

Good Governance

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

2022-2026

INTRODUCTION

The Ontario Education Services Corporation (OESC) is a non-profit organization dedicated to the success of all four education systems represented in Ontario's 72 district school boards.

Its governing body is comprised of leaders from all provincial school board/trustee associations, the Council of Ontario Directors of Education (CODE), and the Council of Senior Business Officials (COSBO).

OESC provides cost-saving education and business services to boards while **specializing in professional development and support for trustees.**

Local, democratically elected school boards play a key role in ensuring that schools remain responsive to both provincial requirements and local needs and resources. This Good Governance Guide is primarily intended to provide English Public, English Catholic, French Public and French Catholic school board trustees with a practical guide to the education sector. It will also be useful for staff and other stakeholders.

Message to Trustees:

Congratulations on starting a new term of office and for the opportunity to drive the ongoing positive improvements that contribute to one of the strongest publicly funded education systems in the world.

This Guide offers a substantive introduction to the work of effectively governing a school board. Your many and varied responsibilities are all focused on the central goals of improving student achievement and well-being, ensuring safe and inclusive learning environments, and building public trust. From strategic planning to budget-setting, community engagement to assessing the director of education's performance, the chapters in this guide offer practical information on Ontario's education system and on your role as a leader within it.

Setting the conditions that will provide a high-quality education for every student to reach their full potential in school and in life is the first priority of a school board. As a leader in school board governance, you help to ensure that



ES
SPECIAL PORTAL
AIL PROVINCIAL
SUPPORT FOR ONTARIO SCHOOL BOARDS
SOUTIEN AUX CONSEILS SCOLAIRES DE L'ONTARIO

SCIENCE
ANCE

EXECUTIVE RECRUITMENT
RECRUTEMENT DE CADRE

DEMOGRAPHIC DATA PROJECT SUPPORT
SOUTIEN AU PROJET DE DONNÉES DÉMOGRAPHIQUES

TRUSTEE PROFESSIONAL DEVELOPMENT PROGRAM
PROGRAMME DE DÉVELOPPEMENT PROFESSIONNEL DES MEMBRES DES CONSEILS SCOLAIRES

ONS
REES

ICATION
USIVE

COMPASS FOR SUCCESS

SIBILITY
SIBILITÉ

DIRECTOR PERFORMANCE APPRAISAL
ÉVALUATION DU RENDEMENT DES DIRECTIONS DE L'ÉDUCATION

T SYSTEMS
SCHOOL ENERGY COALITION
COALITION DE L'ÉNERGIE DES ÉCOLES

THE TEACHABLE PROJECT
PROJET FORMACCÈS

Ontario's education system continues to adapt and transform to meet the ever-changing needs and shifting challenges of our rapidly evolving, and unpredictable world.

Consider the board that came before you, for instance. Under extraordinary circumstances they pivoted and managed to keep students learning during the realities of the pandemic – an event that had an unequalled impact on students and families who were already facing obstacles.

A true calling at a pivotal time.

As the diversity of your schools and district accelerates, you must take on the pressing task of ensuring your system enables all students to enjoy and succeed at school. Pay particular attention to groups that have experienced and continue to encounter inequities in the education system, most notably Indigenous and racialized students and families.

Action to address inequities will involve collaborative work with equity-deserving groups, Indigenous partners, and key education stakeholders at all levels of the education system.

Success will require ethical leadership, perseverance, and courage.

Thank you for heeding the call. Your service will bring opportunities for learning and growth, and a sense of accomplishment as you help shape lives, communities, and the future of Ontario.

OESC is here to support you and your board along the way.

Sincerely,



Ted Doherty
Executive Director

oesc-cseo.org

Disclaimer

This Guide was produced by the Ontario Education Services Corporation (OESC). It is based on the law and government policies and guidelines in effect as of June 2022. The information contained in this publication is not intended to be legal advice. It is general information only. It should be noted that this document does not necessarily reflect the views of the Ontario Ministry of Education.

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CONTENTS



INTRODUCTION 2

Message to Trustees	3
Disclaimer	4



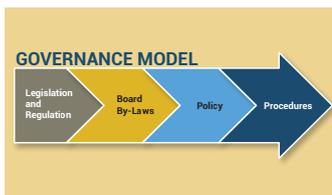
CHAPTER 1 16

An Overview of Ontario's Publicly Funded Education System

Ministry of Education	16
District School Boards	17
Ontario School Boards 2021-2022	17
Public School Boards	17
Catholic School Boards	17
Language of Instruction	18
School Board Trustees	18
Publicly Elected Trustees	19
First Nation Trustees	19
Student Trustees	19
Hospital Board Trustees	20
Centre Jules-Léger Consortium	20
School Board/Trustee Associations	20
School Board Responsibilities	20
Directors of Education	21



Supervisory Officers	22
Schools	23
Principals and Vice-Principals	23
Teachers	25
Ontario College of Teachers (OCT)	26
Education Workers	27
Early Childhood Educators	27
College of Early Childhood Educators	28
School Councils and Parent Involvement Committees	28
The Public	28
Community Organizations	29
Public Sector Organizations	29
Private Organizations	29



CHAPTER 2

Board Governance 30

What Is Governance?	30
Balancing Accountabilities	31
Evidence-Informed Decision Making	32
Board Self-Assessment	33
Establishing the Governance Approach	34
Governance and Equity	35
Supplementary Resources on Governance	35





CHAPTER 3

Roles and Responsibilities - School Boards and Individual Trustees

37

School Boards	37
An Effective School Board	37
The Multi-Year Strategic Plan (MYSP)	38
Hiring of the Director of Education	41
Changes to the Qualifications for Directors of Education	42
Selection Process – Considerations	42
Director of Education Performance Appraisal	44
Additional Responsibilities of the School Board	45
Individual Trustees	48
Advocates of Public Education	50
Code of Conduct for Trustees	50
Professional Development Opportunities	51
Trustee Expenditures	51
Trustee Honoraria	52



CHAPTER 4

Legal Responsibilities and Liabilities

53

Relevant Statutes	53
Statutory Duties and Powers of School Boards	54
School Board Policies and Liability	54
Standard of Care for Students	55
Negligence	56
Vicarious Liability	56



Standard of Care Requirements for Principals and Teachers	56
Personal Liability of Trustees	56
Finance	57
Compliance with Board Obligations	58
Provincial Interest Regulation	59
Duties of Trustees	59
Trustee Code of Conduct	60
Enforcement of Code of Conduct	60
Duties of Board Chair	60
Duties of Director of Education	60
<i>The Municipal Freedom of Information and Protection of Privacy Act</i>	61
Confidentiality of Student Records	61
<i>The Youth Criminal Justice Act</i>	62
Safe and Accepting Schools	63
Behaviour and Discipline	63
Conducting a Suspension Appeal/Expulsion Hearing	63
Suspension	64
Expulsion	64
Bullying Prevention and Intervention	64
Child Abuse and Duty to Report	65
Student Protection	65
Criminal Background Reference Checks	67
Health and Safety	67
Exclusions	67
Protecting Pupils with Prevalent Medical Conditions	67
School Food and Beverage Policy	68
Supervised Alternative Learning	69
Human Rights and Equity	69
<i>Ontario Human Rights Code</i>	70
Equity and Inclusive Education	70



Positive Learning Environments	70
Canadian Charter of Rights and Freedoms	71
School Councils	71
Parent Involvement Committee	72
<i>Ombudsman Act</i>	72
Conflict of Interest	72
Pecuniary Interest	72
Declaring a Conflict	72
Influence	73
Registry	73
Contravention of the Provisions	73
Audit Committee	74



CHAPTER 5

Board Representation, Trustee Elections, and Vacancy Information 75

Municipal Council and School Board Elections	75
Pre-Election	75
How the Number of Trustees is Determined and Distributed	75
First Nation Trustees - Appointments	76
School Board Trustee Qualifications	76
Term of Office	77
Post-Election	78
Tied votes	78
Recounts	78
Vacancies	79
Filling Vacancies	79
Additional Resources	80





CHAPTER 6 First Nation, Métis and Inuit Education 81

Education in First Nation Communities	82
Reciprocal Education Approach & Existing Education Services Agreements/ Reverse Education Services Agreements (ESAs/RESAs)	82
Impact of the Truth and Reconciliation Commission (TRC)	84
Ontario's First Nation, Métis, and Inuit Education Policy Framework	85
The Role of School Boards in Supporting First Nation, Métis, and Inuit Education	86
The Role of First Nation Trustees	86
Indigenous Education Councils (IEC)	87
Indigenous Education Rights	87
Roles and Responsibilities of First Nation, Métis and Inuit Organizations	87
Trauma-Informed Approaches	88
Additional Resources	88



CHAPTER 7 Board and Committee Meetings 90

Regular Meetings	90
Special Meetings	90
Inaugural Meeting/Organizational Meeting	90
In-Camera/Closed/Private Meetings	91
Professional Development Sessions	92
Board Meetings – Operations	92
Agendas	92
Delegations	93
Minutes	93



Attendance at Board Meetings	94
Participation by Electronic Means	94
Quorum	95
Rules of Order	95
Accessibility and Accommodation	96
Key Roles of the Board	96
Chair and Vice-Chair	96
Attendance	96
Chair Responsibilities	97
Board Secretary	97
Board Treasurer	98
Committees	98
Types of Committees	99
Suspension Appeal/Expulsion Hearings	100
Committee of the Whole Board	100



CHAPTER 8

Supporting Student Achievement and Well-Being

101

Student Well-Being and Mental Health	101
Curriculum	102
Full-Day Kindergarten	102
Child Care and the Early Years	102
Elementary and Secondary Education	103
Indigenous Education in Curriculum	103
The Ontario Secondary School Diploma (OSSD)	104
Compulsory and Optional Credits	104
Student Success	105



