Grants for Student Needs for the coming school year.

Funding adequacy was identified as an issue by Dr. Rozanski in 2002. (See Note 12 on page 138) Since taking office, the current government has increased funding to school boards by \$5.8 billion, or 40 percent, which translates into a per-pupil increase of over \$3,500 a student, or 49 percent.

In addition to improving funding adequacy, structural changes to the funding formula have made it more responsive to student and board needs. These structural changes include:

- introducing measures to support student achievement and to reduce gaps in achievement,
- moving to a more school-based funding formula,
- aligning grants and school board costs,
- updating grants by using the most recent available Census data,

- providing better support for rural and northern schools, and
- improving the condition of school buildings.

Budget Development

A board's budget must be developed based on the educational needs of its students and within the funding allocation provided by the Ministry of Education. The board will ensure that this balanced budget reflects the board's vision, is responsive to the needs of the community and supports the goals of the board's multi-year strategic plan.

The fiscal year for school boards is September 1 to August 31. A financial plan or budget is developed and approved each year by the board.

The process of budget development is one of the most crucial tasks that a school board undertakes and demonstrates its effectiveness and transparency as a democratic institution. Budget development is a consultative process that allows staff, school councils, employee groups, and others in the community to provide advice on priorities and potential budget choices. It is also a public process: boards must be able to demonstrate to their communities that they are accountable in making the best decisions possible for the students in their schools.

While developing a balanced budget, boards must demonstrate that they have allocated the available funds effectively throughout the system. This requires boards to analyze difficult issues, such as:

- which programs/services to maintain;
- which programs/services to enhance;
- which available funds to redirect to other programs/services;
- what transportation policies and service levels should be;
- where to locate new schools;
- whether to close schools and, if so, which ones; and
- how to align the catchment areas for schools (that is, how to set school boundaries).

While the Education Act and its regulations set out a number of requirements related to how boards set their budgets, the most

significant of them is the requirement that they adopt balanced budgets [s. 231]. The government also sets legislative/regulatory expectations to do with budgets in the following areas:

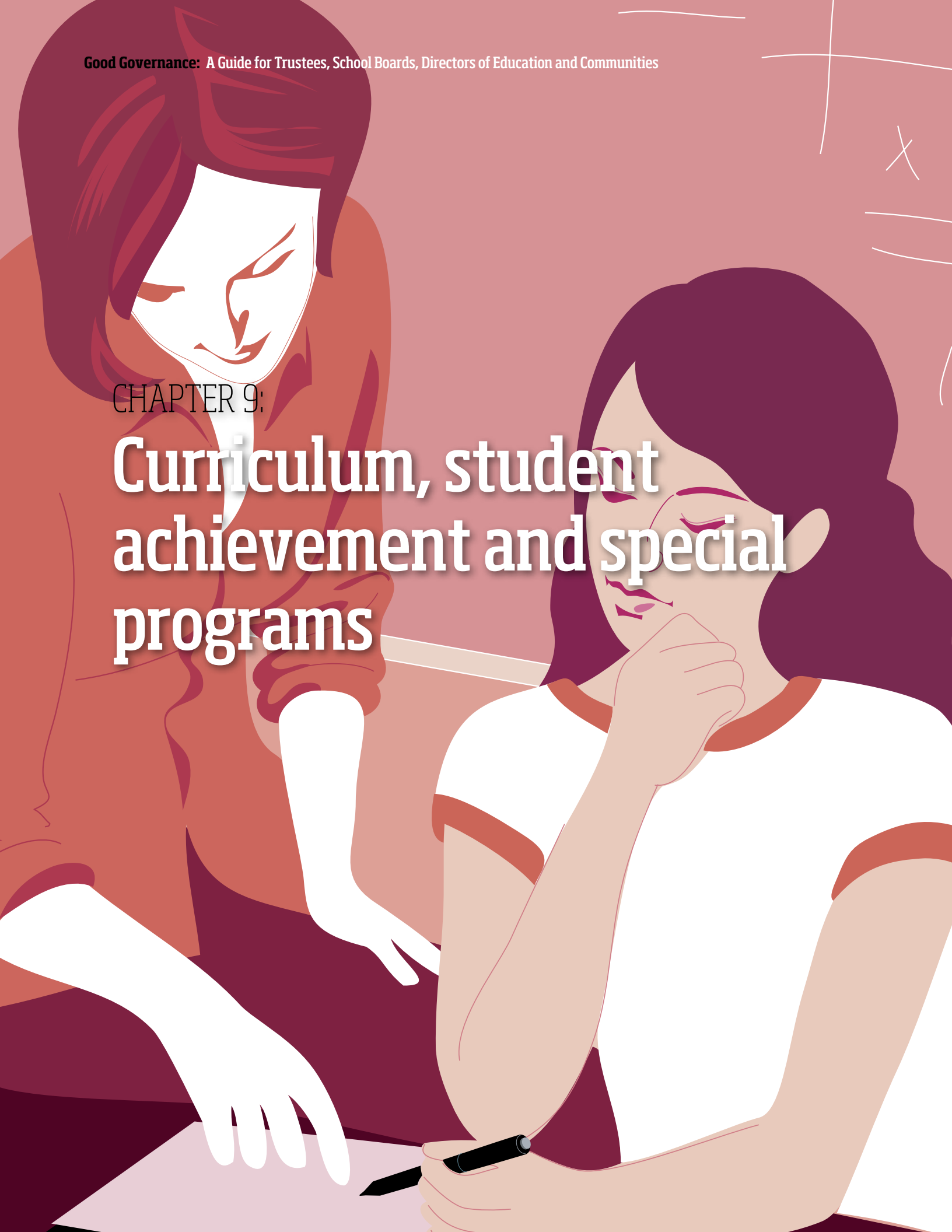
- class size
- trustee remuneration
- board administration and governance
- special education (restrictions against spending it elsewhere)
- pupil accommodation (restrictions against spending it elsewhere)

The Education Act also gives boards the authority to invest and borrow money, but at the same time puts limits on this authority [sections 241 to 249]. School boards are expected to actively manage their cash flow, prudently invest any excess funds, and ensure that any arrangements for short- and long-term financing are made at competitive rates.



CHAPTER 9:

Curriculum, student achievement and special programs





Like the society it serves, the school system is constantly evolving. In recent years many changes have been initiated through the provincial government's focus on: supporting improved literacy and numeracy achievement from kindergarten through Grade 12; closing the gap so that every student learns, no matter their personal circumstances; improving student success and graduation rates in secondary schools; and building public confidence and support for our publicly funded education system.

Curriculum Review

The 2003/2004 school year saw the beginning of a 7-year curriculum review cycle. Curriculum review is not a development of a completely new curriculum, but is intended to ensure that the curriculum remains current and relevant and is age-appropriate from kindergarten to grade 12. A number of subject disciplines enter the review process each year. The review supports students, teachers, schools and boards by identifying targeted areas that need to be improved and updated; it also allows lead time for development of related support materials that may be needed.

Curriculum development, implementation, and evaluation is a team effort. The same is true for curriculum review. It involves the Ministry of Education and writing teams of subject-expert teachers from boards throughout the province. The process also entails wide-ranging consultation with educational, community, and private sector partners.

In fall 2009 the final year of the 7-year curriculum review cycle began. When the curriculum documents that began the cycle in fall 2009 are released in spring 2011 and spring 2012, all of the Ontario curriculum

policy documents will have been reviewed and revised. The Ministry has decided not to initiate a new cycle of curriculum review until September 2012. This change will provide more time for the development and availability of resources, including textbooks and units of study, consistent with the revised curricula and help to address curriculum areas in need of support as identified through the curriculum review process. Following the completion of current reviews of curricula in spring 2012, plans for the next phase of the curriculum review process that will begin in fall 2012, will be communicated to schools and school boards.

This timetable will also enable the Ministry, school boards, and schools to consolidate into their ongoing initiatives other emerging education policy work, including environmental education, inclusive/equity education, Early Learning, and the revised assessment, evaluation and reporting guidelines, *Growing Success* released in 2010 (this includes revised student report cards). In addition, information gathered from schools and boards during this period will inform plans for the next curriculum review process.

The Curriculum Council

The Curriculum Council provides high level strategic policy advice to the Minister about elementary and secondary curriculum. This body was established in 2007. The Council's advice is intended to enhance, not replace, the curriculum review process. The first major curriculum area considered by the council was environmental education. More recently the issue under consideration has been the "crowded" elementary curriculum. By mid 2010 the Council was turning its attention to the topic of financial

literacy in the Grades 4-12 curriculum.

Early Learning and Kindergarten

The Education Act requires that children be enrolled in a school program as of six years of age. The Act also requires boards to offer kindergarten programs for five-year-olds. A majority of parents – approximately 95 per cent – send their children to these programs. Boards have also offered junior kindergarten classes for 4-year olds since January 2006 and approximately 75% of eligible children attend.

French-language school boards offer full-day senior kindergarten programs and junior kindergarten programs.

The provincial government introduced an initiative to implement and fund a full-day Early Learning Program (ELP) for four- and five-year olds beginning in the fall of 2010. The first phase of implementation involves opening the program in approximately 600 schools. The implementation plan will see another five per cent of schools in Ontario being added in the second year of the plan. Full implementation is expected by 2015-2016.

The full-day ELP consists of a day school program and an extended day program that is offered before and after school. The extended day program is staffed by early childhood educators. The day program is staffed by a team of

kindergarten teachers and early childhood educators.

The draft document describing the full-day Early Learning-Kindergarten Program was released in the spring of 2010 in anticipation of implementation in the fall of 2010. Feedback received on the implementation of the first phase of the program will inform the final program document. The draft document is available at: <http://www.edu.gov.on.ca/eng/curriculum/elementary/kindergarten.html>

Elementary Education

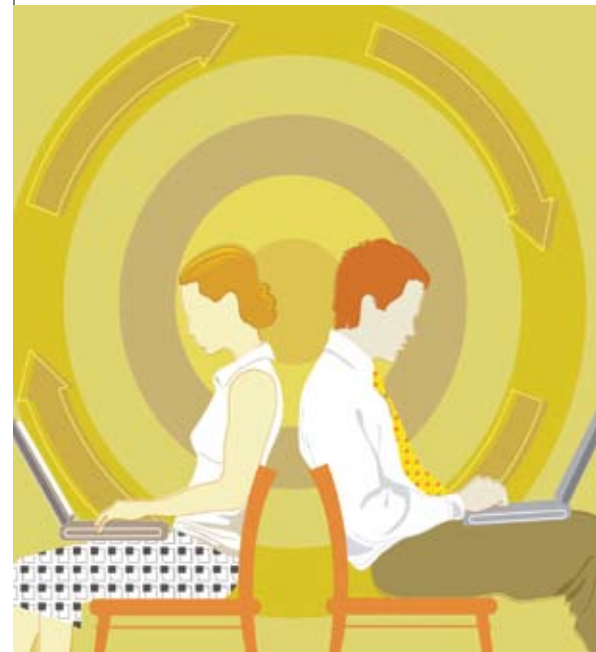
The Ontario Curriculum, Grades 1 to 8, outlines the knowledge and skills that students must develop in grades 1 to 8, as well as the level of achievement at which they are expected to perform. Curriculum policy documents from the Ministry of Education describe the overall and specific learning expectations for students in grades 1 to 8 in the following areas (See Note 13 on page 138):

- Language
- French (First Language)
- French as a Second Language
- Native Languages
- Mathematics
- Science and Technology
- Social Studies / History and Geography
- Health and Physical Education
- The Arts

A separate policy document for the kindergarten program outlines the expectations for

kindergarten students in all subject areas.

Additionally, the Catholic systems have policy documents on Religious Education. (See “Religion in Catholic Schools” later in this chapter.)



Secondary Education

Requirements for the Ontario Secondary School Diploma

Students are required to complete diploma requirements as they are described in *Ontario Secondary Schools, Program and Diploma Requirements*, 1999.

In order to be awarded the Ontario Secondary School Diploma (OSSD), students are required to:

- complete 30 credits (18 compulsory and 12 optional) of 110 hours each;
- successfully complete the Ontario Secondary School Literacy Test (or the Ontario

Secondary School Literacy Course), and;

- complete 40 hours of community involvement activities.

Students who leave school before earning the OSSD may be granted the Ontario Secondary School Certificate, provided that they have earned the following credits:

- 2 credits in English,
- 1 credit in Canadian geography or Canadian history,
- 1 credit in mathematics,
- 1 credit in science,
- 1 credit in health and physical education,
- 1 credit in the arts or technological education, and
- 7 credits selected by the student from available courses.

Compulsory and Optional Credits

Students must earn the following credits in order to obtain the Ontario Secondary School Diploma:

18 Compulsory Credits

- 4 English (1 credit per grade)
- 1 French-as-a-second language
- 3 Mathematics (at least 1 credit in Grade 11 or 12)
- 2 Science
- 1 Arts
- 1 Canadian geography
- 1 Canadian history
- 1 Health and physical education
- 0.5 Civics
- 0.5 Career studies

plus:

- 1 additional credit in English, or a third language, or social sciences and the humanities, or Canadian and world studies, or guidance and career education, or cooperative education
- 1 additional credit in health and physical education, or the arts, or business studies, or cooperative education
- 1 additional credit in science (Grade 11 or 12) or technological education (Grades 9–12), or cooperative education

12 Optional Credits

These are selected from the courses available.

For secondary students in Catholic schools up to 4 credits in religious education may be required. This is determined by board policy.

Annual Education Plan

Each student in grades 7 to 12 prepares an annual education plan which identifies:

- Strengths
- Interests
- Accomplishments and goals in their academic success,
- Extracurricular activities, and
- Community activities.

Students continually explore and build awareness of career opportunities available to them.

The annual education plan will also reflect course selection and

education planning related to potential careers and post secondary opportunities in apprenticeship, college, university and the work place. As they reflect upon their learning in course work and programs each year, students continue to explore, accumulate, record and revise their plans to align them with their annual goals.

Organization of Courses

All schools must offer a sufficient number of courses and course types so that students can meet the diploma requirements.

In Grades 9 and 10, course types available are academic, applied and open. Academic courses emphasize theory and abstract problems. Applied programs focus on practical applications and concrete examples. Open courses prepare students for further study in certain subjects and generally enrich their education. Locally developed compulsory credit courses are also available to students in Grades 9 and 10.

Students in Grades 11 and 12 may choose from five course types or pathways, four of which may be used for post-secondary destinations (college, university/college, university and workplace) and a range of open courses across various disciplines.

In order to meet the educational needs of their students, school boards may develop courses locally that can be counted as

compulsory or as optional credits toward a diploma. A transfer course allows a student to transfer between an academic and applied course should their interests or goals change. This is only available for students wishing to bridge the gap between the Grade 9 applied and Grade 10 academic courses.

Student Success/Learning to 18 Strategy

Ontario’s Student Success Strategy first described in the document *Reach Every Student* was reinforced and further defined in the 2008 issue subtitled *Energizing Ontario Education*. (<http://www.edu.gov.on.ca/eng/document/energize/energize.pdf>) The strategy is based on the belief that every student deserves a good outcome from his or her education and that the outcome should:

- be the best fit possible with each student’s potential;
- instill willingness and capacity for further learning; and
- have a core of common knowledge, skills and values.

Reach Every Student is based on the government’s three core priorities for education:

1. high levels of achievement
2. reducing gaps in learning
3. promoting public confidence in education.

Student Success strategies include relevant and innovative programs designed to address the wide

variety of individual learning needs and prepare students for the postsecondary pathway of their choice: apprenticeship training, college, university, or the workplace.

- **Specialist High Skills Major (SHSM)** is a ministry-approved specialized program that allows students to focus their learning on a specific economic sector while meeting the requirements for the Ontario Secondary School Diploma (OSSD) and assists in their transition from secondary school to apprenticeship training, college, university, or the workplace.