Education and Career/Life Planning	107
Experiential Learning and Specialized Programs	107
Specialist High Skills Major (SHSM)	108
Dual Credits	108
Ontario Youth Apprenticeship Program (OYAP)	108
The Ontario Secondary School Certificate (OSSC)	108
Online Learning Graduation Requirement	109
Organization of Courses	109
Board Improvement and Equity Plan (BIEP)	111
Student Assessment and Reporting Student Achievement	112
Provincial Assessments	112
K-12 Assessments	113
Early Development Instrument (EDI)	114
National and International Assessments	114
Human Rights, Equity, and Inclusive Education	116
Culturally Responsive and Relevant Pedagogy (CRRP)	116
Developing and Implementing Equity and Inclusive Policies in Ontario School	117
Positive School Climate	118
Parent Engagement	119
Special Education	119
Special Education Advisory Committee	119
Identification and Placement of Students with Exceptionalities	120
Special Education Appeal Board	122
Special Education Tribunal	123
Individual Education Plan	123
Adult and Continuing Education	124





CHAPTER 9 Education Funding 125

Funding Sources	125
Grants for Student Needs (GSN) – Operating Funding	126
Pupil Foundation Grant	126
School Foundation Grant	127
Supplemental Grants	127
Grants for Student Needs - Capital Funding	131
Capital Priorities	131
School Condition Improvement	131
Amount for Temporary Accommodation	131
Education Development Charges	132
Priorities and Partnerships Funding (PPF)	132
Other Funding Sources	132
Budget Development	132



CHAPTER 10 Collective Bargaining 135

Collective Bargaining	135
School Boards Collective Bargaining Act: Process Map	135
Employer Bargaining Agencies	136
Employee Bargaining Agencies	136
Central Bargaining Tables for 2014-2017, 2017-2019 and 2019-2022	137
Terms and Conditions for Non Union Employees	138
Legislation Impacting Collective Bargaining	138



The Role of the Bargaining Agents	138
Employer Bargaining Agency and School Boards	138
Employee Bargaining Agency	139
Collective Agreements	139
Preparation for Collective Bargaining	139
School Board/Trustees' Associations Consultation Model	
Data Gathering	140
Negotiating a Collective Agreement	141
Ratification	141
Failure To Reach An Agreement	142
Mediation and Arbitration	142
Contract Administration	142



CHAPTER 11

Parent and Community Engagement 143

Promoting Parent Engagement	143
Parent Engagement Policy	145
The Role of School Councils	146
The Role of Parent Involvement Committees (PICs)	147
Parents Reaching Out Grants	148
Promoting Community Involvement	148
Community Engagement	149
How Trustees Can Support and Promote the Parent and Community Voice	149
Inviting Public Input	150
Making Connections in the Community	150
Strategies for Engaging Communities in the Key Work of School Boards	151





CHAPTER 12 Communications, Media Relations and Social Media

153

Board Communication Policies and Procedures	153
Principles of Effective Communication	153
Preparation	153
Confidentiality	154
Public Confidence	154
Responding to Family/Public Concerns	155
Communication Tips	155
Working with the Media	156
Media Outreach	157
Responding to Media	157
Inaccurate Media Coverage	158
Communicating on Social Media	158
School Board/Trustee Association Social Media Platforms	159



APPENDIX

160

Appendix A - School Board/Trustee Associations/CODE Contact Info	160
Appendix B - Constitutional Provisions on Rights to Education	162
Appendix C - History of French-Language Education In Ontario	164
Appendix D - Glossary	168



CHAPTER 1



An Overview of Ontario's Publicly Funded Education System

In Ontario, children and youth between the ages of six and 18 must be enrolled in a formal education program. The province's *Education Act* and its regulations establish the framework for the delivery of education programs. There are many key partners that work together for public education in Ontario including the provincial government, school boards, educators (e.g., teachers, early childhood educators, etc.), students, parents, Indigenous partners, equity-deserving groups and the public. Collaboration and inclusion are vital to ensuring that all partners, at all levels of the education system, are working together to share knowledge, skills, and lived experiences to improve student achievement and student and staff well-being.

This chapter provides an overview of the roles of the key partners in education. (Throughout this document, relevant sections of the *Education Act* are referenced in square brackets.)

Ministry of Education

The Ministry of Education is responsible for child care and for administering the system of publicly funded elementary and secondary school education in Ontario.

The ministry:

- Provides funding, resources and oversight for all publicly funded education from kindergarten to grade 12 to support program implementation
- Develops education, early years and child care policies
- Develops curriculum and teaching resources
- Sets provincial standards and guidelines for assessing, evaluating and reporting student learning and outcomes.

In addition, the ministry sets requirements for child care licensing, student diplomas and certificates, and makes regulations that govern the early years and child care, the school year, the organization of schools and school boards, and the duties of teachers, principals, early childhood educators and school board officials. The Ministry of Education is also responsible for the administration of English-language provincial and demonstration schools for deaf, blind, deaf-blind students and/or for students who have severe learning disabilities. The governance of French-language provincial and demonstration schools has been transferred to the Centre Jules-Léger Consortium.

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 *Education Act* refers to the non-Catholic English-language and French-language systems as “public,” all four systems are publicly funded. There are also 10 school authorities in the province, including:

- Six hospital-based school authorities established under Section 68 of the *Education Act* to provide programs for students with complex medical needs who are unable to attend regular school for medical reasons. These schools operate in hospitals and treatment centres.
- Four isolate school authorities, which are each a school board comprised of one school.

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

Public School Boards

Ontario’s English-language and French-language public district school boards provide universally accessible education for all children and students.

The public education system is founded on the principle of equality of educational opportunity: every student deserves an opportunity to achieve their full potential. Public school boards provide high standards in their programs and ensure there are supports and resources available to help all students reach those standards. Public school boards are also committed to ensuring diversity, equity and inclusion in program offerings and services. Every student regardless of race, ethnicity, ability or disability, gender, religion, culture and sexual orientation, deserves the right to achieve successful outcomes in school.

Catholic School Boards

English-language Catholic and French-language Catholic district school boards have the same obligations, duties, rights, and privileges under the *Education Act* as public school boards. In addition, Catholic boards 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 person in the world.

Ontario School Boards – 2021-22

	NUMBER OF BOARDS	ENROLMENT (ADE)
ENGLISH-LANGUAGE PUBLIC BOARDS	31	1,331,744
FRENCH-LANGUAGE PUBLIC BOARDS	4	34,672
ENGLISH-LANGUAGE CATHOLIC BOARDS	29	555,044
FRENCH-LANGUAGE CATHOLIC BOARDS	8	76,704
SCHOOL AUTHORITIES	10	1,360
TOTAL		1,999,525

Source: Ministry of Education, 2021-2022 Revised Estimates for School Boards and 2021-2022 Estimates for School Authorities. Enrolment data represents pupils of the board Average Daily Enrolment (ADE).



Catholic 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
- Hiring and providing support to teachers, principals, vice-principals, supervisory officers, and other personnel who are committed to building a Catholic Christian community
- Preparing and putting to use academic curricula, including formal religious instruction, in which Catholic faith and life are integrated.

Language of Instruction

Parents who are holders of French-language education rights, under section 23 of the Canadian Charter of Rights and Freedoms, are guaranteed a French-language education for their children. Parents who do not have rights under section 23 but who want to enroll their child(ren) in a French-language school may apply to the admissions committee of a French-language school [s. 293]. It is important to note that enrolment in a French-language child and family program or child care service does not guarantee future admission to a French-language school.

Over the past 30 years, the ethno-linguistic profile of the French-speaking community in Ontario has undergone a major transformation. 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 three groups whose parents are not Charter 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.

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 subject of instruction in any grade and must offer English as a subject of instruction in Grades 5 through 8 [s. 292].

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 approval, 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 Junior Kindergarten.

It is important to note that both French and English-language schools may offer instruction of other languages such as Arabic, Indigenous languages, Mandarin, American Sign Language/Langue des signes québécoise, Punjabi, Tamil etc.

School Board Trustees

Every school board in Ontario is governed by a Board of Trustees. Trustees play a key leadership role in ensuring that schools operate within the standards established by the province, and that programs and services remain

responsive to the diverse communities they serve. There are five types of trustees:

1. **Publicly Elected Trustees** comprise the vast majority of trustees of Ontario's district school boards and isolate boards. School board elections are held every four years at the same time as municipal council elections. The election process is governed by the *Education Act* and the *Municipal Elections Act, 1996*.
2. **First Nation Trustees** - Under the *Education Act*, and as outlined in Ontario Regulation 462/97 (First Nations Representation on Boards), students attending schools of a school board may be entitled to representation by a First Nation trustee. The number of First Nation trustees depends on the number of First Nation students attending a school of a board through the Reciprocal Education Approach (REA) or under an existing Education Services Agreement (ESA). (see Chapter 6) First Nation trustees are selected by the First Nations and are full members of the board with all the rights and obligations of other publicly elected trustees. Ontario Regulation 462/97: First Nations Representation on Boards provides additional information. Trustees may also wish to review Module 16 – First Nation Trustees: Unique Roles and Responsibilities in the Ontario Education Services Corporation's *Good Governance for School Board Trustee Professional Development Program* at <http://modules.ontarioschooltrustees.org>
3. **Student Trustees** are secondary students elected by their peers to represent the voice of students at the board table. A school board must have at least two and not more than three student trustees. Some boards have also introduced the position of Indigenous student trustee. A student trustee must be a full-time pupil at the secondary level, unless they are not able to attend full-time due to an exceptionality. Student trustees cannot vote or move board motions; however, they do have a number of other rights, participating at meetings of the board and of its committees, and having the same access to board resources and trustee training opportunities as other board members. 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. Student trustees serve one or two-year terms. The one-year term of office of student trustees runs from August 1 of the year they are elected to July 31 of the following year. Where possible, boards are encouraged to stagger the terms of student trustees serving two-year terms to provide for mentoring and support of incoming student trustees. Starting in the 2020-21 school year, boards must provide for the election of two or three student trustees bearing in mind that as of January 1, 2020, an election for a one-year term student trustee shall not be held later than the last day of February and the election of a two-year term student trustee shall not be held later than April 20 in each year. Ontario Regulation 7/07: Student Trustees provides additional information as will the updated OSTA-AECO 2022 Student Trustee Handbook.



4. **Hospital Board Trustees** are appointed by the Minister of Education for a term of four years, on the same term cycle as publicly elected trustees. Ontario has six school authorities under Section 68 of the *Education Act*. Boards of Trustees for Section 68 school authorities have all the same powers and duties as district school boards. These boards provide education programs and services for students who have physical and/or communication disabilities and related developmental issues in select children's treatment centres.
5. **Centre Jules-Léger Consortium** is an established group composed of six trustees (3 public and 3 Catholic) appointed by the two French-language trustee associations (ACÉPO and AFOCSC) from among their members. The Consortium governs and operates the Centre Jules-Léger provincial school, demonstration school, and resource and consulting services. Ontario Regulation 201/18: Centre Jules-Léger Consortium provides additional information.

School Board/Trustee Associations

There are four school board/trustee associations which represent the interests of school boards and trustees to the government, advocate for publicly funded education, and play a key role in trustee professional development:

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

The school board/trustees' associations also act as the Designated Employer Bargaining Agencies (EBA) in the collective bargaining process. Under the terms of the *School Boards Collective Bargaining Act, 2014* (SBCBA), they represent their member school boards at the central bargaining tables.

There are also two student trustee associations which represent the interests of student trustees to the government, advocate for the student voice in publicly funded education, and play a key role in student trustee professional development:

- Ontario Student Trustees' Association – l'Association des élèves conseillers et conseillères de l'Ontario (OSTA-AÉCO)
- Regroupement des élèves conseillers francophones de l'Ontario (RÉCFO).

School Board Responsibilities

School boards are responsible for student achievement and well-being, safe and inclusive school climates, ensuring effective stewardship of the board's resources, and 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. Trustees may wish to also review Module 3 – Roles and Responsibilities in the

Ontario Education Services Corporation's *Good Governance for School Board Trustee Professional Development Program* at <http://modules.ontarioschooltrustees.org>

Directors of Education

The director of education is the chief executive officer and chief education officer of the school board and acts as secretary of the board. The director is the sole employee who reports directly to the board of trustees. Through the director of education, a school board holds all of its schools accountable for improving student achievement and well-being, providing an equitable and inclusive environment and enhancing public confidence in publicly funded education, based on expectations set at the provincial and board levels.

Directors of education are responsible for:

- Supporting the development of the board's Multi-Year Strategic Plan, implementing the plan effectively, monitoring progress, and reporting to the board annually (at minimum)
- Managing all facets of school board operations
- Implementing board policies
- 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 the applicable 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 their delegate.

In 2020, the *Act* was amended to remove the requirement for a Director of Education to hold the Supervisory Officer Qualification and to be certified by the Ontario College of Teachers. This change allows Ontario's school communities to choose from a wider pool of candidates with a broader skill set and who are representative of Ontario's diverse population.



The *Act* distinguishes between a board's responsibility for policy development and the responsibility of the director of education for operationalizing 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 of education, 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 Public directors of education may belong to the Public Council of Ontario Directors of Education (PCODE). 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).

Ontario school boards should conduct an annual performance review of their director of education. The director's performance review process will focus on the effective strategies and leadership practices the director



has employed to implement the board's Multi-Year Strategic Plan. Trustees may also wish to review Module 5 – Performance Review in the Ontario Education Services Corporation's *Good Governance for School Board Trustee Professional Development Program* at <http://modules.ontarioschooltrustees.org>

Supervisory Officers

There are two types of supervisory officers, often called superintendents:

1. Academic Supervisory Officers:
 - Accountable to the director of education for the implementation, operation, and supervision of educational programs in schools (hold both supervisory officer and teacher qualifications).
2. Business Supervisory Officers:
 - Accountable for the business functions of the organization (required to hold business supervisory officer qualifications but not necessarily teacher qualifications).

Specific duties are assigned to each supervisory officer by the board. Boards determine the number they require and designate their titles and areas of responsibility.

Supervisory officers' responsibilities include:

- Implementing board and ministry policies on Indigenous education, special education, leadership development, equity and human rights, etc.
- Completing principal performance appraisals
- Working with principals and staff to ensure schools have improvement plans based on student learning needs and in alignment with school, board and ministry priorities
- Ensuring school buildings are maintained according to ministry and board policy.

Supervisory officers have an opportunity to have a significant impact on leadership development by supporting the growth of individuals and the organization as a whole, and conducting their daily duties by modelling collaboration, professionalism, and ethical leadership.

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 Association (OCSBOA)
- The Ontario Catholic Supervisory Officers' Association (OCSOA)
- Association des gestionnaires de l'éducation franco-ontarienne (AGÉFO).

Schools

In general, elementary schools provide programs for children in kindergarten to Grade 8, and secondary schools serve students enrolled in Grades 9 through 12.

All boards must provide or purchase special education programs for exceptional students within their jurisdictions. School boards are required to make full-day kindergarten programs available for four and five year olds on a full-time basis. Where there is sufficient demand, school boards are also required to offer fee-based before-and-after-school programs for children four to 12 years of age. Before-and-after-school programs may be operated directly by the school board, a licensed child care centre on-site, or by an authorized recreational and skill-building program (for children over six).

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 full-time special education classrooms for individuals who have developmental disabilities. School boards may also employ educators who teach in Care, Treatment, Custody and Correctional (CTCC) facilities (e.g., hospitals, children's mental health centres or youth justice custody facilities).



Principals and Vice-Principals

Principals are the educational leaders within their school communities. They are responsible for creating the conditions to support student achievement and well-being, and for creating a safe, accepting and inclusive learning environment for students. They ensure that the programs that are in place are effective and align with board and ministry policies. They are responsible for supervising teachers and support staff and for delivering programs within their schools. They also ensure that student evaluation and assessment is performed according to ministry and board guidelines and policies.

Principals ensure that parents and guardians receive appropriate information about the learning of their children, as well as the overall performance of the school. Principals work collaboratively with their staff, parents, and the community to develop and implement school improvement plans that reflect board priorities and respond to the needs and interests of their student communities. 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 are uniquely positioned to exercise influence and ensure that every student in their care receives equitable educational opportunities. Principals develop and sustain effective relationships in order to communicate clearly, identify and solve problems, anticipate and resolve conflicts, and make decisions that reflect the best interests of students, staff, parents/guardians and the school community.

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 principals or vice-principals may have, they are also 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* include:

- Developing implementation plans for new education initiatives that relate to student achievement and well-being, or accountability of the education system to parents
- Undertaking teacher performance appraisals
- 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
- 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 well-being, school climate, 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
- Refusing access to anyone who, in the principal's judgement, might threaten the physical or mental well-being of students.

Principals and vice-principals engage in a formal performance appraisal process every five years, and in each year, they are required to prepare and follow an “Annual Growth Plan.” The requirement of the appraisal process and annual growth plan are found in [Ontario Regulation 234/10: Principal and Vice-Principal Performance Appraisal](#). These requirements include a focus on equity and human rights at the school level.

The principal also has a key role to play in ensuring that school councils operate effectively. The principal attends and acts as a resource at school council meetings and reports on actions taken as a result of the council's recommendations. Ontario Regulation 298: Operation of Schools – General lists additional principal duties.

Teachers

Teachers who are members in good standing of the Ontario College of Teachers (OCT) or temporary teachers (individuals who are not members of the OCT but are employed by school boards under a letter of permission granted by the Minister of Education) may teach in publicly funded elementary or secondary schools.

Under the terms of the *School Boards Collective Bargaining Act, 2014* (SBCBA), teachers must be represented by one of the following four teachers' federations, which are affiliates of an umbrella organization, the Ontario Teachers' Federation (OTF):

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

The federations are the Designated Employee Bargaining Agencies that engage in the collective bargaining process for teachers at both the central and local tables.

Teachers are 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 Ontario Regulation 298: Operation of Schools – General set out the following teacher duties and expectations:

- Instruct and assess pupils in classes or subject areas assigned by the principal
- Manage the classroom effectively
- Carry out the supervisory duties and instructional program assigned by the principal
- Cooperate fully with other teachers and the principal regarding the instruction of pupils, including cooperative placements
- 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 normally associated with the graduation of pupils
- Participate in professional activity days as designated by the board.

Many teachers choose to participate in supervising co-curricular activities at the school. These activities occur outside the regular instructional program and are designed to enrich students' school-related experience and support educational goals. Examples include athletics, arts, and cultural activities.

Ontario College of Teachers (OCT)

The OCT enables 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 members in good standing 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 grants additional qualifications
- Accredits teacher education programs and additional qualification courses
- Hears complaints and investigates members, and may suspend or revoke certificates for professional misconduct.

In order to be certified by the College as a teacher of general education in Ontario, prospective teachers must complete a post-secondary degree from an acceptable postsecondary institution and complete an accredited Initial Teacher Education Program.