<http://www.edu.gov.on.ca/eng/teachers/studentsuccess/specialist.html>

- **Expansion of Cooperative Education** allows more students, including adult students to earn secondary school credits while completing a work placement in the community. This program helps students make connections between school and work and to try out a career of interest before finalizing plans for postsecondary education, training or employment. Schools and boards have been expanding their co-op programs to meet the increased demand for these opportunities from students and their parents.

<http://www.edu.gov.on.ca/eng/teachers/studentsuccess/expansion.html>

- **Dual Credit** programs allow students who are not achieving at their potential and are becoming disengaged to participate in postsecondary courses and apprenticeship training. With these options they can earn credits that count towards their Ontario Secondary School Diploma (OSSD) and their postsecondary diploma, degree or apprenticeship certification. These programs are designed to attract and retain senior students who face the greatest challenges in graduating.

- **The Differentiated Instruction Professional Learning Strategy** provides the instructional knowledge and skills for educators to meet the diverse needs of all students. Differentiated instruction (DI) is effective instruction that is responsive to the unique learning preferences, interests and readiness of the individual learner. Using a differentiated instructional approach allows teachers to provide the appropriate levels of challenge and support to increase student engagement and achievement. The professional learning strategy provides teachers in Grades 7-12) with a framework for planning and implementing effective instruction, assessment and evaluation practices, a positive and nurturing learning

environment, and an engaging program based on key expectations as outlined in the Ontario curriculum.

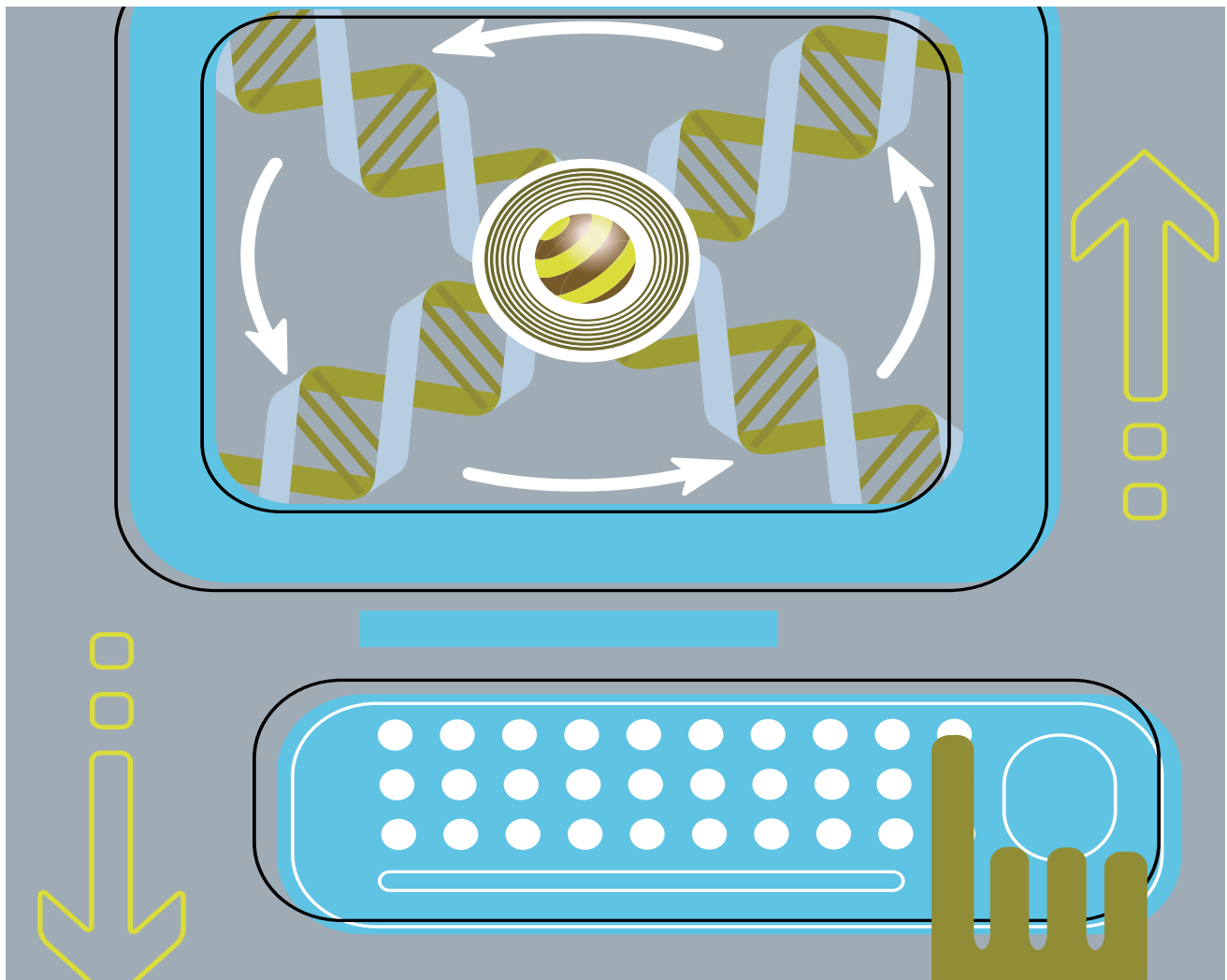
- **Student Success Team and Teacher Initiatives:** every secondary school has a Student Success Team comprised of the principal, a student success teacher and other teachers in areas such as guidance and special education, as well as support staff. This team provides support to all students to ensure successful completion of their diploma requirements. In addition, special attention is provided to students whose profile including academic

performance has indicated that they may be “at risk” of not graduating.

- The **Student Success Leader (SSL)** works regionally with other SSLs and with Ministry staff to support Student Success initiatives and strategies, facilitates networking, and assists in maintaining the board’s focus on the province’s core priorities for education. The SSL reports directly to the Director of Education.
- A **Student Success Teacher** is appointed in every secondary school to provide direct support for students and to coordinate the school’s

Student Success initiatives.

- **Transition** is a strategy focused on “Being, Belonging and Becoming” aimed at providing protective supports at the school level to ensure a smooth educational transition for students. Intervention and prevention approaches include: individualized schedules, a caring adult, and Cross Panel (elementary to secondary) that incorporates tracking and monitoring. The intent of this strategy is to:
 - Support the individual needs of students as they move from elementary school to secondary school, especially those



students who may be at risk of leaving school before graduation;

- Assist secondary schools in creating a welcoming and caring environment for all students, with particular attention to those students new to the school, New Canadians, English Language Learners, First Nation, Métis and Inuit learners, and students transitioning from grade to grade, school to school, and program to program.
- The **Student Voice Initiative** is a program to re-engage students and to close the gap in achievement for students who are not yet experiencing success by learning more about how they learn and what helps them learn. Students are encouraged to become more engaged in learning through SpeakUp Projects, the Minister’s Student Advisory Council (MSAC), and Regional Student Forums.

Literacy and Numeracy Strategy

In 2004, the Ontario government identified literacy and numeracy skills as one of its key educational priorities. The government believes that every student in the province should be able to read, write, do math and comprehend at a high level. The government’s Literacy and Numeracy Strategy spans Kindergarten through Grade 12. It includes reducing class size in the primary grades, a focus on teacher and leadership training, as well as investing in new resources, strategies and supports. The government set a target to have 75 per cent of 12-year-olds reach the provincial standard on province-wide reading, writing and math testing by 2008 and a target that would see an 85 per cent graduation rate by 2010-11.

The following three components are essential elements of the literacy and numeracy strategy and are aligned with the school board’s strategic plan:

- **The Board Improvement Plan for Student Achievement** includes goals for student

learning and actions that school board staff will take to improve achievement for every student. It is based on the analysis of a comprehensive needs assessment which is informed by School Improvement Plans and School Effectiveness Processes. The Board Improvement Plan for Student Achievement is an annual operational plan that sets out the steps that will be taken toward achieving the Board’s multi-year strategic direction for student achievement. It specifies precise improvement goals toward student achievement for an academic school year.

The purpose of a Board Improvement Plan for Student Achievement is to:

- Set specific student achievement goals on an annual basis
- Improve achievement for each student in the Board
- Provide a tracking and monitoring plan for improving student achievement



- Provide an evaluation of the Board's progress in meeting their SMART (specific, measurable, attainable, realistic and timely) goals
- **The School Effectiveness Framework K-12** is a tool for schools to use in the improvement planning process. It provides school-based information and patterns which inform school and board improvement planning. During the 2010-2011 school year, all schools will use the framework for self assessment as part of the needs assessment for school improvement planning. At the board level, school boards will undertake a district review process in elementary schools, ensuring that within a multi-year cycle all schools engage in the process. In 2010-2011 each board will refine its district review process for secondary schools and at minimum, work with a few secondary schools that are ready to benefit from the process.
- Teacher collaborative inquiry into instructional and assessment practice is the foundation of many of the initiatives funded by the Student Achievement Division and is key to improvements in literacy and numeracy. Through **Teaching and Learning Critical Pathway** at the elementary level and the **Professional Learning Cycle**

at the secondary level, teacher teams to co-plan, co-teach, and co-assess with the guidance of principals, district-level leaders and experts in subject-specific curriculum content, differentiated instruction, assessment and evaluation. The process allows teachers to focus instructional practice on improving student achievement through targeted teaching strategies based on student needs. The implementation of a professional learning cycle as a means of job-embedded learning builds capacity for teachers and leaders that is focused on classroom instruction and assessment. This includes capacity-building for leaders and facilitators of professional learning at the school level.

Student Assessment and Report Cards

The primary purpose of assessment and evaluation is to improve student learning. *The Growing Success* document was released in 2010 and contains the policies and practices that describe assessment, evaluation and reporting in Ontario schools. (<http://www.edu.gov.on.ca/eng/policyfunding/growSuccess.pdf>)

This document supersedes all prior Ministry documents on assessment and evaluation. An exception is the achievement charts that are contained within current Ontario curriculum

documents; these remain in effect. *Growing Success* has identified seven fundamental principles; to ensure that assessment, evaluation, and reporting are valid and reliable, and that they lead to the improvement of learning for all students, teachers use practices and procedures that:

- are fair, transparent and equitable for all students;
- support all students, including those with special education needs, those who are learning the language of instruction (English or French), and those who are First Nation, Métis, or Inuit;
- are carefully planned to relate to the curriculum expectations and learning goals and, as much as possible, to the interests, learning styles and preferences, needs and experiences of all students;
- are communicated clearly to students and parents at the beginning of the school year or course and at other appropriate points throughout the school year or course;
- are on-going, varied in nature, and administered over a period of time to provide multiple opportunities for students to demonstrate the full range of their learning;
- provide on-going descriptive feedback that is clear, specific, meaningful and timely to support improved learning and achievement;

- develop students' self-assessment skills to enable them to assess their own learning, set specific goals and plan next steps for their learning.

The achievement charts in the provincial curriculum are used to evaluate how well students are achieving in relation to the overall curriculum expectations and these areas of achievement are reported on regularly. Standards of achievement are defined for each subject at four levels for four categories of learning: knowledge and understanding, thinking and investigation, communication, and application. In addition, the elementary progress report card and elementary and secondary provincial report cards provide a record of the learning skills and work habits demonstrated by students in the following six categories: responsibility, organization, independent work, collaboration, initiative and self-regulation.

The achievement of elementary students is assessed regularly by teachers and a report is sent home to parents three times a year. This takes the form of an elementary progress report card between October 20 and November 20 followed by one provincial report card between January 20 and February 20 and a final report card towards the end of June of each school year. For grades 1 to 6, teachers report student achievement using letter grades; for grades 7-8, teachers report by

assigning percentage grades (0% - 100%).

The achievement of secondary students is also assessed regularly by teachers and a report is sent home to parents three times a year for non-semestered schools and twice per semester for semestered schools. Teachers indicate on the report card the level at which the student is achieving for each course by assigning percentage grades (0% - 100%).

In both the elementary and secondary panels a specifically designed standardized provincial report card is used for Grades 1 to 6, Grades 7 and 8 and Grades 9 to 12 and can be customized only in specific sections for school boards. There is also a version for use in Catholic schools that includes a section called *Religious and Family Life Education*.

The Ministry has published Exemplars for most subjects and courses for grades 1 to 12. The Exemplar documents provide samples of student work that represents work at each of the four levels of achievement. The Exemplars assist teachers in assessing student work and are available to the public on the Ministry of Education website. (See Note 13 on page 138)

The *Growing Success* document contains the requirements for assessment and reporting practices that are to be reflected in school board policies and practices. In

addition boards should use the Equity and Inclusive Education Strategy to guide policy reviews to ensure that practices are free of systemic bias related to how students' work is assessed and evaluated.

Province-Wide Testing

In 1995, the province created the Education Quality and Accountability Office (EQAO), an arms-length agency responsible for increasing accountability and promoting improvement in Ontario's education system. EQAO's mandate is:

- to provide clear, accurate and objective information about student achievement and the quality of education in Ontario; and
- to make recommendations for improvement that educators, parents, policy-makers and others in the education community can use to improve learning and teaching.

EQAO develops, conducts and marks province-wide tests for all students in grades 3, 6, 9 and 10. The EQAO reports the test results in two ways:

- individual student results, and
- school-wide, board-wide, and province-wide results, which are shared openly with the public to promote accountability in the education system.

These test results, along with other assessment tools used

locally, help the school and the board to review the effectiveness of their programs and set priorities for the future. Boards are required to assess their test results and to implement measures to support students who are at risk of failure. School boards are required to consult with school councils in the development of board action plans for improvement based on the EQAO test results. Principals are also required to consult with the school council in the development of school action plans for improvement based on the EQAO test results.

There is an accommodation policy for students with special needs.

Teachers and administrators receive training support from the EQAO, along with a package of sample performance tasks. Samples and supporting information are also available on the EQAO website at www.EQAO.com.

The EQAO individual school and board results are used to inform board-wide and school-based practices in order to maximize the opportunities for success for all students.

EQAO Testing in Elementary Schools

The Grade 3 and Grade 6 Assessments of Reading, Writing and Mathematics are based on the reading, writing and mathematics expectations in the Ontario Curriculum, Grades 1–8. These assessments provide both

individual and system data on students' achievement. The EQAO assessments require each student to demonstrate his/her skills and knowledge of reading, writing and math.

The tests are administered in the spring and school boards receive the system results for each year's elementary school assessments in August. Parents receive individual reports on their child's achievement in September/October.

EQAO Testing in Secondary Schools

In cooperation with EQAO, school boards administer two annual tests to secondary students:

- The *Grade 9 Mathematics Test* is an assessment designed to measure student achievement of grade 9 mathematics expectations for the applied and academic courses. It provides valuable data for student improvement and program implementation. Teachers have the option of including the marks with students' report card grades. The testing is conducted in January for students enrolled in a first-semester course, and near year-end for students studying in a full-year course or second-semester course.
- The *Ontario Secondary School Literacy Test (OSSLT)*, written in grade 10, is designed to assess the reading and writing skills that students are expected to have learned across all

subjects by the end of grade 9, as outlined in the Ontario Curriculum. Students are assigned a pass or fail rating, not a score. Those who pass receive notification of success only. Those who fail receive a performance profile to guide their remedial work. The OSSLT is the standard method for students to obtain the graduation literacy requirement for the Ontario Secondary School Diploma





(OSSD). All schools must provide students who fail the OSSLT with opportunities to receive remedial help and to repeat the test. Students who are unsuccessful may choose to take the grade 11 Literacy course as a form of remedial follow-up. Students who fail the test may also enroll in the Ontario Secondary School Literacy Course (OSSLC). Students who pass the OSSLC will have met the graduation requirement. The OSSLC is a full credit course.

National and International Tests

Ontario also participates in several national and international standardized tests. These tests are administered to random samples of students and the results provide an indication of the strengths and weaknesses of Ontario's education system when compared with many other jurisdictions around the world and across Canada.