To be certified by the College as a teacher of technological education in Ontario, prospective teachers must have a secondary school diploma, have five years of work experience or a combination of work experience and post-secondary education totalling five years in the field of technological education and provide proof of competence in the field of technological education (e.g., a trade certificate).

All prospective teachers seeking certification by the College must provide a criminal background reference check and proof of language proficiency in English or French and pay the annual membership fee.

For more information, visit the OCT website at www.oct.ca.

Education Workers

Education workers are other school board employees who help ensure that schools run effectively, safely, and appropriately. Such workers include but are not limited to:

- Education Assistants (EA)
- Early Childhood Educators (ECE)
- Secretarial/Clerical staff
- Custodial/Maintenance staff
- Information Technology and Library Technicians
- ESL and Literacy Instructors
- Professional Student Services Personnel (PSSP)
 - Speech-Language Pathologists
 - Social Workers
- Lunchroom Supervisors.

Union representation of education workers varies across school boards. In central bargaining they are represented by unions or councils of unions. The Employee Bargaining Agencies (EBA) for education workers who engaged in the last round of central bargaining under the terms of the SBCBA were:

- Canadian Union of Public Employees (CUPE)
- Ontario Secondary School Teachers' Federation - represented Education Workers (OSSTF-EW)
- Elementary Teachers' Federation of Ontario - represented Education Workers (ETFO-EW)
- Education Workers' Alliance of Ontario (EWAO)
- Ontario Council of Educational Workers (OCEW).

Early Childhood Educators

Only registered members of the College of Early Childhood Educators (CECE) may be designated as an ECE in full-day kindergarten classrooms, and board-run before-and-after-school programs for four and five year olds. Under the *Education Act*, the Minister of Education may appoint a person who is not a registered member of the CECE to a position designated by the board as requiring an ECE, if no registered early ECE is available.

Early childhood educators have specialized knowledge about early childhood development, observation and assessment. They focus on age-appropriate program planning that promotes each child's physical, cognitive, linguistic, emotional, social and creative development and well-being.





College of Early Childhood Educators

The CECE was established to regulate and govern Ontario's early childhood educators to protect the public interest. It is the first professional self-regulatory college for early childhood educators in Canada. The College:

- Establishes and enforces standards of practice and conduct
- Promotes and provides leadership for the profession of early childhood educators
- Sets registration requirements and ethical and professional standards
- Establishes requirements for professional development, including a mandatory Continuous Professional Learning program
- Governs member conduct through a complaints and discipline process.

For more information visit the CECE website at <https://www.college-ece.ca/en>.

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 comprised primarily of parents and guardians whose purpose is to improve student achievement, equity and well-being, and enhance the accountability of the education system to parents.

School boards must also establish a Parent Involvement Committee (PIC). The role of a PIC is to support improved student achievement and well-being through encouraging and enhancing parent involvement at the board level. These committees are tasked with identifying and removing discriminatory biases and systemic barriers to parent engagement, and helping to ensure that schools of the board create an environment in which parents are welcomed, respected, and valued by the school community as partners in their children's learning and development.

Parents and guardians also have many informal ways of participating in school and board life. Ontario Regulation 612/00: School Councils and Parent Involvement Committees provides additional information.

The Public

The public is a key partner in Ontario's education system. In the broadest terms, education is what prepares the next generation to maintain and improve our shared society – to care for our communities, our province, and our planet. The Ministry of Education and school boards work together to focus on delivering a high-quality, publicly funded education system as the foundation of a fair and productive society, where everyone can feel safe and respected. Vibrant communities and a prosperous society are built on the foundation of a strong education system. Ontario's publicly funded education system partners with families and communities to develop graduates who are personally successful, economically productive and actively engaged citizens.

Public education is enabled by, and accountable to, the Ontario public. Funding for Ontario's education comes from Ontario taxpayers, and school boards are governed by trustees, the majority of whom are publicly elected.

Ontario's public education system enhances public confidence through responsible, sustainable, accountable, and transparent governance practices. Such practices include a clear delineation between the role of trustee and that of administration; evidence-informed decision-making; public input on policy development; data collection on student achievement and student and staff well-being; and strong consultative practices that seek out, listen, and consider a variety of perspectives and voices. These perspectives come from parents, students, staff, Indigenous communities, equity-deserving groups and the broader community.

Community Organizations

There are many not-for-profit organizations that lend their expertise in areas of the arts, environmentalism and outdoor education, science and technology, Indigenous education, values-based learning, social services, and others. The ministry may provide funding to community organizations in support of education priorities to enhance and enrich programs or services offered by school boards.

Public Sector Organizations

Public sector organizations act as education partners to support the safety and well-being of students and staff. For example, health care, justice and police, and social service agencies partner with boards to maximize effectiveness and efficiencies in dealing with families and students in need and in crisis.

Colleges and universities partner with school boards in a variety of ways, such as for dual credit programs that provide students with options to pursue apprenticeships and post-secondary courses while working toward a secondary diploma.

Municipalities also partner with boards on many issues such as land use, elections, and meeting the needs of their constituents.

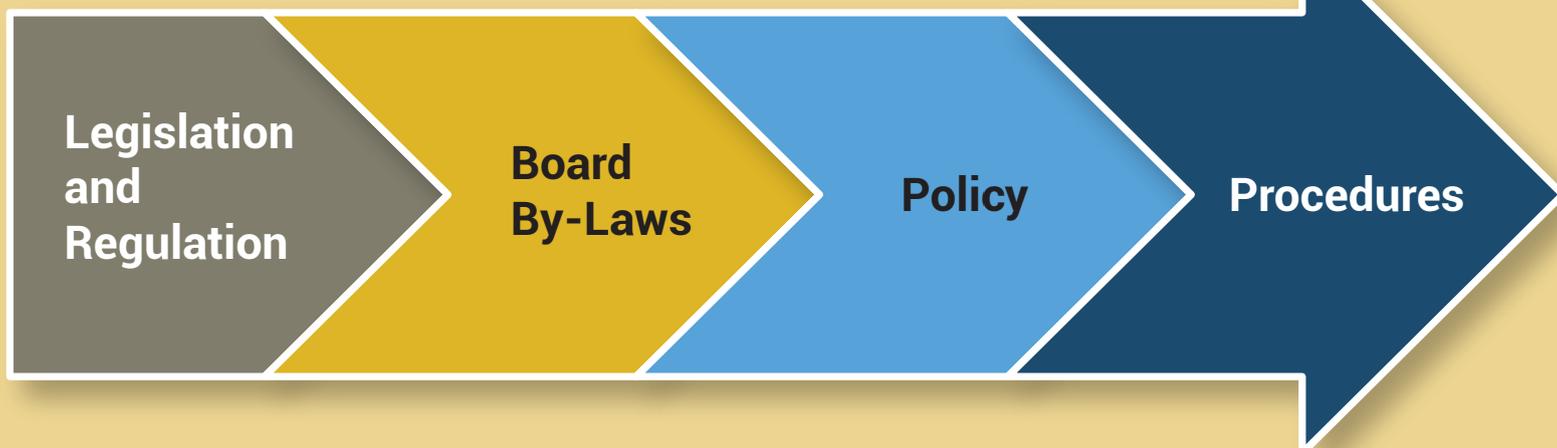
Private Organizations

The private sector plays a large role in supporting and collaborating with the education system. Small and large businesses take on co-operative education students and develop internships to support student success and transitions to the workforce. Many businesses also provide in-kind service and product donations, professional development training, and other partnerships that benefit Ontario's education system.

Notes:

CHAPTER 2

GOVERNANCE MODEL



Board Governance

School boards are responsible for the provision of publicly funded education within their jurisdiction. As such, trustees are leaders in their communities and in the province. School boards represent the interests of the communities they serve in setting high standards of student achievement and well-being. They carry out this responsibility within relevant statutes and regulations. Through their local governance, school boards exercise their leadership to set policy and strategic direction, hire and appraise the performance of the director of education, approve allocation of resources, and engage with education partners, stakeholders and the broader public. This governance role is fundamental to setting the conditions for all students to become successful, productive and engaged citizens. Effective governance ensures that the education system remains accountable to the people of Ontario.

What Is Governance?

Governance is how the board operates and conducts itself. Governance is the framework and processes for decision-making that holds leaders responsible for modeling and exercising ethical leadership. School boards are the

embodiment of local governance in action. Through their decisions, policies, and procedures, they demonstrate accountability and effective stewardship of public resources in setting the conditions that enable every student to meet high standards of achievement, that foster cultures of well-being and inclusion, and that ensure equitable and healthy school environments.

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. The law, particularly the *Education Act*, helps to define governance structures, powers, and processes for school boards. The *Act* and its regulations provide a governance framework for school boards, including roles and responsibilities for boards, individual trustees, the chair of the board, and the director of education.

A board's governance practices can have significant effects on students, staff, parents, and the broader community. Effective school board governance can be seen in the level of public trust in a board, the ways a board continues to

improve, the strategic direction of the board, and the quality of the board's leadership.

Good governance begins with well-defined roles and responsibilities. This includes clarity around the board's goals, the strategies it will employ to achieve them, and the role of the director of education to manage all aspects of implementation of board direction. 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 and business practices, and adherence to legal obligations. It will also influence how the public perceives the efficacy of the board and its value to the community, and its responsiveness to communities' needs and concerns.

The true test of any board's governance structure is its effectiveness in continuously working toward a high standard of achievement and well-being. Good governance is established by accomplishing goals designed to bring positive results to all of the board's students and staff, and building public confidence by demonstrating accountability to the public and the ministry.

As part of their orientation and professional development for trustees, many boards are using the 2019 resource, *The Governance Core: School Boards, Superintendents and Schools Working Together* by David Campbell and Michael Fullan.

The authors promote a decision by boards to, "choose to create a common vision driven by a shared moral imperative."

The conceptualization of a shared moral imperative can be seen in the work boards do in the creation of their Multi-Year Strategic Plan (MYSP). This plan sets long-term strategic priorities and goals and is to be evidence based. It is a visionary and policy document that sets the direction for the board. Details on the MYSP can be found in Chapter Three – Roles and Responsibilities.

Campbell and Fullan also stress that, "at the outset, it is important for trustees to understand that governance, as an organizational function, is completely different from administration and curriculum/instruction. Board members are elected to govern, not manage or teach."

In their book, *Governance Solutions*, authors David A.H. Brown and Dr. Debra L. Brown add to this by stating that a governance type board is one that has the board "doing what it is uniquely equipped to do – oversight. Management is doing what it is uniquely equipped to do – operations."

Balancing Accountabilities

In carrying out their role, trustees have the very real challenge of balancing their responsibilities as representatives of their communities with their role as education leaders within the decision-making body of the board as a whole. This dual responsibility can mean that the ultimate decisions made are at variance with the specific interests of a particular geographical constituency, demographic population, or interest group. All trustees are expected to act in the best interest of the board and its students as a whole.

“A shared moral imperative – a relentless commitment to the learning of all students, no exceptions – must drive the work of the board and its individual and collective action... When trustees, superintendents, staff, faculty, and parents all operate with the same broad understanding of the moral imperative, the district can accomplish amazing learning – year after year.”



Effective board governance is dependent on a clear understanding of, and respect for, roles and responsibilities. As trustees communicate with diverse communities and hear their concerns, they must at the same time convey that changes to existing board policy require consideration by the full board. Trustees, as individuals, do not have authority to make decisions or take action on behalf of the board.

Trustees can facilitate the addressing of concerns of their community members by advising them as to which board staff can answer their questions or deal directly with their concerns. In some cases, trustees may bring issues that affect the entire jurisdiction to the board for discussion, and where appropriate, resolution.

Most boards have a "Parent Concern Protocol" – a process that clearly outlines the sequential steps included and who at the board needs and should be involved depending on the issue.

Step One - Classroom Teacher

- These concerns are usually directly about the classroom, homework and assignments etc.

Step Two - School Principal

- These concerns are more focused on the school itself, including safety, fundraising, school councils etc.

Step Three - School Superintendents

- These concerns are broader in nature and deal with issues such as alternate attendance requests and suspension appeals.

Step Four - Trustee

- As the community's elected official, these inquiries are more about neighborhood matters, board agenda items, policies, budget, and collective bargaining.

The board's main administrative office is also a good resource or point of contact that should be able to direct inquiries to the appropriate staff person.

Note: Trustees should always listen and take notes when a parent or constituent contacts them. They should:

- Explain that their role is to ensure that board employees are following the policies that govern board and school operations
- Explain that principals and superintendents (school board staff) are the ones who operationalize these policies
- Share that they will ensure they are connected with the right people who can help solve school-based issues.

Evidence-Informed Decision Making

Board decisions must be evidence-based and informed by research that supports educational goals. Boards should base their decisions on a wide variety of evidence and current research to ensure the best strategic and policy approaches are followed. Socioeconomic and demographic data about the board's communities should be collected, analyzed and considered by staff when making recommendations to the Board.

Ministry data will complement board data to inform decision-making and support board staff in developing systems to track achievement, equity, and well-being. The use of data also helps school boards monitor trends

in a variety of areas such as human rights claims and grievances, as well as track trends in hiring and promotion, and parent involvement.

Consultation and engagement are vital so a diversity of voices and perspectives are heard. Consultation and collaboration with families, staff, students, community members, and diverse stakeholders provide information that will support the best decisions to be made.

Boards are using the data they collect from their Student Census to inform their Multi-Year Strategic Plan and their Board Improvement and Equity Plan.

Board Self-Assessment

Good governance doesn't just happen. It requires the elected board to take responsibility for the effectiveness and continuous improvement of its governance practices. Effective boards will have a governance review policy that includes processes that can contribute to meaningful change. Self-assessment is a valuable process that results in a range of benefits. In addition to improving communication among board members and building an understanding of the effectiveness of the directions taken

by the elected board, the key outcome is greater certainty around what works for the benefit of students.

This regular reflection should assist the board in identifying areas where the board can improve its effectiveness, monitor the contribution of the board to the achievement of the strategic plan; and identify opportunities for the ongoing professional development of the board and its members.

The process that school boards undertake to review their performance will vary. Boards may choose to involve an external facilitator/consultant to gather the information that will inform their self-assessment. Methods of self-assessment include:

- Surveys of board and committee members
- Focus groups with community members and other stakeholders
- Interviews with board members and the director of education.

Boards should ensure that when they collect feedback, they do so in multiple formats and that these are accessible to participants.





As part of its Facilitation Services, [OESC](#) has experienced professionals who can help with Board Self-Assessments.

Establishing the Governance Approach

All school boards have a governance model in place which they have adapted to their local context. New trustees should become familiar with their board's governance model. 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.

Boards may choose to review their governance model by looking to the models of other boards for ideas. School board trustees' associations have access to professional and organizational development resources that can be helpful to your board in assessing the effectiveness of its governance model.

Governance literature offers many governance 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 challenges in every governance model it considers.

Whatever model chosen, Campbell and Fullan suggest having a governance mindset that means:

- Always keeping the board's focus on the students
- Watching the budget
- Keeping focused on the long-term goals
- Building and maintaining a strong governance infrastructure
- Supporting the staff and creating a positive culture
- Holding the board accountable to the community
- Keeping constituents of the board informed and up-to-date.

The authors also suggest Guidelines for Serving on the Board. These are tips for trustees and include the following:

1. Reserve judgement
2. Listen empathetically
3. Stay focused on content, not behaviour or style
4. Always stay true to the norms of the board
5. Do not take differences personally
6. Move forward in fulfilling governance responsibilities.

Governance and Equity

The most important question school board trustees must ask themselves in guiding their work is, “*What is the goal of high-quality, accessible and equitable public education?*”

Good governance means asking that question, and others that flow from it, through a critical and explicit self-reflection on power, privilege and oppression. It means thinking about the unfair advantages, biases, barriers and impacts on equitable access, opportunities and outcomes that members of school communities experience. It is about who is included and who is excluded and why things are done the way they are. Trustees must ask questions about who is impacted positively or negatively by maintaining the status quo and how school boards are evaluating and measuring these impacts. Ultimately, how does a school board know if it is achieving the goal of ensuring quality public education for all? Good governance through an equity, diversity, and inclusion lens is not easy, but it is of the utmost importance.

In response to the recent pandemic, but also to address issues of social injustice, the National School Boards Association (NSBA) has a resource entitled, [*Reimaging*](#)

[*School Board Leadership: Actions for Equity*](#). This document and its [*Supplement Guide: Starting the Conversation*](#) provide a series of questions boards should be asking. This resource, “establishes a drive for school boards to rise to these current challenges our school systems are facing to transform public education, with a focus on equitable access to a world-class education for every student.”

Boards should also consider using an *Equity Assessment Tool* for their policies and procedures to ensure fairness, equity, diversity, acceptance, inclusion and the elimination of all forms of discrimination. An example can be found at: <https://www.tdsb.on.ca/About-Us/Policies-Procedures-Forms/Equity-Policy-Assessment>.

Supplementary Resources on Governance

Additional information about effective governance can be found in the following resources:

- **Good Governance for School Boards – Trustee Professional Development Program.** This online resource, developed by Ontario's school board associations, offers a full range of professional development modules designed specifically to support



school board trustees in their governance role. It is available at: <http://modules.ontarioschooltrustees.org>.

- ***The Governance Core: School Boards, Superintendents, and Schools Working Together***, Davis Campbell, Michael Fullan, 2019.
- ***Governance Solutions: The Ultimate Guide To Competence and Confidence in the Boardroom***, David A.H. Brown, Dr. Debra Brown, 2019.
- ***Urban Indigenous ACTION PLAN***, Government of Ontario, Ontario Federation of Indigenous Friendship Centres, Metis Nation of Ontario, and Ontario Native Women's Association, 2018.
- ***The Ontario Human Rights Code***
- ***Reimagining School Board Leadership: Actions for Equity*** and ***Supplement Guide: Starting the Conversation***, National School Board Association (NSBA), 2021
- ***Institute of Corporate Directors***

Notes:



Roles and Responsibilities: School Boards and Individual Trustees

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

School Boards

Under the *Education Act*, locally elected school boards are responsible for operating publicly funded schools within their jurisdiction. Legal accountability for board decisions applies to the board as a corporate entity rather than to individual trustees. As members of the corporate board, trustees are legally accountable to the public for the collective decisions of the board and for the delivery and quality of educational services.

The *Education Act* [s. 169.1] stipulates that every school board shall:

- Promote student achievement and well-being
- Promote a positive school climate that is inclusive and accepting of all pupils, including pupils of any race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, marital status, family status or disability
- Promote the prevention of bullying
- 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
- Monitor and evaluate the performance of the board's director of education, or the supervisory officer acting as the board's director of education, in meeting their duties under this *Act* or any policy, guideline or regulation made under this *Act*, including duties under

the multi-year plan, and any other duties assigned by the board.

School boards are accountable for their fiscal and operational performance as boards, and for the academic achievement of students and well-being of their students and staff. They are responsible for effectively communicating the board's performance to parents and the communities of the board – both where the board is succeeding, and where the board is struggling to meet expectations and what steps are being taken to improve outcomes.