- There are various **International tests**, such as the Trends International Mathematics and Science Study (TIMSS) and the Progress in International Reading Literacy Study (PIRLS); these are conducted through the International Association for the Evaluation of Educational Achievement (IEA). The Programme for International Student Assessment (PISA) test is conducted by the Organization for Economic Cooperation and Development (OECD).
- **The Pan-Canadian Assessment Program (PCAP)** conducted through the Council of Ministers of Education, Canada (CMEC) tests random samples of students in reading, mathematics and science. It was administered for the first time in 2007 and replaced the previous Canada-wide School Achievement Indicators Program (SAIP).

Equity and Inclusive Education Strategy

“Equity and inclusive education aims to understand, identify, address, and eliminate the biases, barriers and power dynamics that limit a students’ prospects for learning, growing, and fully contributing to society.” (Equity and Inclusive Education in Ontario Schools, 2009).

<http://www.edu.gov.on.ca/eng/policyfunding/equity.pdf>

The guidelines contained in the document require all school boards to review their policies and practices to ensure positive learning environments for all students and staff.

The Ontario Curriculum integrates, where relevant, into the expectations for every course equity, diversity, First Nation, Métis and Inuit perspectives, anti-discrimination, and safe schools values. An active commitment to equity strengthens the ability of the school system to carry out its mission of preparing all students to lead personally rewarding lives, to get along well with people from a wide range of backgrounds, to welcome and seek out new knowledge about people and the wider world, and to play a positive role in our diverse society. (For legal responsibilities related to equity and diversity, see Chapter 6, Legal Responsibilities and Liabilities.)

Religion in Public Schools

The ministry supports the inclusion of multi-faith content in the

public elementary and secondary school curriculum for educational purposes. District school boards can provide programs in elementary schools in which religion is the focus for up to 60 minutes of instructional time per week. The ministry's resource guide, *Educating About Religion in Ontario Public Elementary Schools*, suggests that the process for developing courses should include consultation with teachers, students, parents and guardians, and other community members; boards are also encouraged to form advisory committees. Students in secondary schools can currently earn credits by completing world religion courses developed using the Grade 11 and 12 social sciences and humanities curriculum policy document.

Public schools may not indoctrinate students in or give primacy to any particular religion. The Ontario Court of Appeal ruled in 1988 that opening and closing exercises in public schools that give primacy to a particular faith are unconstitutional. The same court ruled two years later that indoctrination in any one religion in public schools is also unconstitutional.

In 1996, the Supreme Court of Canada made a ruling that religious alternative schools are not constitutionally entitled to grants through the publicly funded system.

Religion in Catholic Schools

Catholic district school boards are responsible for:

- developing their own Religious Education and Family Life Education programs;
- infusing Catholicity across the curriculum; and
- developing the faith of their students.

It is important to understand these concepts and the differences among them.

Religious Education

Religious Education refers to the more formal academic study of religion. It is organized into courses of study appropriate to the student's age and maturity. Like other school subjects, it is open to teaching methodologies that range from the experiential and child-centred to more teacher-centred approaches. It encompasses subject matter such as gospel studies, liturgy, Church history, and the culture and heritage of Catholicism. Students in Catholic schools must take Religious Education courses. Up to four of these courses may be used to meet the credit requirements for the Ontario Secondary School Diploma (OSSD).

Family Life Education

Students in Catholic schools also receive education in family life. Ethics, sex education, marriage, the role of the Christian family in the modern world, and the social

teachings of the Catholic Church are the central issues addressed in family life education.

Catholicity Across the Curriculum

Central to the concept of Catholic education is the conviction that all subjects and disciplines provide constant opportunities for learning about faith and its meaning in contemporary society. The essence of Catholic education is found not only in distinct subjects such as Religion and Family Life but also in the total learning environment which creates a community that passes on the values and virtues of the Catholic tradition.

Faith Development

Faith development relates to the Catholic community's approach to life. It focuses on issues of commitment, value judgement, and interaction among people. In experiencing the interaction between the school and the broader community, students see the expectations of Catholic social teaching in action.

Positive School Climate

In recent years there have been a number of legislative changes and Ministry policy memoranda which stipulated requirements for school boards to review and implement policies and procedures to create positive school climates for learning and working for students and staff. The research identifies a very clear link between student achievement

and school climate where students and staff are feeling included, valued, respected and safe.

Programs and activities integrated within the Ontario curriculum and integral to the fabric of a school are essential in a prevention and intervention strategy approach to support students in developing positive behaviours. Some examples of these programs are character development, anti-bullying, positive space, mentorship and peer leadership

See Chapter 6: Legal Responsibilities and Liabilities for more on school boards' obligations in this area. For more information on the ministry's policy directives, see:

Bullying Prevention and Intervention (PPM 144) <http://www.edu.gov.on.ca/extra/eng/ppm/144.html>

Progressive Discipline and Promoting Positive Student Behaviour (PPM145)

<http://www.edu.gov.on.ca/extra/eng/ppm/145.html>

Special Education

Every school board is required by the Education Act to provide special education programs and services for its exceptional students. An exceptional student is defined in the Act as “a pupil whose behavioural, communication, intellectual, physical or multiple exceptionalities are such that he or she is considered to need a placement

in a special education program by a committee . . . of the board.”

A school board must detail, in its Special Education Report (referred to in Regulation 306 as the Special Education Plan), how the school board will meet the special needs of its exceptional students. The programs or services required to facilitate learning by an exceptional student will vary depending on the strengths and needs of the student. Each school board determines the range of special education programs and services required to meet the needs of its exceptional student population, and, as set out in Regulation 306, must describe these in its Special Education Report. Each school board's Special Education Report must be current at the beginning of each school year and must be available at the school board's office for review by the public. A school board may provide its own special education programs and services, or it may purchase them from another school board.

Special Education Advisory Committee

Every school board must have a Special Education Advisory Committee (SEAC) that monitors the board's special education programs, services, and plans. Details of this requirement are set out in Ontario Regulation 464/97, made under the Education Act.

The SEAC is composed of representatives of local associations, members of the school board,

and, in specific cases, other members of the community.(See Note 14 on page 138) Each local association that meets the criteria should be invited to participate in the SEAC, up to a maximum of 12 representatives.

The board must appoint three trustees or 25 per cent of the total number of trustees on the board (rounded down) whichever is fewer. Where the regulations require a school board to have one or more First Nation representatives, its SEAC must also have one or two First Nation members to represent the interests of First Nation students.

The SEAC must meet at least ten times in each school year. It is mandated to make recommendations for establishing, developing, and delivering special education programs offered by the school board. The board must give the SEAC an opportunity to be heard before making any decisions on SEAC recommendations. Further, the board must ensure that the SEAC has an opportunity to participate in the review of the board's Special Education Report, and be consulted on the Board Improvement Plan for Student Achievement (BIP) process. The SEAC also has the opportunity to review the board's annual budget process, and financial statements.

Identification and Placement of Exceptional Students

The identification and placement of exceptional students is

governed by Ontario Regulation 181/98. Exceptional students are identified by special education Identification, Placement and Review Committees (IPRCs). Every school board must establish at least one IPRC. Each IPRC must be made up of at least three individuals and at least one of these must be a principal or a supervisory officer. Trustees may not be IPRC members.

The IPRC is mandated to collect information about a student who has been referred to the committee. This information must include an educational assessment and may also include a psychological assessment and/or a medical assessment if these are deemed appropriate by the committee and if the parents (and the student, if 16 or over) approve. The parents and the student (if 16 or over) have the right to participate in all IPRC discussions about the student, be present when the IPRC makes its decision, and bring an advocate to help them.

The IPRC's written decision must indicate the following:

- whether the student has been identified as exceptional and, if so, the categories and definitions of any exceptionalities;
- a description of the student's strengths and needs;
- the placement decision; and
- any recommendations regarding special education services and programs.

The needs of the vast majority of exceptional students can be addressed in a regular classroom with the help of instructional, environmental, and/or assessment accommodations or some curriculum modification or both. Ontario Regulation 181/98 states that before considering the option of placement in a special education class, an IPRC must first consider whether placement in a regular class, with appropriate special education services, would meet the student's needs and be consistent with parental preferences. Placement options that may be considered include: regular classroom with indirect support, regular classroom with resource assistance, regular classroom with withdrawal assistance, special education class with partial integration, and special education class full time. If the IPRC has decided that the student should be placed in a special education class, the decision must state the reasons.

In some instances, a student may need to attend a provincial school for the deaf, blind, or deaf-blind, or a provincial demonstration school for students with severe learning disabilities.

The identification and placement of a student who has been identified and placed by an IPRC must be reviewed at least annually by the IPRC, although parents may provide a written statement to waive the IPRC review. Also, the IPRC must review the placement

if the parents make this request to the school principal any time after the placement has been in effect for three months.



Parents who disagree with the IPRC's decision may:

- within 15 days of receiving notice of the decision, request a follow-up meeting with the IPRC to discuss the decision, or
- within 30 days of receiving notice of the decision, file a notice of appeal with the Special Education Appeal Board.

Parents who remain dissatisfied after the follow-up meeting may also, within 15 days of receiving notice of the reviewed decision, file a notice of appeal. Many parents may agree to a resolution of the dispute through mediation before proceeding with an appeal. The special education placement decision may be implemented if one of the following applies:

- the parent has consented in writing;
- the parent has failed to initiate the appeal process within the specified time period following the IPRC decision or the Special Education Appeal Board process;
- the parent has appealed to the Special Education Tribunal but subsequently abandoned the appeal; or
- the Special Education Tribunal has directed the board to place the student.

Pending an IPRC meeting and decision, a student is entitled to an appropriate education program. This program must be appropriate to the student’s apparent strengths and needs, must include education services to meet the student’s apparent needs, and must be in a regular class if this meets the student’s needs and is consistent with the preferences of the parents.

Special Education Appeal Board

The board must establish a special education appeal board (SEAB) if it receives a notice of appeal. Each SEAB has the following members, who must not have had any prior involvement with the case:

- a person nominated by the school board who must not be an employee of the board or the Ministry of Education; the person does not need to be a supervisory officer;
- a person nominated by the parent or student; and

- a chair selected jointly by the two members.

If the nominees are unable to agree on a chair, the appointment is made by the ministry’s regional manager.

The SEAB will convene a meeting or meetings with representatives of the school board, the parents and any other person who, in the opinion of the SEAB chair, may be able to contribute information on the matters under appeal.

The SEAB has two options: it may agree with the IPRC and recommend to the school board the implementation of the IPRC’s decision; or, it may disagree with the IPRC and make an alternative recommendation concerning identification and/or placement. The recommendation must be forwarded to the board within 3 days of the end of the meeting. The board must, within 30 days, decide on the action it will take and inform the parent of its decision. The notice to the parent must explain the parent’s further right to appeal to the Ontario Special Education (English or French) Tribunal.

Special Education Tribunal

Following receipt of the notice of decision by the school board, a parent who disagrees with the board’s decision may appeal to the Special Education Tribunal (SET), which is established by the Ministry of Education under the Education Act. The appeal proceeds before the SET as a formal

hearing between the parents and the school board. At the conclusion of the hearing, the SET may dismiss the appeal, or grant the appeal and make any order it considers necessary for the identification or placement of the student. The decision of the SET is final and binding on the parents and the board. However, the parents or board have recourse to the courts if the SET makes an error in law or in procedural fairness.

Before the tribunal agrees to hear the appeal, the tribunal secretary asks both parties whether they will consider mediation.

Individual Education Plan

In accordance with Regulation 181/98 of the Education Act, an Individual Education Plan (IEP) must be developed for exceptional students. The requirements for IEPs are set out in the regulation and in the Ministry of Education’s policy document *Individual Education Plans: Standards for Development, Program Planning, and Implementation, 2000*.

Every student who has been identified as exceptional by an IPRC must be provided with an IEP within 30 school days of the start of the placement. School boards may also provide a special education program and/or related services for a child who has not been identified as exceptional. In such cases, an IEP should be developed for that child. The plan must be developed by the

student's teachers, under the supervision of the principal and in consultation with the parents and the student, if the student is 16 years of age or older.

An IEP is a written plan that describes the student's learning strengths and areas of need. It identifies the special education program and/or services that will be provided. Key components of an IEP include:

- any accommodations, such as special teaching strategies, support services, or assistive devices, that a student needs to achieve learning expectations, including accommodations to be provided during provincial assessments;
- any modified learning expectations, reflecting changes to the expectations set out in the Ontario curriculum;
- any alternative learning expectations for program areas not found in the Ontario curriculum, such as personal care skills, social skills, and anger management training;
- information on how the student's progress will be monitored, evaluated, and reported to parents; and,
- for students 14 years or older, except for those identified solely on the basis of giftedness, a plan for transition to the appropriate post-secondary school activities, such as work, further education, and community living; and

- for students with Autism Spectrum Disorders (ASD), Program/Policy Memorandum (PPM) 140 directs school boards to develop a transition plan between various activities and settings.

School boards have been encouraged by the ministry to develop the tools and processes needed to examine the quality of their IEPs against the requirements set out in the standards. Further information on the development, implementation, and monitoring of IEPs is available in the ministry document *The Individual Education Plan (IEP): A Resource Guide*, 2004.

Further Information

Further information about special education policies and procedures can be obtained from the ministry's website, at <http://www.edu.gov.on.ca/eng/parents/speced.html>

Adult and Continuing Education

Continuing education enables people to engage in purposeful learning activities at various points in their lives. It involves the provision of credit and non-credit courses for individuals who wish to study part-time, or full-time for a short term, outside the program offered in elementary or secondary schools. Programs offered through Adult and Continuing Education may include:

- Adult Day School

- Adult Continuing Education Day School
- Night School
- Summer School
- Correspondence self-study including elearning
- Secondary crossover or transfer courses
- Elementary and secondary reach-ahead courses
- Elementary international language courses
- Prior Learning Assessment and Recognition* (PLAR) for mature students
- Adult Native language

Prior Learning Assessment and Recognition (PLAR) for mature students is a formal evaluation and accreditation process carried out under the direction of a school principal. Through this process the principal may grant secondary school credits to mature students.

Secondary school credit courses for independent study at a distance that meet the requirements of the Ontario Ministry of Education are available through TVOntario's Independent Learning Centre (ILC). For more information visit www.ilc.org.

Adult non-credit programs for English or French Second Language and Citizenship are offered by the Ministry of Citizenship and Immigration.

Adult non-credit programs for Literacy and Basic Skills are offered by the Ministry of Training, Colleges and Universities.

CHAPTER 10:

Collective bargaining



As employers, school boards have a legal responsibility for labour relations with their teaching and non-teaching staff. For unionized staff, the terms and conditions of the relationship are established through legislative standards, board policies, and decisions made as a result of the collective bargaining process and reflected in collective agreements.

Not everyone who works in a school board is eligible to be a member of a union and be represented in collective bargaining. A small number of employees are deemed ineligible because of their role with the board or because of the type of information to which they have access. These include:

- supervisory officers, including the director of education;
- principals and vice-principals,
- some executive/administrative assistants,
- most management staff in non-academic areas,
- some human resources staff, and
- some financial services and information technology staff.

For the above staff, there are legislated minimum employment standards. Other employment terms may be addressed in personal service contracts, group agreements, or other terms and conditions set by the board, usually following discussions with the affected staff. Ministry policy defines the negotiations process which must occur with principals and



vice-principals, and the components that must be included in the terms and conditions for principals and vice-principals. [PPM1 52 issued in February 2010: see: <http://www.edu.gov.on.ca/extra/eng/ppm/ppm152.pdf>].

Overview

The Labour Relations Act (LRA) governs collective bargaining for non-teaching staff. (See Note 15 on page 138) Under the LRA, the term of a non-teaching collective agreement

must be a minimum of one year.

Teachers' collective bargaining is regulated by Part X.1 of the Education Act (and its relevant regulations) and by provisions in the LRA. The Education Act mandates that collective agreements with teachers must be either two or four years in length. The Act further provides that any two-year collective agreement entered into on or after September 1, 2004, can, by mutual consent, be continued for a further two years.

Regulations under the Education Act set parameters for matters such as teacher qualifications (Reg. 297), the school year and school holidays (Reg. 304), and the general operation of elementary and secondary schools (Reg. 298). In addition, the Education Act gives Cabinet the authority to enact regulations on matters such as class size and teacher instructional time. Table 10-1 provides key definitions and legislative provisions related to collective bargaining with teachers.

TABLE 10-1 TEACHERS' COLLECTIVE BARGAINING: KEY DEFINITIONS AND LEGISLATIVE PROVISIONS

Teacher	Teacher as defined in Part X.1 of the Education Act excludes supervisory officers, principals and vice-principals from the bargaining units for teachers. Principals and vice-principals may be assigned teaching duties but are not allowed to be represented by a union for collective bargaining as long as they perform principal/vice-principal duties.
Strike	A strike includes any action undertaken collectively by teachers with the intent to stop or limit the normal operation of a board, including regular classroom programs. Any of the following are considered strike actions: withdrawing services; working to rule; and curtailing the performance of the duties of teachers. [Education Act,s.277.2(4)]
Right to strike and lock out	Teachers have the right to strike, and boards have the right to lock out their employees. The LRA sets out the process which school boards and unions must follow to get into a legal strike/lock-out position.
Education Relations Commission	The Education Act provides that the Education Relations Commission advise Cabinet if the school year of the affected students is in jeopardy because of a strike or lock-out.
Instructional time	The Education Act gives Cabinet the authority to make regulations governing minimum teaching time for elementary and secondary teachers.
Class Size	The Education Act gives Cabinet the authority to make regulations governing class size.
Co-instructional activities	Co-instructional activities are activities other than instruction that support the operation of the school and enrich the school-related experiences of students. They include sports, school functions, and other commitments.
School year	Boards can require teachers to report for work up to 5 days before the beginning of the school year. Collective agreements often contain provisions regarding the length of the teacher work year.
Bargaining Units and Bargaining Rights	The Education Act provides that each teacher must belong to a bargaining unit. The Act also sets out the bargaining unit to which the teacher belongs and which teachers' union will represent them.

Legislation Governing Collective Bargaining

Several statutes and regulations made under them define a board's relationship with its employees, and the terms and conditions of employment. These include the following statutes:

- the Education Act
- the Labour Relations Act
- the Employment Standards Act
- the Occupational Health and Safety Act
- the Pay Equity Act
- the Municipal Freedom of Information and Protection of Privacy Act
- the Ontario Human Rights Code

Bargaining Agents and Bargaining Units

Teachers

The Education Act requires teachers within each school board to belong to one of the following four bargaining units:

- regular elementary teachers
- occasional elementary teachers
- regular secondary teachers
- occasional secondary teachers

The Act allows bargaining units to combine if all parties agree. For example, regular and occasional public secondary teachers may merge into one bargaining unit if the board and the union agree.

Two or more school boards may negotiate joint agreements if all parties agree.

The Education Act provides that all regular and occasional teachers are represented by one of the following bargaining agents:

- the Elementary Teachers' Federation of Ontario (ETFO), which represents teachers in English public elementary schools
- the Ontario Secondary School Teachers' Federation (OSSTF), which represents teachers in English-language public secondary schools
- the Ontario English Catholic Teachers' Association (OECTA), which represents teachers in elementary and secondary English Catholic schools
- the Association des enseignants franco-ontariens (AEFO), which represents teachers in both public and Catholic elementary and secondary French-language schools

The ETFO, OSSTF, OECTA, and AEFO all belong to the Ontario Teachers' Federation (OTF), the umbrella organization for Ontario's teacher unions.

Non-Teaching Staff

Provisions governing non-teaching staff are the same as those for the private sector. Unions seeking to represent employees such as custodial, clerical, and other non-teaching staff must first go

through the certification process set out in the LRA. Unions currently certified to represent non-teaching staff include: the Ontario Public Service Employees Union (OPSEU), the Association of Professional Student Services Personnel (APSSP), and the Canadian Union of Public Employees (CUPE). Teacher



unions may use their trade union status to organize non-teachers. OSSTF, for example, represents clerical staff in some boards.

Trade Unions and Staff Organizations

Some staff may prefer to form an organization such as an association without applying to the Ontario Labour Relations Board for trade

union certification. This may be because they are prohibited from belonging to a union (e.g., principals) or because they feel more comfortable belonging to an association rather than a trade union.

Once a union is certified under the LRA, a number of legal requirements come into effect. The employer – in this case the school board – is required to recognize the bargaining agent as speaking on behalf of all employees in the bargaining unit and to negotiate and maintain a collective agreement in good faith.

Recognition of an uncertified staff association, on the other hand, is purely voluntary. Many employers prefer to negotiate with staff associations because they find it easier to administer the resulting understanding/agreement and because it is what the affected employees prefer. Expectations concerning the terms and conditions for Principals and Vice-Prin-

cipals are outlined in a ministry policy memorandum [PPM 152].

The Role of the Bargaining Agents

Trade unions are legally obliged to represent their members in matters relating to the collective agreement. These obligations include negotiating the terms and conditions of employment on behalf of their members and representing their members’ rights under the collective agreement. Trade unions also provide professional development, lobby on behalf of their members regarding government policies, and promote teacher professionalism.

Negotiating a Collective Agreement

A collective agreement is a legally binding agreement between an employer and a union that represents its employees.

In the case of school boards, the board is responsible for setting the parameters, usually financial, of the proposal the board staff

prepares for the negotiations. In some boards this is initially reviewed by a committee that may also direct or oversee the collective bargaining process. However, because of the amount of time required for what is an increasingly complex process, the actual negotiations are usually undertaken by board staff, who frequently receive help from legal counsel and/or labour relations professionals.

Board staff should begin preparations for negotiations and the development of the proposal well in advance. In reviewing the proposal, the board should consider a wide range of factors, including:

- current government funding;
- comparable settlements; and
- difficulties experienced under the old collective agreement.

All parties are entitled to outside assistance, such as a lawyer. The school board/trustee associations



provide resources on collective negotiations for boards and their negotiators, and some also provide professional development sessions for negotiators. All school board labour relations and human resources practitioners have access through their school board/trustee associations to a central, web-based provincial portal which offers a regularly updated source of data on labour relations issues. The portal is maintained by the Ontario Education Services Corporation (OESC).

Notice to Bargain

The LRA sets minimum requirements for giving notice to bargain, but individual collective agreements may include more restrictive provisions. If there is no specific provision in the existing collective agreement, either side may give notice to bargain within the 90-day period before the collective agreement is to expire [LRA s. 59]. The parties must then meet within 15 days, or at some later time agreed to by the parties, to negotiate in good faith towards a new collective agreement [LRA s. 17].

If notice to bargain has been given and the agreement expires before a new settlement is reached, the terms and conditions of the expired agreement continue in force into the bargaining period.

Conciliation

Once notice to bargain has been given, either party may ask the Minister of Labour to appoint a

conciliation officer to help with negotiations [LRA s. 18(1)]. The parties do not necessarily have to meet before they enter conciliation. However, during the course of negotiations, both parties must engage in meaningful negotiations.

The conciliation officer meets with the parties to attempt to achieve a resolution, and then reports to the Minister of Labour.

No-Board Report

Following conciliation, the conciliation officer advises the Minister of Labour of any issues that remain in dispute. In theory the Minister can then appoint a conciliation board to continue the negotiation process, but in practice this never happens. Rather, the Minister of Labour issues a “no-board report”, which advises the parties that no such board will be appointed.

The release of this report brings the parties closer to the point at which they may impose sanctions on one another. However, collective agreements are often achieved after a no-board report and before the commencement of sanctions by either party.

Impasse and Sanctions

Most collective agreements are settled without conflict. However, if negotiations break down, employees have the right to strike and boards have the right to lock out their employees and, under certain conditions, to unilaterally alter their working conditions.

However, this can occur only after the mandatory conciliation procedures of the LRA have been followed and certain notification periods have expired.

The following must occur before employees can strike or a board can lock them out:

- one party has served the other with notice of intent to bargain;
- the collective agreement has expired;
- there has been conciliation conducted by the Ministry of Labour;
- fourteen days have elapsed since the Minister of Labour advised the parties that a conciliation board would not be appointed (that is, after the release of a “no-board report”); and
- a strike has been supported by a majority of the employees voting in a strike vote.

A bargaining party does not necessarily exercise sanctions just because it is in a legal position to do so, but generally only if it deems that the action is necessary to achieve a settlement. However, a school board may, because of its fiscal circumstances, alter conditions of employment (e.g., staffing levels) after the release of a “no-board report”. There are limitations on what can be imposed; the actions generally relate to positions previously introduced by the board at the bargaining table.

Even though a strike or lockout may be ongoing, the parties remain under a duty to seek a negotiated settlement and to bargain in good faith.

Strikes

To be legal, a strike vote has to take place 30 days or less before the collective agreement expires, or any time after the agreement expires [LRA s. 79(3)]. More than 50 per cent of those voting must be in favour of the strike. A job action – such as withdrawal of services or working to rule – is considered to be a strike.

Boards may not fire or discipline teachers or take any action affecting employment conditions simply because the employees are participating in a legal strike. It is strongly recommended that boards obtain legal counsel before taking any action related to a strike.

Lockouts and Unilateral Actions by the Board

When all conditions for a lockout have been met, a board may legally lock out its employees. In some cases, a board that has reached an impasse on certain issues may choose to exercise its right to unilaterally impose the disputed terms and conditions. Before doing so, a board should carefully assess such a move with the help of expert legal advice, bearing in mind that if its employees have not yet chosen to strike, the unilateral imposition of the board's terms and conditions may provoke a strike.

The Education Relations Commission

The Education Act provides that the Education Relations Commission advise the Lieutenant Governor in Council if the school year of the affected students is in jeopardy because of a strike or lockout. Where such "jeopardy advice" is given, it may lead to the enactment of back-to-work legislation by the Legislative Assembly. The government can, however, enact back-to-work legislation without a jeopardy finding.

Mediation and Arbitration

While mediation services are often initiated by the Ministry of Labour if a strike or lockout occurs or is likely to occur, both parties may jointly agree to the appointment of a mediator not associated with the Ministry of Labour in an

attempt to resolve outstanding issues, either before or during a strike. Depending on local circumstances, mediation could be a forerunner to arbitration.

Arbitration is an alternative to the negotiation/sanction process. At any time during the bargaining process the parties may jointly agree to refer all matters remaining in dispute to final and binding arbitration.

Binding arbitration carries both risks and advantages and should be taken after consultation with legal counsel and/or other professionals experienced in such proceedings.

Current Collective Agreements

All current collective agreements with teachers expire August 31, 2012.

Provincial Discussion Tables (PDTs)

The last two rounds of bargaining in the education sector have been marked by increased involvement of the government in bargaining at the provincial level. In the last round (2008) provincial discussion tables were established. The school board associations were represented at these tables, as were the unions. Key central issues were agreed to by the parties to the discussions. These agreements then formed the basis for local agreements between unions and school boards.





CHAPTER 11:

Working with parent involvement committees, school councils and communities



Education is a shared responsibility. Trustees are part of a team that includes parents, students, community agencies, interest groups, employees of the board, and the provincial government and its agencies.

The involvement of parents and community members in the education system enriches the learning environment and directly contributes to student achievement. Active community involvement also helps to create strong, democratically vibrant communities.

School boards can promote a healthy partnership with parents and the community by:

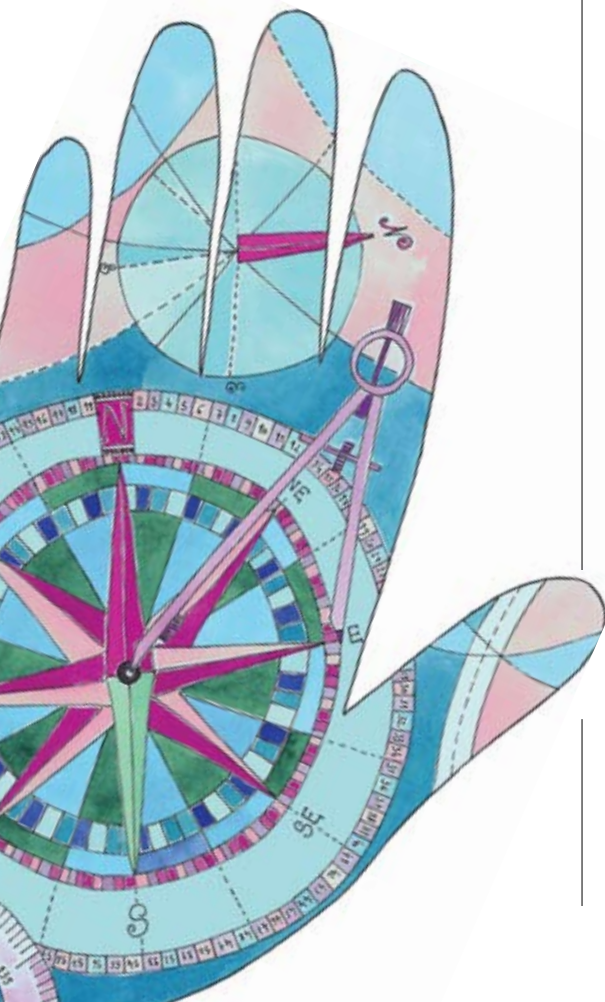
- making schools and the school system accessible and welcoming to parents and other members of the community;
- making sure the public has open access to relevant information about educational policies, programs, and services; and
- encouraging meaningful opportunities for input into decision making at the school and board level.

Strong school-community partnerships are good for schools and good for the communities they serve. Each school is a rich community resource with assets that include its facilities, equipment and materials, entertainment (sporting or artistic events), human resources (both the staff and the students), programs for students, and courses for the broader community.



Promoting Parent and Community Involvement

Ontario Education: Excellence for All – Developing Partners in Education, December, 2005, describes how the Minister of Education, the ministry, school boards, schools, their staff and their school councils can create the conditions, attitudes, and strategies that support parents to engage in their children’s education. The goal is to create a welcoming environment for parents and to make it easier for all parents to participate in their children’s education. When schools succeed in engaging parents there is a strong and positive connection to improved student achievement. There is a great deal of solid



research that supports this conclusion.

Parent involvement at the local school level has also been shown to reduce absenteeism, promote better behaviour and restore confidence among parents in their children’s schooling.

Examples of parent involvement include a wide range of activities:

- Some parents serve on School Councils, Parent Involvement Committees or school board advisory committees;
- Some volunteer for field trips and school activities;
- Many parents and families make sure that there is a quiet place set aside to do homework;
- Parents help with homework and actively read with their children;
- Parents meet with teachers, and
- Parents spend time talking to their child about their day at school.

Whether their activity is in the school or in the home, parents are authentically engaged in their children’s education and contributing to their success.

School boards and school communities can also encourage partnerships with:

- local professionals, seniors, and other individuals;

- community associations, such as multicultural associations, service clubs, and citizen groups;
- religious institutions, local parishes;
- artists, musicians, and cultural organizations;
- municipalities (through parks, libraries, and other community facilities);
- community colleges and universities;
- the police;
- health care institutions, such as hospitals, nursing homes, and family health clinics; and
- the private sector, including businesses, boards of trade, and chambers of commerce.

All of these potential partners can help to enrich the quality of life in the school community.

Parent Engagement Policy

Parents in Partnership: A Parent Engagement Policy for Ontario formally recognizes and supports a vision of parents as both valued partners and active participants in their children’s education. This policy:

- recognizes, encourages and supports many forms of parent engagement
- recognizes and supports the important role parents have in contributing to their children’s learning at home and at school

- identifies strategies to remove barriers to parent involvement (e.g., communications and language)
- supports parents in acquiring the skills and knowledge they need to be engaged and involved in their child's learning
- provides a parent voice at the local level through PICs, school councils and individual parents talking to teachers and principals.