An Effective School Board:

- Understands why it exists, what difference it aims to make for the communities it serves, and develops a plan for this purpose
- Maintains a focus on student achievement and well-being, and promotes equitable access to opportunities, experiences, and resources to support the success of all students
- Works together as a team
- Demonstrates ethical leadership and acts with integrity and professionalism, and in accordance with applicable laws, regulations and policies governing the board
- Makes informed decisions
- Strives for excellent communications with its partners and stakeholders and creates meaningful opportunities for engagement
- Has a clear sense of the difference between its role and that of senior management
- Understands the distinction between policy development and implementation
- Is accountable for its performance
- Holds the director of education accountable for effectively implementing the policies of the board
- Monitors the effectiveness of policies and implementation plans
- Ensures that local municipal, provincial and federal politicians understand local issues and needs, and encourages them to make education a high priority.

As the governors of the school board, two important responsibilities of boards of trustees are the development and monitoring of the Multi-Year Strategic Plan (MYSP) and the hiring and performance management of the director of education.

The Multi-Year Strategic Plan (MYSP)

Under the *Education Act*, every school board must create a multi-year plan that spans a minimum of three years. The purpose of the strategic plan is to help boards set long-term strategic priorities and goals. The plan must be based on

evidence to ensure that it has a clear purpose and that it is effective. It is important that boards use a collaborative process at every step in its development, so that everyone can take ownership of the MYSP and feel responsible for its success.

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

A thoughtful and robust strategic plan reflects what has been learned from the past, not what has been done in the past. A strong MYSP is a driver for positive change in the board. When developing their plan, boards should be relentless in their efforts to address the needs of all students and changing communities. Boards must show leadership and demonstrate that they collaborate effectively with families, students, staff, and community members. It is especially important to include communities that have been underserved, and to make concerted efforts to welcome and engage families and communities who have faced barriers to engagement, including not being or feeling welcomed to participate as partners in the education system.

Boards need to make intentional efforts to connect with diverse partners and stakeholders. Outreach communications and information should be appropriate for each group. This includes accessibility, language considerations, and various methods for engagement (interviews, surveys, focus groups, workshops, town hall meetings etc.)

An effective engagement strategy includes reaching out to community leaders to learn how community members are made to feel welcome; what communication methods,



timing, protocols and other considerations best enable them to participate; and how the board can work with them to facilitate such opportunities. The Ministry of Education has produced resources to help boards:

- [Multi-Year Strategic Planning – A Guide for School Board Trustees.](#)
- [Multi-Year Strategic Planning: Supplementary Resources for School Board Trustees](#)

A strong board strategic plan not only points the way forward, it provides a framework for how to get there by:

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



- Motivating the board's staff and giving employees at every level of the organization a sense of purpose.

An effective strategic plan will also:

- Help boards to reach provincial goals for education
- Help create coherence and cohesion for Ontario's publicly funded education system
- Encourage collaborative professionalism and a collective growth mindset among education partners and stakeholders
- Engage communities in ongoing conversations about education
- Stand as a beacon for boards as they focus on creating a measurably better future for all children, students, and staff
- Not only protect, but promote human rights and ensure equity in achievement and well-being.

The Guide focuses on the four key phases involved in developing and monitoring the strategic plan. Recognizing that boards have different contexts, this document provides guiding questions and considerations to account for differences in board size, geographic circumstances, and

demographic trends. The four phases of plan development are:

Phase 1 - Getting Organized

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

Phase 2 - Gathering Information

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

Phase 3 - Developing the Multi-Year Strategic Plan

- What would be the ideal duration?
- Which strategic priorities should be finalized?
- What criteria should determine the strategic goals?
- How will an evaluation framework be developed?
- How to tell the MYSP story?

- When should the MYSP be submitted for final approval?
- How will a communications plan be communicated?

Phase 4 - Implementing and Monitoring the Board Strategic Plan

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

Hiring of the Director of Education

Ontario is one of Canada's most diverse provinces and this is one of its most enriching assets. School boards have a responsibility to serve the interests, needs and concerns of their diverse communities, including and particularly with respect to their choice of director of education. Meeting this responsibility is achieved through meaningful consultation with communities, through broad and vigorous recruitment strategies, and through equitable and transparent hiring policies, procedures and practices. Together, these elements will lead boards to the selection of skilled leaders who are responsive to their communities.

To identify and address the barriers that affect many students, families and staff from benefitting fully in Ontario schools, directors of education must have the necessary

skills and abilities to support boards to meet their financial, legal, ethical, and moral responsibilities as stewards of public education. This includes their obligations under the *Education Act* on the effective and efficient use of financial resources, to promote the achievement and well-being of all students, and to ensure an inclusive and non-discriminatory environment as required by the [Ontario Human Rights Code](#). Directors of Education must be firmly committed to ensuring the personal and academic success of all students.

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

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





formulate a plan before a board is required to act by the pressure of the moment. The director of education must be matched with the board and its communities with competencies to engage with all communities of the board, particularly those who historically have been, and may continue to be under-represented and underserved.

The price of making the wrong hiring decision is high. Typically, much time is wasted in managing difficult conflicts when the focus should be on supporting students and developing the organization. A poor decision can lead to resignations, costly terminations, negative media attention and lessened public confidence in the board.

Changes to the Qualifications for Directors of Education

The *Education Act* has been amended to remove the requirement for a director of education to hold the Supervisory Officer Qualification from the Ontario College of Teachers. This expands the pool of potential candidates beyond Ontario's K-12 education sector, including candidates from other jurisdictions. Boards may, for example, consider candidates from colleges and universities, from the private sector, the public service, from

non-governmental organizations or academia. They may continue to consider candidates who hold the Supervisory Officer Qualification, the Business Supervisory Officer Qualification or any other designation, experience or qualification, from within their board or any other board. This amendment also expands the pool of candidates in a way that it is hoped will attract a greater diversity of candidates in terms of, for example, race, disability and sexual orientation.

Effective boards spend time on planning for the succession of the director of education and similarly expect the director of education to develop informal and formal succession plans for all key staff positions in the board.

Selection Process – Considerations

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

- The whole board must approve the appointment of the director of education by formal resolution. Most boards appoint an ad hoc search committee that includes the chair and/or vice-chair. The search committee is given clear direction by the board and develops a detailed plan of action to conduct the selection process. It is important for this committee to have a diverse representation of skills, experience and identities.
- Boards need to be aware of any potential bias in all selection processes and consider how to overcome that potential bias.
- Consultation and research within the district is an important part of the process. The board should know its strengths as well as its challenges from various perspectives, including that of the senior team, employee groups, trustees, students, and parent and community committees/councils (e.g., Parent Involvement Committee, Indigenous Education Council, Special Education Advisory Committee, equity diversity committees), and the broader community. It is particularly important that the board seek out perspectives from families and community groups that have historically and continue to face systemic

obstacles, both within and outside the education system (e.g., health and justice systems, social, and economic structures) that impact their children's educational outcomes and experiences of school. This engagement process will help the board determine the qualities and skills the new director of education will need to demonstrate.

- A clear description of the qualities and skills required is developed, reviewed by relevant board advisory committees, and approved by the board. This document should be aligned with the strategic plan priorities and input from the consultation and research. This description becomes the foundation of the process.

Executive Search Agencies

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

Specifically, an executive search agency will provide services that include developing a customized plan and timetable for the search, consultation with stakeholders, designing application and interview forms, brochures, advertising, outreach to potential candidates, screening and assessment of candidates, shortlisting, verification of resumes, detailed reference checks, follow up with candidates, interview format and questions for interviews, training regarding the interview process including bias awareness training, assistance with the interviews, debriefing, and contract consultation as requested. A search agency should also be able to guarantee to the board that it will not undertake any competing or conflicting searches that might have a

negative impact on the ability to deliver the best possible candidates.

Boards should consider executive search agencies that have successful experience in the K-12 sector in Ontario, have outstanding credentials and references, will demonstrate expertise in mitigating bias in the process, and maintain excellent networks within Ontario and across the country to assist with the identification of suitable candidates. Boards should consider the firm's track record in helping their clients successfully increase the diversity of their leadership ranks and also determine if the firm itself demonstrate diversity in its leadership.

Diversity in executive leadership is an issue across Ontario school boards. An executive search firm can bring an added level of expertise and independence to key parts of the process (e.g. needs assessment and director profile development processes; community consultations, scouting for potential candidates). This could be particularly important where diversity of communities is not reflected throughout the organization. An independent firm can also help to maintain objectivity where there is significant internal interest in the role. The process should not favour – and should not be seen to favour – any particular candidate.



- Recruitment for the position is an important step that should not be taken lightly. In order to attract a diverse pool of qualified candidates, the board needs to consider how best to advertise and recruit for this critical position.
- Confidentiality, integrity and respect for all candidates are critical. The board must hold itself to high standards and continually stress and reinforce the importance of confidentiality throughout all steps in order to preserve the integrity of the search process.
- Clear communication is essential. To this end, boards should expect communication to flow through the chair with regular updates to the board. The announcement of the appointment of the new director of education should be carefully coordinated with the new director of education and the communications department of the board.
- As previously noted, the whole board must approve the appointment of the director of education by formal resolution.
- The employment contract framework and parameters are developed by the board (often with the assistance of the executive search consultant and/or board legal

counsel) early in the process. Details of the contract with the successful candidate are worked out usually with the chair, vice-chair, and board legal counsel acting on behalf of the board. It is important that any responsibilities delegated by the board to the search committee and its individual members, including the chair/vice-chair, be specific and clearly stated in advance; this includes clarity around the communication expected with the full board as a contract is developed with the successful candidate.