The policy provides the vision of parent involvement, sets out four strategies to support parent engagement and includes an action plan for schools, boards and the Ministry of Education. The policy also showcases some of the many exemplary practices across the province. The full policy is available at: <http://www.edu.gov.on.ca/eng/parents/involvement/index.html>

The Role of School Councils

Active and involved school councils offer parents and guardians an effective way to contribute to their children's learning. Every publicly funded school in Ontario is required to have a school council. Improving student achievement and promoting accountability are among the key purposes of a school council. School councils are made up of individuals representing parents, the school, and the community.

They provide advice to principals and, where appropriate, to the local school board to ensure that their school responds to local needs and reflects local values.

Strong school councils help build strong school communities. The school council provides an avenue for consultation, advice, and information sharing among all members of the school community. School councils are encouraged to represent and share the views of their community and to establish open, inclusive practices that invite participation.

School councils have an advisory role and this is clarified in Ontario Regulation 612/00. They may provide advice on any matter to the school principal and, where appropriate, to the school board. School boards and principals are obligated to consider and respond to each recommendation made by school councils. To assist members, the Ministry of Education has published *School Councils: A Guide for Members*. This resource is available on the ministry's website, at www.edu.gov.on.ca/eng/general/elemsec/council/guide.html.

School boards and principals are required to consult school councils before they make decisions on certain matters. A comprehensive list of the areas requiring consultation with school councils by principals and school boards is set out in Ontario Regulation 612/00 as well as in the ministry's guide.



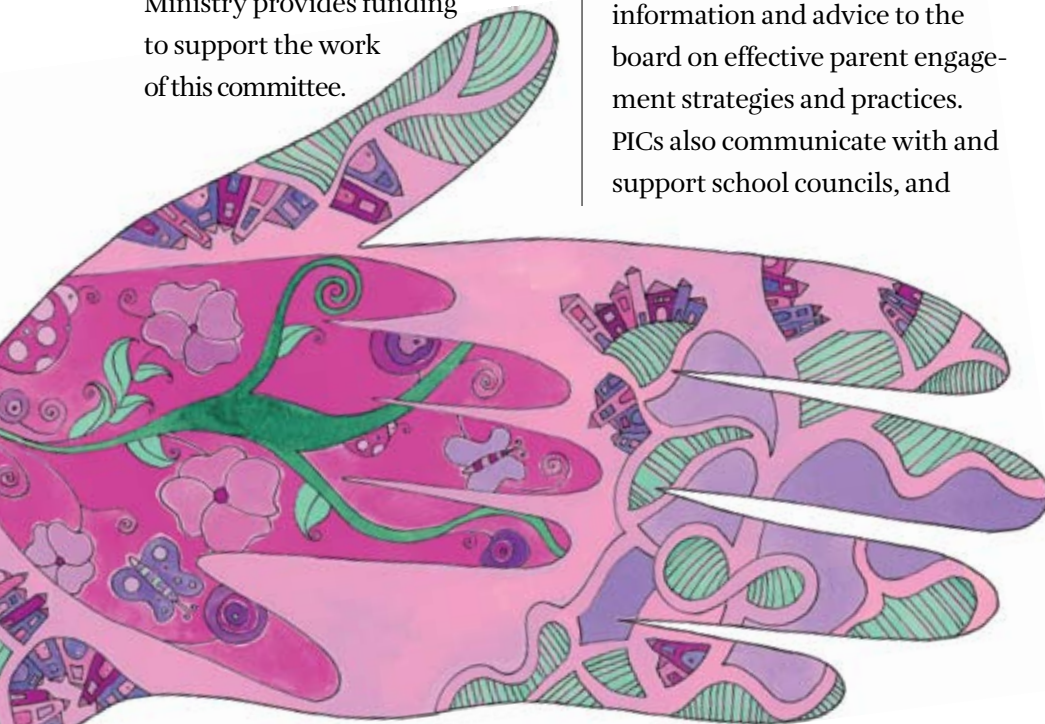
School councils are, in turn, expected to consult parents of their school community about matters under their consideration.

School councils are required to operate within the framework of the regulations and any applicable board policies. School boards are encouraged to work collaboratively with school councils to ensure that the regulations and board policies are clearly understood and that all parties comply.

The Role of Parent Involvement Committees

Ontario Education: Excellence for All – Developing Partners in Education indicated that school boards are to establish Parent

Involvement Committees (PICs). Ontario Regulation 330/10 requires every school board to establish a Parent Involvement Committee (PIC) and sets out provisions for the composition and functions of the PIC. The Ministry provides funding to support the work of this committee.



board by-laws, a PIC can include a principal, teacher and/or support staff.

While school councils are school-based advisory structures, PICs focus on matters that affect more than one school. The PIC provides information and advice to the board on effective parent engagement strategies and practices.

PICs also communicate with and support school councils, and

relevant board policies and help share effective practices that support parent engagement in their children’s learning. They can also help to identify parent and school council training needs within the district and contribute to the development of workshops, forums and conferences to address these needs.

How Trustees Can Support and Promote the Parent and Community Voice

Trustees can support the work of school councils and parent involvement committees by:

- promoting the value of school councils and PICs to the community;
- facilitating communication among school councils within the trustee’s area;
- helping to establish contacts between councils and their communities and between councils and the board’s PIC;
- providing a communication link among school councils, the PIC and the board;
- ensuring that the board establishes policies for school councils, in consultation with school councils;
- ensuring that school councils are able to provide input into the development of board policies related to the areas listed in Ontario Regulation 612/00;
- ensuring that boards report back to school councils or the

PICs are an advisory body which can be the vehicle for the participation of parents at the board level. Their purpose is to support, encourage and enhance meaningful parent involvement to improve student achievement and wellbeing throughout the board and its schools. PICs are formal structures and important advisory bodies to the board. The PIC is a parent-led committee; the chair/co-chairs are parents and the majority of members are parents. The director of education, a trustee of the board and up to three community representatives are members of the PIC. Subject to

undertake activities to help parents support their children’s learning at home and at school. The PIC regulation also provides that the ministry may solicit the advice of PICS on matters that relate to student achievement and well-being.

PICs can assist school boards by identifying strategies to increase parental engagement, including outreach to parents who find involvement more challenging due to language, recent immigration, poverty, newness to the system or other factors. PICs can promote the initiatives of school councils, encourage dialogue on

PIC on the actions taken by the board in response to advice provided by school councils or the PIC (Note: Boards are not bound by school council or PIC recommendations, but they are required to report back on actions taken or not taken.);

- evaluating the board’s method of reporting back to school councils;
- making school councils and the PIC aware of relevant board policies;
- ensuring that all those who are involved with school councils and the PIC work within the provisions of the regulations and any applicable board policies; and
- promoting and encouraging collaborative relationships among the board, school councils, the PIC, and the broader school community.

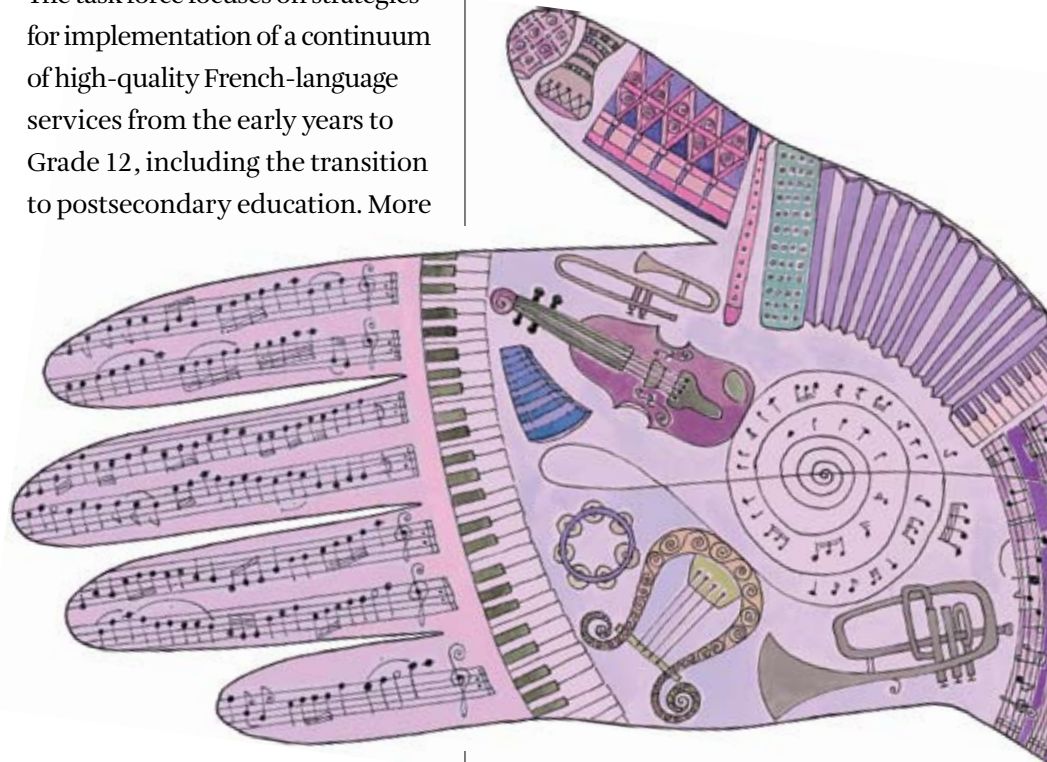
Permanent Elementary and Secondary French-Language Education Task Force

The government established a permanent task force to continue to address the unique challenges faced by Ontario’s French-language school boards.

Chaired by the Minister of Education, the task force advises the Minister on matters related to francophone education. These include promoting French-language education and French culture, reducing assimilation of francophone students, and

improving the recruitment and retention of francophone students.

The task force focuses on strategies for implementation of a continuum of high-quality French-language services from the early years to Grade 12, including the transition to postsecondary education. More



specifically, the task force may provide advice on overcoming long-term challenges related to elementary and secondary French-language education, such as:

- strategies for retention of students in French-language schools up to Grade 12;
- strategies to reduce gaps in student achievement in French-language schools;
- strategies to engage parents in a minority-language context, particularly in exogamous (two-language) families;
- measures to overcome a shortage of staff in the French-language education system; and

- approaches related to teacher education and ongoing professional development.

To ensure equitable representation, twenty-two representatives of the French-language community and education sector are included in the membership of the Task Force.

Inviting Public Input

Trustees have an important role to play in informing school councils and community members about how they can influence decision making at the board level, either through public deputations or, in some boards, through board advisory or consultative committees. All district school boards have procedures for public deputations to the board of trustees or its standing committees. Some

boards also have advisory or consultative committees to represent the viewpoints of parents, other community members, and secondary students. The goal in all cases is to invite public input in a way that is focused, inclusive, time-efficient, and accessible.

Making Connections in the Community

In addition to working in their own school board, some trustees choose to sit on other boards in the community, such as library boards, district health councils, hospital boards, and boards of trade. Trustees may also participate in community service clubs. Although this involvement is not a requirement of the trustee's role, the building of links with other services and agencies in the community strengthens mutual understanding of the needs of students and families and promotes confidence in publicly funded education.

Strategies for Engaging Communities in the Key Work of School Boards

Ontario's school board associations and many of its school boards have developed good resources related to their approach to community involvement and school councils.

The lists that follow contain strategies for community involvement developed by the British Columbia School Trustees Association (BCSTA).

In the community:

- Hold community forums and focus groups.
- Use questionnaires, satisfaction surveys, etc.
- Use budget-setting and other decision-making processes as the springboard for community discussion.
- Publish information about vision, expectations, budgets, programs, services, assessment

processes, etc., widely and in a variety of ways through a variety of media including social media. Invite comment!

- Ask community members and groups how they can support student achievement.
- Ensure community representation on advisory bodies.
- Mount community displays in public spaces (libraries, malls, etc.).



- Submit regular columns to local media, seek guest spots on call-in shows, etc.
- Get on the agenda of community groups.

In the schools:

- Align staff professional development with district vision and expectations.
- Open professional development to the community: run workshops on supporting

student learning; help parents support their child's learning – in French language schools this could include offering French lessons where one of the student's parents is not a French speaker.

- Recognize community support – with an appreciation concert, open house, parish event or other celebratory event.

- Draw on community partnerships and expertise to support career programs, work experience, cooperative education placements, community involvement opportunities, career exchanges, field trips, mentorships, etc.
- Involve your community in planning and decision making.

At the board table:

- Make sure board discussions and decisions focus on student achievement.
- Establish board policies to enable and set expectations for community involvement, discussion of school data, etc.
- Include students, parents, and community members on advisory teams; in the case of Catholic boards include a religious advisor.
- Provide opportunities for public comment at board meetings – and make people aware of these.
- Work with the community to establish involvement processes and protocols.
- Share and use information in planning processes.
- Report regularly on board progress at public board meetings.

For information on communicating effectively with the public and media, see Chapter 12, Communications and Media Relations.



CHAPTER 12:

Communications and media relations





Communicating with the community is an important part of the trustee's role. All board constituents need and have a right to know about what children are learning and how well they are learning. They also have a right to know how their tax dollars are being spent and a right to participate in discussions on the allocation of education resources in their community.

This chapter offers tips to help trustees communicate effectively, either through direct contact with parents, school councils, and community associations, or indirectly through the media.

Developing a Communications Plan

A communications plan is a road map for your communications over a given period of time – for example, a school or calendar year. A plan might focus on your individual goals, or it might guide the communications of a committee or of the whole board. Many school boards have expertise on their staff and effective strategies for communications planning.

There are no hard and fast rules for communications planning, but an effective plan might address the following:

- **Goals:** what you want to achieve through your communications during that time period, with an emphasis on one or two priorities
- **Strategies:** the specific ways in which you hope to reach your goals, connect to your audiences, share information, and receive feedback
- **Audiences:** the various groups within your community that you are attempting to reach and engage

- **Key messages:** the information you want to stress with each audience – over the long and the short term
- **Responsibilities:** the persons who are charged with implementing various elements of the communications plan
- **Timelines:** when things need to happen
- **Evaluation tools:** to measure the effectiveness of the plan

A good starting point is to consider how you or your group is communicating at present. Ask yourself:

- What are the strengths and weaknesses of the approaches you are using?
- Who aren't you reaching that perhaps you need to reach?
- What approaches are being used by other individuals or groups, and to what effect?

It is important to review your plan periodically and evaluate the effectiveness of your strategies. Ask members of the community, in person or through brief surveys, whether they feel that appropriate information sharing is taking place. Use this information to strengthen your plan for the coming year.

Keep the following tips in mind when planning your communications:

- Assign communications responsibilities to individuals or subcommittees and make sure the responsibilities are clear.
- Use a variety of information-sharing approaches, including letters, newsletters, phone/e-mail networks, an Internet website, blogs, social media, radio, community-access television, and print media.

- Prepare information sheets on important topics.
- Be aware of communications barriers, such as language and culture.
- Be mindful of who needs to know, when they need to know and how they usually access information.
- Focus on listening as much as telling. Explore two-way communication, feedback, and input throughout the community.
- Be informative, but do not impose your views. Welcome a range of viewpoints, and seek common ground.
- Design committee structures that allow for maximum participation from school councils, parents, and other community groups.
- Involve community volunteers in the initial planning of major initiatives.

Guiding Principles

Regardless of your audience, and whether you are speaking or writing, certain principles apply. You should always strive to be:

- honest
- clear
- calm
- alert
- prepared
- proactive

Be Honest

Always tell the truth. Use factual and credible points that are not open to misinterpretation, and state the facts candidly.

You may be able to skirt a sensitive question, but don't lie. If you do, the truth will eventually come out and your credibility will be damaged or destroyed, and you may have influenced an important issue destructively.

If you can't talk about something, you should state that you are not prepared to discuss the issue at present, and will respond in the future. If you don't know the answer, say so, and refer the person to someone who may know. Don't risk the long-term consequences to your reputation by speaking recklessly.

Never say "no comment". To a reporter it means you have something to hide, or you're deliberately making their job difficult. Instead of saying "no comment", explain why you can't answer the question.

Trustees also have an obligation to respect confidentiality. As members of the school board, trustees are subject to legislation covering the protection of privacy. Most of the board's business is done in full view of the public and the media. A board's policies will determine what information is confidential, but in all cases a trustee must not reveal discussion or material from a board's private session to a member of the media.

If a board's collective aim is to promote public understanding of and confidence in the school system, it is important that trustees support the process of democratic decision making. During board meetings, some disagreement or controversy is almost inevitable. But once the vote is taken, trustees are collectively responsible for the board's decision.

Be Clear

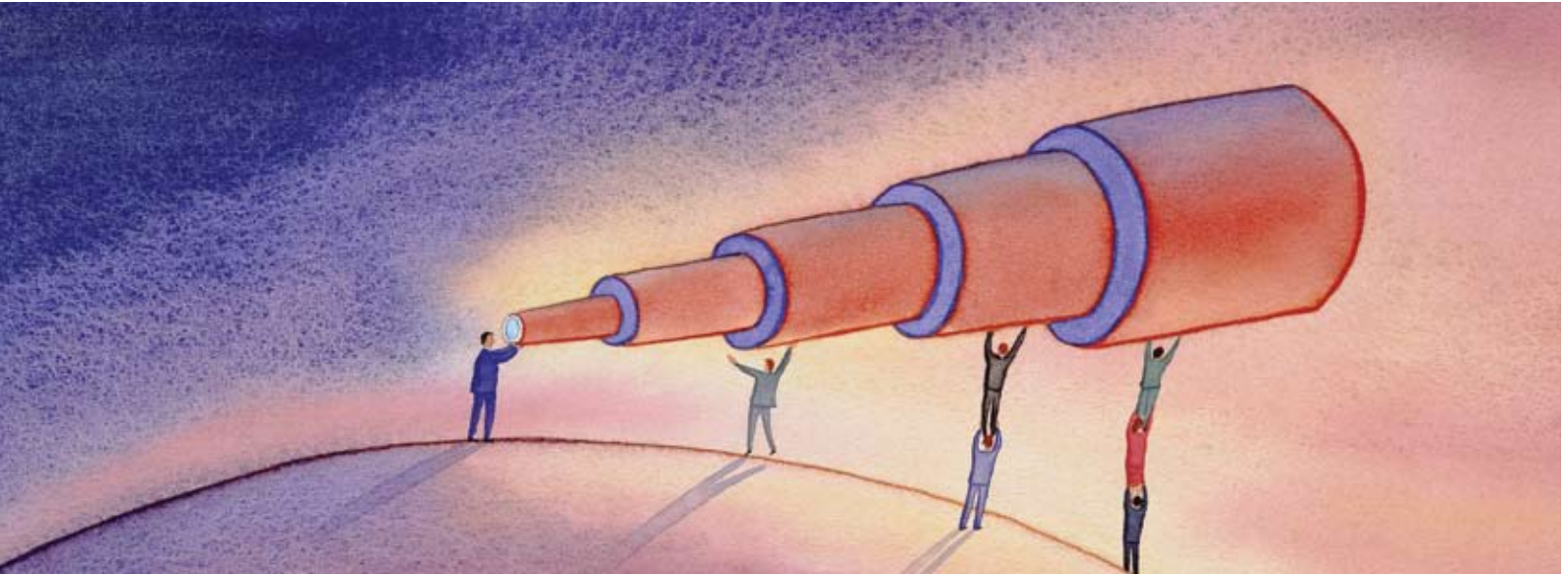
Speak and write in clear, concise language. Your goal is to communicate, not to confuse people with educational jargon or impress them with your vocabulary. If you are talking to reporters, remember that they cannot present information clearly if they can't understand it themselves. (See "Tips for Better Writing" below.)

Be Calm

Stay calm during any discussion or interview. Losing your temper will only hurt your message and damage your reputation. Try a relaxation technique if you are angry, tense, or nervous.

Be Alert

Don't say things you don't want other people to hear about, in any public situation. Although it is reasonable to ask a reporter before an interview to keep certain discussions "off the record" and most reporters will honour this request, it is wise to only say things you want to see in print.



Be Prepared

Have your key messages ready on issues. Key messages are two or three short, easily memorized, simple messages that trustees can use to articulate the board's position on a given issue. Key messages are designed for a specific audience and are those aspects of an issue that the board ultimately wants the audience to remember.

If you are making a presentation or preparing for an interview, write out the main points of what you want to say and rehearse them. Think of all possible questions you may be asked. If confronted with a question you have not anticipated, take time to think before answering, and be ready to admit you don't know the answer or don't know enough to express an opinion, but will get the required information.

Being prepared and having practised your message makes it easy to follow the ten Cs: be confident, consistent, credible, clear, calm, compelling, correct, compassionate, candid, and concise.

Be Proactive

The Education Act requires a board to make its meetings public. Encourage attendance at board meetings by highlighting the issues that will be under discussion. Let the media and the community know if something particularly important or controversial is coming up. Make background information available to the public and send it automatically to local media. Where the situation warrants, hold information briefings and public information meetings. If a board proves itself to be a credible source for information about difficult issues, the media and the public are more likely to listen when the board wants to share its good news.

Monitor the media. Be aware of current education issues and fast-breaking news stories. Most major media outlets, such as The Globe and Mail, Le Droit and the CBC, have websites that are updated regularly.

Tips for Better Writing

- Write the way you speak. Use a conversational tone.
- Avoid jargon.
- Keep it simple. Readers tend to be turned off by long, complicated text.
- Include only one idea per paragraph.
- Be selective about what you print. You don't have to include all the background details.
- Don't assume your readers have the same knowledge as you.
- Be careful not to break copyright laws when reproducing materials.
- Be positive. Present the school board in the best light.
- Include a "call to action". Make it clear why you are writing and what you want from your reader.
- Have several people proofread your material to be sure it is understandable and free from distracting errors.

- Use handwritten notes to thank people or to encourage their participation.
- Reply promptly to concerns and requests for information.



Working with the Media

Most people learn most of what they know about schools through the media. Therefore, school boards need to ensure that their local media have the information they need to present a balanced picture to their communities. This is an achievable goal. In spite of what many people think, the media generally try to present a fair picture of a situation or event.

Taking a Story to the Media

While parents are interested in a great deal of information, reporters are interested in news. News is judged by assessing the impact of the story on a reader or viewer.

The following questions can help

you decide whether the story or event you want covered will be of interest to a reporter:

- Is it new? Does it highlight new people, new programs, new ideas, or new ways of teaching and learning?
- Is it current? Stories about school safety, for example, may be in vogue this year but less so next year.
- Is it superlative? Does your story illustrate the fastest, highest, smallest, or biggest of something? If so, what credible, third-party evidence exists to back up your claims?
- How is your event tied to a major news story? The media are constantly looking for ways to bring a local perspective to major national or international news stories.
- Are there interesting visuals? What visual appeal does your story offer – for example, students being active at something – that lends itself to a compelling photograph for the newspaper or for television footage?

Making the Reporter’s Job Easier

Most reporters are dedicated, well-meaning individuals who are usually facing time pressures. They may well be pursuing several stories in a single day, against the clock – with hourly or daily deadlines.

The reporter assigned to cover your event is likely a general reporter,

who deals with a different topic in every story. This is especially true in radio and television. It is primarily newspapers (and only some of them) that have reporters assigned to cover education, although a few television stations do have education reporters. As a general rule, most reporters have minimal knowledge of schools and how they operate.

Accordingly, it is essential for you to make it as easy as possible to tell your story. Provide written fact sheets about your school, contact numbers for parents, and suggestions for lively pictures to accompany your story. In short, you need to think of ways to help the media do the best job they can within their time constraints.

Responding to the Media

If a reporter comes to you with questions about a current issue or event, don’t panic. Follow the tips discussed in this chapter. Be ready.

Each board’s policy on media contact will differ because of varying needs and resources. Some boards have a communications practitioner on staff and others flow media calls through the office of the director of education. Many boards use the chair as the key spokesperson for the board. Whichever method works best at your board is the one that should be used. The key is to remember that the media require a consistent and available spokesperson. The board must be able to present its side of the story within media

deadlines. A reporter covering a contentious issue at the board or an incident at one of your schools has probably been sent there by an assignment editor. The reporter has only a few hours to turn in the finished story.

Never turn down a reporter's request for an interview, especially when it involves what you perceive to be bad news. If you won't cooperate, the reporter will inevitably get information from other sources, including those with less knowledge or an axe to grind.

Make sure you understand what the reporter wants and how the material is to be used. For example, it could be a 30-second clip on the nightly news, a feature radio documentary, or an analysis piece for his or her newspaper.

It's not difficult to anticipate what a reporter's questions will be if he or she is calling about a specific issue. But if you receive a call unexpectedly, you have the right to ask for a reasonable amount of time to gather information and prepare your thoughts.

Make sure you agree in advance about the conditions of an interview. The most satisfactory condition for both parties is "on the record". This means that the reporter can use and quote anything that you say. If you are acting in your official capacity as a board trustee, it is expected that you will speak openly and on the record, particularly in a crisis situation.

Maintaining a Working Relationship

The best way to develop a working relationship with the media is to be an accurate source of information. This does not mean that you must tell reporters everything you know or answer all their questions. It simply means that the easier you make their job, the more likely they are to return to you for information, quotes, and your opinion on issues. Every time you speak to the media, it's an opportunity to communicate your message on the issue of the day.

Complaining About Media Coverage

There are occasions when trustees feel unhappy about the outcome of their dealings with a reporter in a newspaper story or television broadcast. Before voicing your unhappiness, ask yourself whether you have a genuine grievance. Reporters, who are trained to take notes, tape their interviews, and accurately report what the interview subject said do not want to develop a reputation for sloppy work. If you overreact, you could damage your relationship with the reporter, who may well write about you or your school at some future point.

If your problem is with the story's headline, bear in mind that a newspaper headline is not written by the reporter but by a copy editor who has to distill the essence of the story into a few words. Often complaints are registered against reporters about headlines they did not write.

Reporters do sometimes make mistakes. If the error is minor, forget it. However, tell the reporter about important mistakes. He or she can write a correction for the next day's paper. For many news outlets, the correction is made to the online version of the story and subsequent searches of the outlet's database will turn up this corrected version. If you are still not satisfied with the reporter's response, talk to the reporter's editor. If that doesn't work, send a letter to the editor or director of the news outlet. If the problem is with a newspaper, you can also contact the Ontario Press Council (2 Carlton Street, Suite 1706, Toronto ON M5B 1J3; telephone 416-340-1981 www.ontpress.com). Keep notes of your interview with the media so that third parties can judge the facts for themselves.



Appendix A



ASSOCIATION DES CONSEILS SCOLAIRES DES ÉCOLES PUBLIQUES DE L'ONTARIO (ACÉPO)

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What Is ACÉPO?

French-language public enrolment in the province of Ontario has increased by 30% over the past decade and continues to grow. The Association des conseils scolaires des écoles publiques de l'Ontario (ACÉPO) is an organization which represents all French-language public school boards in the province of Ontario.

ACÉPO's primary mandate is to assist its members in the implementation of Ontario's French-language public education system. The Association provides a range of resources and services to its member boards that support them in the role of providing students with required programs and services in appropriate facilities.

ACÉPO is registered as a not-for-profit organization.

Mission

While today's society is diverse and always changing, ACÉPO represents a constant by vigorously and confidently representing and defending the best interests of students in a community united by the French language.

Vision

ACÉPO advocates for a French-language public school system in which all students have access to a range of varied top-quality programs and services.

Values

ACÉPO is a democratic association that acts in the interests of French-language public education and demonstrates respect, fairness, integrity, and transparency.

Goals

ACÉPO has the following goals:

To provide a duly recognized association which offers two-way communication, networking and coordination among all French-language public school board trustees.

To protect the right to French-language public education in Ontario and to advocate for adequate funding of schools, operations and capital expenditures.

To encourage continuous measurable improvement in students' education, programs, and services.

To facilitate partnerships with those who share common objectives.

To promote efficiencies, whenever practicable, by the sharing of human, material, and financial resources.

Who Are Its Members?

ACÉPO's members represent their constituents across the entire province of Ontario. The Association consists of the trustees from the following four French-language public school boards:

- Conseil des écoles publiques de l'Est de l'Ontario
- Conseil scolaire de district du Centre-Sud-Ouest
- Conseil scolaire public du Grand Nord de l'Ontario
- Conseil scolaire public du Nord-Est de l'Ontario

What Exactly Does ACÉPO Do?

The association provides representation, information, and research regarding its members' concerns and interests. ACÉPO assists the provincial government to ensure that students' French-language education rights and needs are fully met.

ACÉPO serves as a forum where members can exchange ideas and work together. ACÉPO provides an annual general meeting, workshops, and partnership activities, which focus on the needs and interests of its members.

ACÉPO ensures that its members are current with respect to issues of the day, new legislation and policies. It also facilitates and encourages discussions with jurists, elected officials, senior staff from the Ministry of Education and other relevant experts.

ACÉPO participates in a number of committees, task forces, and working groups. For example, ACÉPO, as a stakeholder, provides

- Input to Legislative Standing Committees,
- Opinion to Ministry of Education and the Ministry of



Finance regarding the funding of the French-language public education system

- Input to curriculum development, educational programs and policies

Areas of Activity

French-Language Education

ACÉPO cooperates with educational organizations within Ontario and at the national level.

ACÉPO serves on the board of directors of the Fédération nationale des conseillères et conseillers scolaires francophones (FNCSF).

ACÉPO continuously monitors both provincial and federal government initiatives.

ACÉPO is a member of the Elementary and Secondary French-Language Education Task Force – a permanent task force, chaired by the Minister of Education of Ontario. The task force is an ideal forum in which to advance the priorities of ACÉPO's members.

ACÉPO is working to develop the French-language infrastructure within Ontario. For example, ACÉPO successfully contributed to the proper recognition of TFO.

Student Programs and Services

ACÉPO supports its members' requirements in the areas of curriculum, evaluation, learning programs, and special education policy.

ACÉPO works hand-in-hand to ensure that the Ontario government's French language linguistic policies protect and enhance French-language public schools and communities.

ACÉPO is proud of its success in supporting the improvement of students' results in literacy and numeracy and other skills.

Education Funding

Within the context of a publicly funded educational system, ACÉPO assists its members to ensure that all students in the province receive equitable funding. ACÉPO, from time to time, prepares position papers on various funding issues.

Political Advocacy

ACÉPO communicates with all levels of community and government. In particular, ACÉPO maintains close contact with the Minister of Education, senior government staff, and MPPs from all political parties.

Communications and Media Relations

As appropriate, ACÉPO publishes news releases and responds to media requests. ACÉPO also endeavors to ensure that issues affecting French-language school boards are accurately represented in media reports.

Legal Support

ACÉPO retains the services of a law firm to represent it and support advocacy efforts on behalf of its members.

Appendix B



ASSOCIATION FRANCO-ONTARIENNE DES CONSEILS SCOLAIRES CATHOLIQUES (AFOCSC)

110 Drewry Avenue
Toronto ON M2M 1C8
Phone: (416) 250-1754
Fax: (416) 250-7025
E-mail: info@afocsc.org
Website: www.afocsc.org

History

On January 1, 1998, after lengthy political, legal, and constitutional efforts, the Ontario government gave the Franco-Ontarian community the power to manage its elementary and secondary schools.

Traditionally shut out of the tightly knit circles of political power and Ontario's educational community, the province's francophones have become full-fledged stakeholders in the education system through new district school boards.

The community manages its education facilities, the accompanying financial and material resources, and the future of its student population. Since governance was granted the new French-language school boards have worked to improve the education system and its students' success.

To support them in carrying out this new responsibility, the Catholic school boards established AFOCSC.

Raison d'être

The Association franco-ontarienne des conseils scolaires catholiques is the voice of the French-language Catholic school boards in Ontario. It serves its members by defending their interests and

promoting Catholic education in French to government and to the people of Ontario.

Vision

The Association franco-ontarienne des conseils scolaires catholiques is a leader in ensuring the growth of the French-language Catholic education system in Ontario.