Director of Education Performance Appraisal

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

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

Resources:

- The [Ontario Education Services Corporation \(OESC\)](#) also provides advice and assistance to school boards with the recruitment and selection process. The OESC has a team of highly skilled and respected educators who understand the needs and experiences of the education sector and maintain excellent networks to identify potential candidates across the province.
- The [OESC](#) provides a service that works with boards on developing a policy for the performance review of the director of education. It offers workshops and consultation to cooperatively develop a performance appraisal procedure that engages trustees and the director in a collaborative approach with key performance metrics.
- [OESC Module 5 – Performance Review: Director of Education](#) at <https://modules.ontarioschooltrustees.org>

Additional Responsibilities of the School Board

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

Electing a Board Chair

Each year trustees elect from among themselves the trustee who will be chair of the board. There should always be a strong collegial relationship between the chair and the members of the board. In electing a fellow trustee to this leadership position, they are placing confidence in the chair to guide the board in its work. Clarity of roles is vital to



effective governance and it will be important for the board to discuss and come to consensus on specific responsibilities they wish the chair to undertake on their behalf in addition to the duties of chair as set out in the *Education Act*. Key considerations, for example, will be any division of responsibilities around the role of public spokesperson for the board and expectations on the flow of communications between the chair, the board of trustees, and the director of education.

Establishing the Board Vision

As members of the school board, trustees play a critical role in establishing the board's mission, vision, and values. Through their consultative work with their communities and their own thinking and ethical leadership, the board shapes a vision that is aspirational, inspirational, and motivational. This important work creates the foundation on which all other work will be built.

Maintaining a Focus on Student Achievement and Well-Being

The board is entrusted with the task of developing and adopting policies that set clear expectations and standards



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

Developing Policies and Procedures

A key responsibility of any school board is to develop and adopt policies that are based on the board's vision and that provide a framework for implementation of the vision. *The Education Act* requires boards to develop and maintain policies and organizational structures that promote the board's goals and encourage pupils to pursue their educational goals. It is the responsibility of the board to monitor and evaluate how efficiently the board's policies are implemented and how effective they are in achieving the board's goals. Policies will cover such matters as

student support services, instructional material, administration of schools, staffing, accessibility, equity, transportation, accommodation reviews, advertising, facilities and equipment, etc. Other policies will be about homework, nutrition, the naming of schools, concussions, anti-sex trafficking, and severe weather.

It is through policy that the board informs the public, the administration, and other staff of its intent. All policies should align with the board's vision and goals.

A policy is a principle or rule that guides decisions that will achieve the organization's goals. It articulates what must be done and the rationale for it, but does not deal with how it is to be done.

A procedure, or a protocol, is usually administrative, and provides the details of how policies are to be implemented.

As elected representatives, boards are expected to develop policies in an open and accountable way. The process for developing policies may vary depending on the size of the board. Boards may choose to begin policy development at the committee level, in a standing committee, or a special-purpose ad hoc committee. Boards may also simply choose to use the committee of the whole board for this purpose.

Generally, administrative staff are assigned to support committee members with the information and material they need. Board members rely on the director of education and senior staff for expertise and advice to help them reach informed decisions.

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

Allocating Resources

The most visible and significant annual decision of any board is the approval of the budget. Board members participate in the budget process, ensuring that funding is aligned with the board's priorities for improving student achievement and well-being, and that all legislated and contractual obligations are taken into consideration. A board is legally required to ensure effective stewardship of the board's resources and to file a balanced budget.

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

Within the funding provided by the ministry, it is the responsibility of trustees to establish a balanced budget that reflects the board's vision, the needs of the community, and that supports the board's strategic plan. While board administration oversees day-to-day spending, the elected Board is the steward of its resources and must ensure that funds are spent according to the approved budget.

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



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

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

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



Managing Board Facilities

The board is responsible for setting policy relating to facilities, including: maintenance, acquisition and disposal of sites; building renewal plans; and site operation.

Providing Support Services

The board sets policies that guide the actions of administration and school staff in their dealings with students and their families. In this regard, issues such as student safety, student discipline, nutrition, attendance, matters related to health, and student transportation are significant matters for the attention of school board members.

Communicating with Stakeholders

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

Ensuring Staff are Well Supported

Even though the director of education is the sole employee who reports directly to the board of trustees, the board is the employer of all employees in its schools and in the

board's administrative offices. The board holds staff accountable and implements hiring, promotion, and termination policy through its director of education. These policies must reflect collective agreements, be inclusive, and equip the board to staff appropriately and effectively.

[Policy/Program Memorandum 165: "School Board Teacher Hiring Practice"](#) was released by the Ministry of Education on February 22, 2021 and provides direction to school boards on the development and implementation of fair, consistent, and transparent hiring policies and processes. This includes a requirement for school boards to include the following inter-dependent components in their teacher hiring policies:

- Qualifications and merit
- Diversity, equity, and human rights
- Employment mobility
- Fairness and transparency
- Monitoring and evaluation.

Individual Trustees

A school trustee is a member of a board, not a member of government, and it is important for both trustees and the

general public to understand that school board trustees hold no individual authority. A clear understanding of a school board trustee's role and responsibilities is fundamental to good governance.

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

The *Education Act* clarifies 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 Strategic Plan.

Once the board of trustees has voted, individual trustees are legally bound by the majority decision, regardless of whether they supported it during debate or voted against it. They are required to uphold the implementation of resolutions passed by the board. Although they may not agree with the decision, trustees should be able to explain the rationale for the decision and ensure that it is understood, implemented, and monitored. Trustees who wish to explain a school board decision should do so in this context and express any divergence in their personal views in a manner that respects the decision-making authority of the collective board. In this way trustees carry a dual responsibility – as a representative of their area and as a member of the board.

As required under the *Education Act* [s 218.1], individual school board trustees are to:

- Carry their responsibilities in a manner that assists the board in fulfilling its duties under this *Act*, the regulations and the guidelines issued under this *Act*, including but not limited to the board's duties under section 169.1



- Attend and participate in meetings of the board, including meetings of board committees of which they are a member
- Consult with parents, students and supporters of the board on the board's multi-year plan under clause 169.1 (1) (f)
- Bring concerns of parents, students and supporters of the board to the attention of the board
- Uphold the implementation of any board resolution after it is passed by the board
- Entrust the day-to-day management of the board to its staff through the board's director of education
- Maintain focus on student achievement and well-being
- Comply with the board's code of conduct.

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



a board that makes policy decisions, provides organizational oversight, and fulfils its responsibilities as an employer.

Trustees bring a range of skills, experience, knowledge, values, beliefs, and opinions to their role. Their background does not necessarily include teaching, administration, or any other aspect of education. This diversity can support processes to be democratic and can contribute to good decision-making. Moreover, trustees bring different and unique expertise, skills and experiences, including lived experience, that can benefit the overall board.

Advocates of Public Education

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

The trustee's role as an education advocate often extends beyond the boundaries of the district school board. In the broader public domain, trustees are education advocates throughout the province and work with the provincial government in the interest of publicly funded education. They may liaise with members of all levels of government,

the school system, and with local organizations or individuals in the community.

Code of Conduct for Trustees

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

[Ontario Regulation 246/18: Members of School Boards – Code of Conduct](#) requires every school board to have a code of conduct for trustees and to make the code of conduct available to the public.

The regulation provides for the review of the code of conduct on a four-year cycle aligned with the school board election cycle. Under the regulation, boards must review their code of conduct on or before May 15, 2023, and on or before May 15 in every fourth year that follows. The Board must determine whether changes are required and make those changes; if no changes are required, the board must confirm the existing code of conduct.

A code of conduct is not intended to prevent individual trustees from expressing their opinions on issues under consideration by the board, nor is it intended to prevent the public from evaluating a board's decision-making procedures. If used effectively, the code of conduct can serve to encourage respect for divergent views and help boards focus their efforts on student achievement and well-being. It is intended to provide a common understanding about how to conduct the work of the school board with appropriate authority and integrity and, thereby, promote public confidence.

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

- **Note:** In 2021-22, the Ministry of Education consulted with the public and with the school board/trustee associations on ways to strengthen trustee codes of conduct.

Professional Development Opportunities

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

Boards have funding for professional development to enable trustees to participate in workshops, attend seminars and conferences, and complete courses. Trustees are strongly encouraged to participate in these and other professional development activities that allow them to grow, become more effective in their roles, and be well-informed decision makers.

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

For additional information, visit

<http://modules.ontarioschooltrustees.org/>.

Note: Trustees who have completed the entire program (21 modules) can apply for a Certificate of Completion in recognition of the commitment to leadership and the good governance of Ontario's education system.

Trustee Expenditures

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

However, a more current resource that boards also refer to is the [Ontario Travel, Meal and Hospitality Expenses Directive 2020](#). This outlines the rules and principles for the reimbursement and payment of travel, meal and hospitality expenses.

Trustees do not have access to board benefit plans that are provided to school board staff, such as group life insurance; general accident insurance; and sickness, hospital/medical, dental, and extended health insurance. The board may



provide accident and third-party liability insurance for trustees, but a trustee would only be covered while on board business.

Trustee Honoraria

The rules for the payment of trustee honoraria are found in [Ontario Regulation 357/06: Honoraria for Board Members](#).

Trustee honoraria is a taxable payment.

For district school boards, the outgoing board sets the trustee honoraria policy for the incoming board. The policy must be set by October 15 prior to the general school board election. There are four categories of honoraria that may be paid, subject to monetary limits set out under the regulation.