Organizational Values

- To convey the values of the Catholic Church in the performance of its duties
- To strive for excellence in its every undertaking
- To promote and advocate innovation and creativity
- To participate in the development of Franco-Ontarian life
- To respect the autonomy of every school board
- To practise transparency in its dealings with its members and the Franco-Ontarian community
- To represent the interests of its members and of French Language Catholic schools at the provincial and federal levels

AFOCSC is governed by an 11-member Board of Directors, composed of a representative from each of the eight school boards, a student trustee, a representative of the school administrators and a bishop in the role of moral adviser. The provincial office, located in Toronto, is managed by the executive director. The association promotes the interests of its members to government authorities and encourages consensus building and cooperation among the French-language Catholic school boards.

A Community of Faith and Learning

Since 1998 when French Language school boards were officially established in Ontario,

l'Association franco-ontarienne des conseils scolaires catholiques has supported and promoted the interests of French Catholic education in the province.

AFOCSC is a central point of contact when it comes to disseminating information from the Ministry of Education on matters such as education funding and government initiatives that have an impact on French language education.

AFOCSC works with government at the provincial and federal levels to promote the needs and perspectives of the eight French-language Catholic school boards and their developing network of schools.

The AFOCSC is an official service provider to over 100 school board trustees, elected every four years by the taxpayers who fund French-language Catholic education. More than 70 000 students attend French-language Catholic schools across Ontario. Francophone Catholic boards administer more than 265 elementary and secondary schools.

Member Services

One of AFOCSC's main functions is to offer services to its membership.

School boards belonging to the AFOCSC, as well as Francophone Catholic school communities, can make use of our services and resources:

- Review and analysis of provincial regulations and legislation
- Leadership and information on school funding issues
- Information sharing in order to facilitate understanding of and response to government initiatives as they are implemented
- Meetings and information workshops to help school trustees exercise their political roles
- Professional development and a forum for political discussion at our Annual General Meetings

Government relations

AFOCSC is an advocate for French-language Catholic education in Ontario. We monitor government activity, contribute to decision-making processes, liaise with provincial and federal political parties, and respond publicly to questions affecting French-language Catholic education in Ontario.

Our responsibilities include:

- Strategic positioning and advocacy to ensure that government policies and programs reflect the needs and expectations of francophone Catholic school boards,

their schools, their students and their parents, as well as those of taxpayers

- Presenting position papers to Parliamentary committees on draft legislation
- Actively participating in budget planning around education funding and presenting finance briefs to the Education Minister and senior finance officials
- Collaborating with various government stakeholders regarding the sustained development of French-language Catholic education in Ontario

As the voice of its members, the association takes part in a number of committees, consultations, and discussions regarding issues of importance to French-language Catholic education, such as curriculum reform, educational funding, early childhood, the Ontario budget, and special education. The association works to build consensus among francophone and anglophone partners at all levels, from the community to the national level.

Catholic Education

In the view of AFOCSC, French-language Catholic schools reflect a unique philosophy of education. The schools and the boards that direct them are inspired by faith in Jesus Christ, a characteristic that is evident in various aspects

of the schools' learning environment, such as the Catholic curriculum, faith education, pastoral support, and community action.

Mission of French Catholic Schools in Ontario

“Animated by the Spirit of Jesus, rooted in the Christian community, enriched by their Francophone heritage, and focused on the student, French Catholic schools act as centres of evangelical life, liberating learning environments, and agents of social change for the Kingdom of God... making a difference in our world!”

This mission statement, shared by the 8 French Catholic boards, is outlined in the document *Mission 2005 : L'école catholique de langue française en Ontario*, published by the Assembly of Catholic Bishops of Ontario.

Support for Initiatives linked with AFOCSC's Mission

AFOCSC devotes time and resources to a range of activities and initiatives that align with its own mission. Some of these include:

- professional and faith development activities for trustees
- regional meetings with trustees to discuss local concerns
- production of materials and participation in initiatives to promote French-language Catholic education

- help in coordinating World Catholicism Week activities in French-language Catholic schools
- development of partnerships in collaboration with the Ontario Catholic Education Partnership Table and its Anglophone counterpart, the Institute for Catholic Education (ICE)

Our French-language Catholic Education Partners :

AFOCSC collaborates closely with the Assembly of Catholic Bishops of Ontario (ACBO), the Office provinciale de l'éducation de la foi catholique en Ontario (OPECO) and the Conseil ontarien des directions de l'éducation catholique (CODEC). AFOCSC sits on the board of directors of the Fédération nationale des conseillères et conseillers scolaires francophones (FNCSF) and maintains contacts with all provincial and national organizations working for sustained development of education in Ontario and throughout the country.

Facts About AFOCSC

Together, the province's French Catholic boards are responsible for delivering programs to approximately 70 000 students in Ontario. All of the boards – from the smallest, with 550 students, to the largest, with an enrolment of nearly 15,000 – are working

to improve Catholic education. The AFOCSC's regular members are the elected officials of the following school boards:

- CSCD des Grandes Rivières (Timmins)
- CSCF Franco-Nord (North Bay)
- CSDC du Nouvel-Ontario (Sudbury)
- CSCD des Aurores Boréales (Thunder Bay)
- CSDEC du Sud-Ouest (Windsor)
- CSCD Centre-Sud (Toronto)
- CDECLF de l'Est Ontarien (L'Orignal)
- CSCD Centre-Est (Ottawa)

WELCOME!

To find the school closest to you, please contact one of your regional school boards, or go to www.afocsc.org



Appendix C





ONTARIO CATHOLIC SCHOOL TRUSTEES' ASSOCIATION (OCSTA)

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 Phone: (416) 932-9460
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 E-mail: ocsta@ocsta.on.ca
 Website: www.ocsta.on.ca

Mission

Inspired by the Gospel, OCSTA provides leadership, service, and a voice for Catholic school boards in their goal of promoting and protecting Catholic education in Ontario.

The Voice for Catholic Education in Ontario

OCSTA is the central provider of professional services to 250 trustees elected by Catholic ratepayers every four years. The Association is managed by a board of directors made up of 18 Catholic school trustees, representing regions from across the province.

Approximately 600,000 students in Ontario attend Catholic schools. Catholic school boards manage 1,325 schools in the province and hire approximately 36,000 teachers.

Goals

Public and Catholic schools, both English- and French-language, share the goal of academic excellence. All four systems teach students life skills that prepare them for postsecondary education or the workplace and for their role as responsible citizens.

Trustees on Catholic school boards have the same powers and responsibilities as those on public boards. Although they have much in common with the public boards, Catholic school boards have a philosophy of education that is distinct.

The Catholic school is an integral part of the Church's mission to evangelize youth. Catholic parents send their children to Catholic schools expecting them to be socialized into a faith community in which a Christ-centred approach is central to instruction in all subject areas. Catholic schools provide a complete academic program in an environment that integrates religious instruction, Gospel values, and spiritual formation into all aspects of the curriculum.

The Catholic school is a faith community in which spirituality and the witness and practice of faith are lived out in the daily experiences of staff and students. Religious instruction is not confined to specific periods on a timetable. All subjects that deal with social issues, moral values, ethical decision making are approached and taught from the distinctive worldview reflected in Catholic beliefs, traditions, and practices.

Roman Catholic trustees, who are elected by Catholic ratepayers, carry out their role in alignment with the convictions and commitments of the Catholic faith. The same distinct role guides OCSTA in providing services to its member boards. The association is the sole representative of the province's English-language Catholic district school boards and school authorities. It is also the central source of information about government funding and initiatives affecting its member boards' operations. In issues affecting Catholic education in Ontario, OCSTA represents

and takes the view of all of the province’s English-language Catholic boards directly to the Ontario government and, when necessary, to the federal government. In its role, the association has safeguarded and promoted the interests of Catholic education for more than 75 years.

Services Provided to Members

OCSTA’s member boards and local Catholic school communities benefit from a number of OCSTA services and resources, including:

- Review and analysis of provincial bills and legislation.
- Labour-relations support and information including access to the OESC-CSEO Provincial Portal.
- Leadership and information in matters of education finance.
- Resource and communications materials to support the promotion of Catholic education at the local and provincial levels.
- Meetings and information sessions to help school boards understand and address government initiatives, as they occur.

Government Relations

OCSTA is a strong advocate for Catholic education. The Association monitors government activity, contributes to the decision-making process, liaises with all provincial political parties, and responds to issues affecting Catholic education. OCSTA’s responsibilities include:

- Developing advocacy positions to ensure that government policies and programs meet the needs of boards, schools, students, and ratepayers.
- Presenting briefs on proposed legislation to Standing Committees of the Legislature.
- Supporting the provincial budget planning process for education by submitting an annual finance brief to the Minister of Education and finance officials.
- Working with the government on matters of concern to Catholic school boards and provincial education stakeholders as a whole.

Supporting Distinctive Expectations

An integral part of OCSTA’s mission is the support of activities and initiatives that enhance the Catholic dimension of the school system.

Among them are:

- Faith and professional development opportunities for trustees and student trustees.

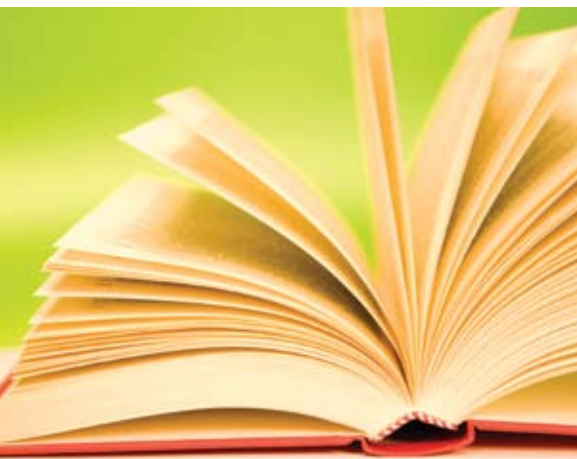
- Regional meetings that provide opportunities for trustees to address local and provincial issues with peers and OCSTA representatives.
- Production of materials to assist boards in highlighting aspects of the Catholic dimension of our system.
- Support of pre-service and in-service religious education programs for teachers, including the OEETA/OCSTA Religious Education courses.
- Development and coordination of resource and communications materials for the annual Catholic Education Week program and promotional campaign.
- Participating in system partnerships through the Institute for Catholic Education.

OCSTA and Its Partners

OCSTA is represented on the board of directors of the Institute for Catholic Education, the Canadian Catholic School Trustees’ Association, and the Ontario School Trustees’ Council. In addition, it liaises regularly with all provincial educational associations.

Publications

For a current listing of publications available online and in print please visit <http://www.ocsta.on.ca/virtuallibrary.aspx>





Appendix D



ONTARIO PUBLIC SCHOOL BOARDS' ASSOCIATION (OPSBA)

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 Website: www.opsba.org

What Is OPSBA?

The Ontario Public School Boards' Association (OPSBA) represents public district school boards and public school authorities throughout Ontario, which together serve more than 1.2 million elementary and secondary students. The association advocates for the best interests and needs of the public school system in Ontario. It is seen as the credible voice of public education in Ontario and is routinely called on by the provincial government for input and advice on legislation and the impact of government policy decisions.

Statement of Mission and Beliefs

OPSBA's mission is to promote and enhance public education by:

- helping member boards to fulfil their mandates;
- developing effective partnerships with other groups interested in public education; and
- providing a strong and effective voice on behalf of public education in Ontario.

OPSBA believes that the role of public education is to provide education for all students, regardless of their ethnic, racial, or cultural backgrounds; social or

economic status; individual exceptionality; or religious preference.

The association also believes that excellence in education is achieved by:

- promoting high standards of achievement;
- providing the understanding and basic skills required for active, compassionate participation in the life of the family, community, province, nation, and global society;
- cultivating a love of learning;
- recognizing the value of diversity among learners and communities; and
- exploring creative educational alternatives.

To maintain excellence, OPSBA is committed to the principle that the public school system must be accountable to the community it serves and must work to fulfil its mandate through building strong community partnerships. The association also believes that local, democratically elected school boards play a key role in ensuring that schools remain responsive to both provincial program requirements and local needs and resources.

Membership and Services

A public school board joins OPSBA annually by a resolution of the board and payment of the annual membership fee. Individual trustees do not pay membership fees. Once a board has joined OPSBA, all board trustees are automatically members of the association and can fully participate in all association activities, programs, and decision making. In this way, a public school board is a corporate member

of OPSBA and its trustees form the individual membership. OPSBA services are designed to benefit and meet the needs of boards as corporate entities, as well as meet the individual needs of trustees.

All public boards are members of OPSBA for many good reasons. These include high-quality services, the collective influence the association has on provincial government decisions, participation in government work groups and committees that develop education policy, and the money saved through collective action. Every member board saves its annual membership fee many times over through the ongoing initiatives and cost-saving measures that OPSBA undertakes on their behalf.

The financial reasons for membership in OPSBA are matched by the information resources that the association makes available to its membership. OPSBA provides numerous opportunities for member trustees to become knowledgeable about vital

emerging issues, such as the implications of new legislation and policies. The Association ensures as well that its members have opportunities to hear from and exchange ideas directly with legal experts, high-ranking politicians, senior Ministry of Education staff, and federation leaders. This exchange of perspectives is highly valued by member board trustees and regarded as an important and essential part of their role.

School board trustees throughout the province benefit from participating in the association's grassroots operational and policy development mechanisms. Through various committees, work groups, regional councils, and the board of directors, trustees are elected and/or appointed by their peers to participate in all aspects of the association's business, from influencing provincial policy to planning conferences and honouring the contributions of fellow school board members through annual awards.

OPSBA is non-profit, non-partisan, democratically run and provides an increasingly effective, unified voice for public education. It is an issue driven organization and exists to serve its members by influencing government legislation and policy and by providing valuable services to member boards in ways that are much more cost effective than would be the case if individual boards acted in isolation.

Key Service Areas

Labour Relations

OPSBA provides member boards and other education stakeholders with information on labour relations and human resources issues that affect public school boards in Ontario. Services to senior board staff and trustees include: regular meetings of the Provincial Labour Relations Network; legal advice and analysis on relevant legislation; an annual labour relations symposium which includes workshops on critical emerging issues. OPSBA also provides, through the Ontario Education Services Corporation, access to the OESC Provincial Portal. This is a restricted access database available to public, Catholic, and French Language school boards in Ontario. It provides authorized users with information on negotiations as well as a comprehensive searchable database of collective agreements, legal opinions and arbitration decisions.



Programs and Student Services

OPSBA advocates for its member boards and for all public school students with respect to curriculum and program, assessment matters, and special education policy. This is done through OPSBA participation on ministry committees and work teams, information sharing, position papers, and OPSBA events and meetings that ministry officials attend.

OPSBA actively supports measures aimed at improving student achievement and provides input on such matters as curriculum review, student success initiatives, strategies in the area of First Nation, Métis and Inuit education, Full-day Early Learning and the integration of technology in teaching and learning.

Education Finance

Lobbying and increasing public awareness on education finance issues are priorities for the association. OPSBA monitors, researches, and reports to member boards on policies and legislation relating to education finance, and develops discussion and position papers on this topic. In its submissions to the Minister, OPSBA consistently and successfully advocates for improvements in the provincial education funding model and promotes the need for a comprehensive review of this model. This work is frequently undertaken in collaboration with OPSBA's education sector partners.

The OPSBA Finance Database allows the association to deliver messages regarding education finance with accurate, current information. Member boards can also contact OPSBA staff with requests for data and analysis.

OPSBA's Finance Technical Team is a group of business officials from member boards that advises the association on issues relating to the development and enhancement of the OPSBA Finance Database. The team also advises the association on the technical aspects of government finance announcements.

Energy

OPSBA continues to tackle the problem of rising energy costs on behalf of school boards. As a partner in the Ontario Educational Services Corporation, the association has contributed to achieving substantial and sustainable energy savings for all school boards and continues these successes through energy intervention work at the Ontario Energy Board.

Lobbying and Government Relations

OPSBA directs the government's attention to the views of public school boards on policy affecting the boards, the publicly funded school system, and children's issues. The association routinely communicates with the Minister of Education, senior government officials, and government members from all political parties.

While the Legislature is in session,

OPSBA staff issue a legislative synopsis detailing the events that occurred that are relevant to the education sector. This synopsis gives trustees and board staff the opportunity to quickly ascertain what discussion occurred in the Legislature about an issue of concern to them, as well as information on any debates that took place and the results. Where draft legislation directly affects school boards, OPSBA frequently makes submissions to the legislature and presents at legislative standing committees.

Lobbying on federal issues is undertaken through the Canadian School Boards Association (CSBA), of which OPSBA is a member. These include issues related to taxation, children, immigration, matters affecting First Nation, Métis and Inuit students, and copyright.

Communications and Media Relations

OPSBA's services in this area are dedicated to promoting public confidence and community support for public education. OPSBA plays a key role in shaping public opinion and influencing policy development on education issues through the print and broadcast media. OPSBA's Communications Networking group brings together school board communications officers and is a valuable strategy for developing and sharing approaches to positive communications with

the public around student achievement.

OPSBA’s website offers rich resources for member boards and the general public. The website is updated daily to ensure that vital and timely information is available.

Governance

Lobbying and public awareness on education governance issues are a priority for the association. OPSBA researches and reports to member boards on issues that affect school board governance, and monitors provincial legislation for issues that affect a school board’s ability to operate effectively.

OPSBA submits position papers to the government on governance-related issues, developing its positions by considering legal liability, corporate responsibility, and adherence to statutory obligations.

The association is vigilant in ensuring that any legislative changes support and enhance school boards’ governance structures.

Legal Defence Fund

OPSBA maintains a legal defence fund. When legal matters arise that affect the interests of all public school boards, this fund is used to engage in necessary court challenges and other initiatives that protect member boards.

Professional Development and Board Management Services

Providing a rich program of professional development for

member boards is critical to supporting trustees in their public education advocacy role. Symposia, provincial and regional meetings, workshops and seminars focused on key education issues are regularly offered to trustees and senior board staff. They provide legal and other professional advice to member boards on matters such as school board operations, conflict of interest, tendering practices, provincial laws and regulations affecting school management, compliance on school closures, copyright, and government legislation. These professional learning opportunities are designed to further develop and refine the management and leadership skills of public school trustees.

Along with provincial school board associations in Alberta, Saskatchewan, Manitoba, and Newfoundland and Labrador, OPSBA provides an online, interactive board member development program called the Board Learning Centre (BLC). The program, which is coordinated by the Canadian School Boards Association, is a series of web-based, multimedia training modules that offer a curriculum of trusteeship designed to strengthen school board governance and provide timely, accessible, and cost-effective training. The learning opportunities presented on the BLC complement and support the face-to-face learning offered by boards and OPSBA

events. The site, which is password-protected, can be accessed from the OPSBA website.

Ten good reasons why School Boards belong in OPSBA

- Successful and effective collective bargaining
- Access to energy savings, management of police records checks, and other education services through OPSBA’s partnership with the Ontario Education Services Corporation (OESC)
- Effective lobbying on issues that make a difference for students: education funding, safe schools, special education, information technology
- High quality professional development for school trustees
- Media relations and information services support on all key issues
- United and credible voice in advocacy and action in legislative and policy changes
- Democratic environment and responsiveness to Member needs
- Practical support for complying with legislative change: Safe Schools, Accessibility for Ontarians with Disabilities Act (AODA)
- Strategic relations with education partners across Ontario and Canada
- Respected source of consultation by the Ministry for all education initiatives



Appendix E



**CANADIAN CHARTER OF RIGHTS AND
FREEDOMS, SECTION 23:
MINORITY LANGUAGE EDUCATIONAL RIGHTS**

Language Of Instruction

Continuity of language instruction / Application where numbers warrant.

23. (1) Citizens of Canada

(a) whose first language learned and still understood is that of the English or French linguistic minority of the province in which they reside, or

(b) who have received their primary school instruction in Canada in English or French and reside in a province where the language in which they received that instruction is the language of the English or French linguistic minority population of the province, have the right to have their children receive primary and secondary school instruction in that language in that province.

(2) Citizens of Canada of whom any child has received or is receiving primary or secondary school instruction in English or French in Canada, have the right to have all their children receive primary and secondary language instruction in the same language.

(3) The right of citizens of Canada under subsections (1) and (2) to have their children receive primary and secondary school instruction in the language of the English or French linguistic minority population of a province

(a) applies wherever in the province the number of children of citizens who have such a right is sufficient to warrant the provision to them out of public funds of minority language instruction; and

(b) includes, where the number of those children so warrants, the right to have them receive that instruction in minority language educational facilities provided out of public funds.

Notes



- 1 The terms school board and board are used in this handbook to refer to district school boards and school authorities.
- 2 School structures can vary and there is a growing number of schools that are structured to provide programs for students from Kindergarten through Grade 12 or Grade 7-12.
- 3 A committee of the whole board or committee of the whole is a board committee that is made up of all of the board's members.
- 4 School Board Governance: A Focus on Achievement, see <http://www.edu.gov.on.ca/eng/policy/grc/review.html>
- 5 Education Improvement Commission. *The Road Ahead II: A Report on the Role of School Boards and Trustees*, (Toronto: Government of Ontario, 1997). p. 11
- 6 The Report of the Royal Commission on Aboriginal Peoples, vol. 3.
- 7 The Ontario curriculum integrates Aboriginal perspectives, equity and inclusion, where relevant, in the expectations for every course.
- 8 See note 7.
- 9 The Report of the Royal Commission on Aboriginal Peoples, vol. 3, p. 472.
- 10 To view the Policy Framework, see <http://www.edu.gov.on.ca/eng/aboriginal/fnmiFramework.pdf>
- 11 Information about Grants for Student Needs is found on the Ministry of Education website at: <http://www.edu.gov.on.ca/eng/policyfunding/funding.html>
- 12 Report of the Education Equality Task Force: Investing in Public Education: Advancing the Goal of Continuous Improvement in Student Learning and Achievement, 2002 (Dr. Mordechai Rozanski)
- 13 Exemplar documents for subjects and courses are found at:
Elementary documents:
<http://www.edu.gov.on.ca/eng/curriculum/elementary/index.html>

Secondary documents:
<http://www.edu.gov.on.ca/eng/curriculum/secondary/index.html>
- 14 According to Ontario Regulation 464/97, a local association is an organization or association that operates locally and is affiliated with a provincial body operating to further the interests and well-being of one or more groups of exceptional students.
- 15 Throughout this chapter, relevant sections of the Labour Relations Act are referred to in square brackets.

Glossary



ACÉPO

Association des conseils scolaires des écoles publiques de l'Ontario. The association of school boards and trustees serving Ontario's French public school system. (See Appendix A in this handbook.)

ADFO

Association des directions et directions adjointes des écoles franco-ontariennes. Members include school administrators in French-language schools in Ontario. Related associations for principals include OPC and CPCO.

AEFO

Association des enseignantes et des enseignants franco-ontariens. The French-language affiliate of the Ontario Teachers' Federation.

AFOCSC

Association franco-ontarienne des conseils scolaires catholiques. The association of school boards and trustees serving Ontario's French Catholic school system. (See Appendix B in this handbook.)

AGÉFO

Association des gestionnaires de l'éducation franco-ontarienne. Members include managers in French-language school boards in Ontario.

ASFO

Association des agentes et agents de supervision franco-ontariens. Members include supervisory officers in French-language school boards in Ontario. Related associations include OASBO, OCSBO, OCSOA, and OPSOA.

BLDS

Board Leadership Development Strategy

CMEC

Council of Ministers of Education, Canada

CODE

Council of Ontario Directors of Education. Members include directors of education from all four school board systems – English and French public, and English and French Catholic. (See also ECCODE and CODELF.)

CODEC

Conseil ontarien des directions de l'éducation catholique. Members include the directors of education from the French-language Catholic school boards. (See also CODE.)

CODELF

Conseil ontarien des directions de l'éducation de langue française. Members include French-language directors of education in Ontario of both public and Catholic French-language school boards. (See also CODE.)

Co-instructional activities

Activities other than instruction that support the operations of a school and enrich the school-related experiences of students. (Also known in a more narrow sense as extra-curricular activities.)

COSBO

Council of School Business Officials. Members include superintendents of business or senior business officials from all four school board systems.

Coterminous boards

District school boards that serve all or part of the same geographical area

DSB

District school board.

ECCODE

English Catholic Council of Directors of Education. Members include directors of education for English Catholic school boards. (See also CODE.)

EDU

Ministry of Education. An abbreviation used by the ministry in some of its publications.

EETF

Education Equality Task Force. A task force chaired by Dr. Mordechai Rozanski, that was appointed by the Ministry of Education to review aspects of the Student-Focused Funding model. The report by the task force, commonly referred to as the Rozanski Report, was released in December 2002.

ELP

Early Learning Program. This is the Full-Day Early Learning Program for four and five year-olds which began its 5-year phase-in in September, 2010.

Elementary level

Junior Kindergarten to Grade 8. (See also Primary Division, Junior Division, and Intermediate Division.)

EQAO

Education Quality and Accountability Office. A crown agency established in 1996 to measure and communicate the achievements of students, schools, and school boards, using province-wide assessments of students and other indicators.

ETFO

Elementary Teachers' Federation of Ontario. An affiliate of the Ontario Teachers' Federation, representing English public elementary teachers.

First Nation(s)

The term used in this handbook in place of terms such as Indian or Native. This reflects current terminology.

Elementary and Secondary French-Language Education Task Force

A committee established to assist the ministry and the government in continuing work on a French-language education strategy. Chaired by the Minister of Education, this committee advises the Minister on issues unique to the French-language education sector.

GSN

Grants for Student Needs.

ICT

Information and Communication Technology.

IEP

Individual Education Plan. A special education plan developed for a student who requires specific services, supports and accommodations.

Intermediate Division

Grades 7 to 10.

IPRC

Identification, Placement and Review Committee. A committee made up of at least three individuals, at least one of whom is a principal or a supervisory officer, who decide whether individual students should be

formally identified as exceptional and, therefore, requiring special education support.

JK

Junior Kindergarten.

Junior Division

Grades 4 to 6.

LRA

Labour Relations Act.

MACSE

Minister's Advisory Council on Special Education

MFIPPA

Municipal Freedom of Information and Protection of Privacy Act.

OASBO

Ontario Association of School Business Officials. Members include administrators from school boards throughout Ontario. Related associations include ASFO, OCSBO, OCSOA, COSBO, and OPSOA.

OCSBO

Ontario Catholic School Business Officials. Members include administrators in Catholic school boards throughout Ontario. Related associations include ASFO, OASBO, CSOA, COSBO, and OPSOA.

OCSOA

Ontario Catholic Supervisory Officers' Association. Members

include supervisory officers for Catholic school boards throughout Ontario. Related associations include ASFO, OASBO, OCSBO, and OPSOA.

OCSTA

Ontario Catholic School Trustees' Association. (See Appendix C in this handbook.)

OCT

Ontario College of Teachers. The Ontario College of Teachers establishes and implements standards for certification, teaching practice, and professional development. It also accredits faculties of education. OCT is self-regulating professional body, which may confer, suspend, or rescind the teaching certificates of its members.

OECTA

Ontario English Catholic Teachers' Association. An affiliate of the Ontario Teachers' Federation.

OEN

Ontario Education Number. A number assigned to each student by the Ministry of Education to facilitate data collection.

OESC

Ontario Educational Services Corporation. A non-profit organization set up by the four school board associations (OPSBA, OCSTA, ACEPO, and AFOCSC) and the Council of Directors of Education (CODE) to provide

services to school boards, including the provision of criminal background reference checks for school board employees and service providers, and a school energy coalition which intervenes at the Ontario Energy Board to effect savings for boards.

OLS

Ontario Leadership Strategy

OPC

Ontario Principals' Council. Related associations include ADFO and CPCO.

OPSBA

Ontario Public School Boards' Association. (See Appendix D in this handbook.)

OPSOA

Ontario Public Supervisory Officers' Association. Members include supervisory officers in public school boards throughout Ontario. Related associations include OASBO, OCSBO, OCSOA, and ASFO.

OSR

Ontario Student Record.

OSS

Ontario Secondary Schools, Grades 9 to 12: Program and Diploma Requirements, 1999.

OSSD

Ontario Secondary School Diploma.

OSSTF

Ontario Secondary School Teachers' Federation. The federation representing English public secondary teachers.

OSSLT

Ontario Secondary School Literacy Test. A province-wide test administered by the EQAO and written by Grade 10 students. The test is based on the Ontario curriculum expectations for language and communication – particularly reading and writing – up to and including Grade 9.

OSTA/AECO

Ontario Student Trustees' Association. The association representing student trustees from both public and Catholic English-language boards. OSTA-AECO liaises with le Regroupement des élèves conseillers et conseillères francophone de l'Ontario which represents students in both public and Catholic French-language boards.

OTF

Ontario Teachers' Federation. An umbrella organization for the following affiliates: OECTA, OSSTF, ETFO, and AEFO.

PCAP

Pan-Canadian Assessment Program conducted through the Council of Ministers of Education, Canada tests random samples of students in reading, mathematics and science.

PIC

Parent Involvement Committee. Each school board is required to establish a parent involvement committee which provides advice to the board.

PIRLS

Progress in International Reading Literacy Study. An international assessment conducted through the International Association for the Evaluation of Educational Achievement (IEA), involving a random sampling of students in over 30 countries. Ontario students participate in this assessment.

PISA

Programme for International Assessment. An international assessment conducted through the Organization for Cooperation and Development (OECD) involving a random sampling of students in over 30 countries. Ontario students participate in this assessment.

PPA

Principal/Vice-principal Performance Appraisal.

Primary Division

Junior Kindergarten to Grade 3.

Public school boards

The non-Catholic English- and French-language school boards.

School authorities

Governing bodies for school systems in remote or distinct communities that are not served by district school boards. School authorities are divided into public and Catholic school authorities. In this handbook, the terms school board and board are used to refer to both district school boards and school authorities.

School councils

Advisory bodies composed of parents, community members, and others with a mandate to provide advice to the school principal and the school board on certain matters.

SEAB

Special Education Appeal Board. A committee established by a school board to hear an appeal of an IPRC decision, either for or against identifying a student as exceptional.

SEAC

Special Education Advisory Committee. A committee established by each school board to monitor the board's special education programs, services, and plans.

Secondary level

Grades 9 to 12. (See also Intermediate Division and Senior Division.)

Senior Division

Grades 11 and 12.

SET

Special Education Tribunal. A tribunal established by the Ministry of Education to hear appeals made by parents who disagree with the identification and/or placement decision made by a school board following a meeting of an Identification, Placement, and Review Committee, and a subsequent meeting with an appeal board. The appeal proceeds before the tribunal as a formal hearing between the parents and the school board.

SK

Senior Kindergarten.

TIMSS

Trends International Mathematics and Science Study. Student tests conducted through the International Association for the Evaluation of Educational Achievement (IEA), involving a random sampling of students in over 30 countries. Ontario students participate in this assessment.





Education that Connects

Global Achievement
with Local Accountability



**Ontario Education
Services Corporation**
La corporation des
services en éducation
de l'Ontario

The Ontario Education Services
Corporation partners are:

Association des conseils scolaires
des écoles publiques de l'Ontario (ACÉPO)



Association franco-ontarienne
des conseils scolaires catholiques (AFOCSC)



Ontario Catholic School Trustees'
Association (OCSTA)



Ontario Catholic School
Trustees' Association

Ontario Public School Boards'
Association (OPSBA)



ONTARIO PUBLIC
SCHOOL BOARDS'
ASSOCIATION

Council of Ontario Directors
of Education (CODE)

CODE



Mixed Sources
Product group from well-managed
forests and other controlled sources
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