The honorarium is made up of a base amount; an enrolment amount tied to the board's average daily enrolment; an attendance amount payable for attendance at eligible committee meetings; and a distance amount payable for

attendance at eligible board and committee meetings in certain geographically dispersed boards. First Nation trustees receive the same honorarium as other members of the board. Annual honoraria for trustees of a district school board across Ontario range from \$7,500 to \$29,500. The chair and the vice-chair of a board may receive additional amounts for the responsibility of their office.

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

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

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

Notes:

CHAPTER 4

Note: This chapter 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.

Legal Responsibilities and Liabilities

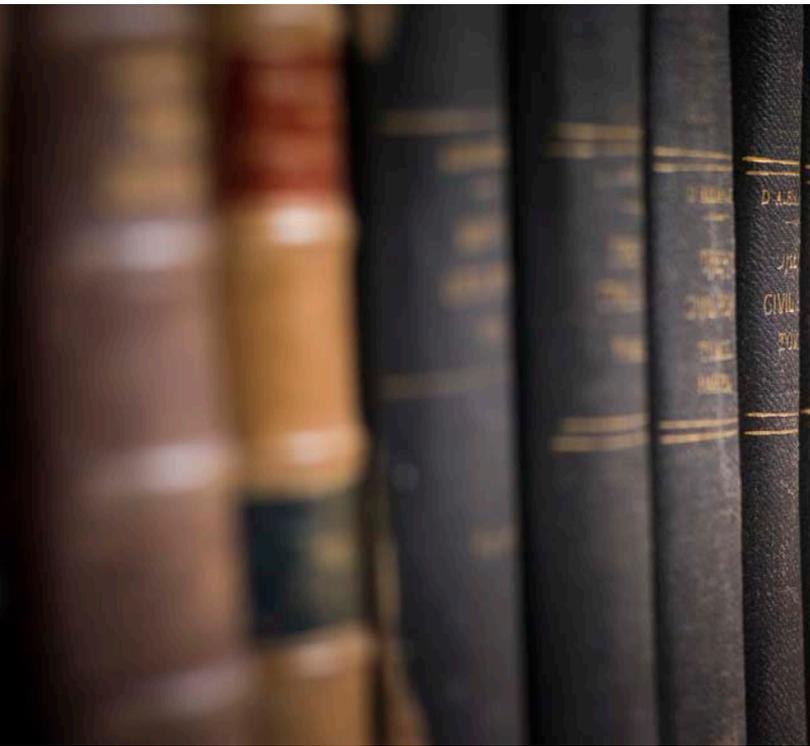
School boards are responsible for local governance of the delivery of education services in Ontario. This is a vital service in our society and one that employs a great many people. It is not surprising then that school boards are subject to a wide range of legal obligations and responsibilities, arising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

Certain provisions of Canada's Constitution are particularly relevant for school boards. These include: ss. 2 and 15 of the Canadian Charter of Rights and Freedoms; and, for Catholic schools, s. 93 of the Constitution Act 1867 and s. 29 of the Charter; and, for French-language schools, s. 23 of the Charter.

Relevant Statutes

Ontario's *Education Act* is the primary statute governing elementary and secondary education in the province. Other statutes that significantly affect school board operations include:

- *Accessibility for Ontarians with Disabilities Act, 2005*
- *Anti-Racism Act, 2017*
- *Arbitration Act, 1991*
- *Assessment Act*
- *Broader Public Sector Accountability Act, 2010*
- *Broader Public Sector Executive Compensation Act, 2014*
- *Canadian Anti-SPAM Legislation (S.C. 2010, c.23)*
- *Child Care and Early Years Act, 2014*
- *Child, Youth and Family Services Act, 2017*
- *Controlled Drugs and Substances Act (Canada)*
- *Copyright Act (Canada)*
- *Criminal Code (Part V - non-consensual distribution of intimate images)*
- *Early Childhood Educators Act, 2007*
- *Education Quality and Accountability Office Act, 1996*
- *Employment Standards Act, 2000*
- *Expropriations Act*
- *Health Protection and Promotion Act*
- *Human Rights Code*
- *Immigration and Refugee Protection Act (Canada)*
- *Immunization of School Pupils Act*



- *Labour Relations Act, 1995*
- *Municipal Act, 2001/City of Toronto Act, 2006*
- *Municipal Conflict of Interest Act*
- *Municipal Elections Act, 1996*
- *Municipal Freedom of Information and Protection of Privacy Act*
- *Occupational Health and Safety Act*
- *Ombudsman Act*
- *Ontarians with Disabilities Act, 2001*
- *Ontario College of Teachers Act, 1996*
- *Pay Equity Act*
- *Planning Act*
- *Police Record Checks Reform Act, 2015*
- *Public Inquiries Act, Part II*
- *Rowan's Law (Concussion Safety), 2018*
- *Ryan's Law (Ensuring Asthma Friendly Schools), 2015*
- *Sabrina's Law, 2005 (An Act to Protect Anaphylactic Pupils)*
- *School Boards Collective Bargaining Act, 2014*
- *Simpler, Faster, Better Services Act, 2019*
- *Smoke-Free Ontario Act, 2017*

- *Statutory Powers Procedure Act*
- *Teaching Profession Act*
- *Trespass to Property Act*
- *Workplace Safety and Insurance Act, 1997*
- *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 or omission.

Sections 171 to 197 outline various powers that school boards may exercise. Failure by a board to exercise any of these powers may 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 jurisdiction.

School Board Policies and Liability

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

- Accessibility
- Anti-sex trafficking
- Bullying prevention and intervention
- Child abuse prevention and intervention
- Concussion prevention, identification and management

- Equity and inclusive education
- Exclusions
- Field trips
- Human rights, including religious accommodation
- Medicine administered to pupils by school staff
- Nutritional standards for food and beverages
- Police involvement in school-related incidents.
- School dances
- School violence
- Student transportation provided by the board or school
- Student use of service animals in schools
- Supporting pupils with prevalent medical conditions (anaphylaxis, asthma, diabetes, and/or epilepsy)
- Suspensions, suspension appeals, expulsion hearings, and progressive discipline of students
- Trespass on property
- Use and possession of drugs and alcohol
- Workplace violence and workplace harassment.

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 teachers/supervisors
- 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, s. 264.1 and s. 265] and [Regulation 298: Operation of Schools – General](#). 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. Personal liability of trustees may also arise under the *Municipal Conflict of Interest Act* or the *Municipal Elections Act*, 1996 with regard to campaign finances.

Trustees have been held personally liable where their actions either were considered to be in willful 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 they are 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 they can prove that they 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 they have made reasonable efforts to provide the access or the information or the explanation.

The *Act* also stipulates that a trustee who sits or votes at any meeting of the board after becoming disqualified from sitting is guilty of an offence and on conviction is liable to a fine of not more than \$200 [213(1)]. This applies to every such meeting the trustee sits or votes at. A similar penalty applies to a trustee who knowingly signs a false report [213(2)], willfully makes a false statement in a declaration made under the *Act* [211] or who disrupts, endeavours to disturb or interrupt a meeting with the intent to prevent the discussion of any matter or passing of any motion at a meeting of a board, or a committee of the board, including a committee of the whole board, after having been expelled or excluded from the meeting [212(2)].

Finance

One of the most significant responsibilities of the board of trustees is to set the board's budget each year. While the



Ministry of Education 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]. 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 in a deficit
- Failure to submit or comply with a financial recovery plan as ordered by the Minister
- Failure to pay any debentures
- Defaulting on debts or other financial liabilities



- 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, except for denominational matters in the case of Catholic boards, and linguistic matters in the case of French-language boards.

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
- 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 ministerial 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 issuing a direction to the board to address the non-compliance (or the likelihood of non-compliance), or in the ministry 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 except for

denominational matters in the case of Catholic boards, and linguistic matters in the case of French-language boards. The minister would maintain control until the board is in compliance.

As is the case with s. 257.45(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: Provincial Interest in Education](#), 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*
- Level of 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 board is required to co-operate with the review and to give full and fair consideration to the minister's recommendations arising out of the report. If the board does not comply with its obligations under the regulation, the minister could direct an investigation of the board's affairs under section 230 of the *Act*.



Duties of Trustees

The *Education Act* establishes the 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 they are a member
- Consult with parents, students and supporters of the board on the board's multi-year plan under clause 169.1(1)(f)
- Bring concerns of parents, students and supporters of the board to the attention of the board
- Uphold the implementation of any board resolution after it is passed by the board
- Entrust the day-to-day management of the board to its staff through the board's director of education

- Maintain focus on student achievement and well-being
- Comply with the board's code of conduct.

Trustee Code of Conduct

Regulations made under the *Education Act* require that every school board adopt a code of conduct for trustees. The *Act* further provides an enforcement mechanism for boards to enforce the code of conduct at the local level [s. 218.3].

All school boards must review their trustee code of conduct by May 15 in every fourth year commencing in 2019, when it was first mandated.

When a board reviews its code of conduct, it must comply with the following requirements:

- Determine whether any changes are required to the code of conduct
- If changes are required, make the required changes
- If no changes are required, confirm the existing code of conduct.

All boards must pass a board resolution setting out the course of action determined above. Ontario Regulation 246/18: Members of School Boards – Code of Conduct provides additional information.

Enforcement of Code of Conduct

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. Boards must inquire into any reasonable allegation of a code of conduct violation brought to the board's attention. Boards may hire a neutral third-party investigator, including an integrity commissioner, to investigate the complaint and recommend possible sanction(s) if necessary.

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 the trustee

- Bar the trustee from attending all or part of a meeting of the board or meeting of a committee of the board
- 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 *Education Act* also sets 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
- 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 a duty to advise the Deputy Minister of Education of the act or omission.

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. The Act 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,

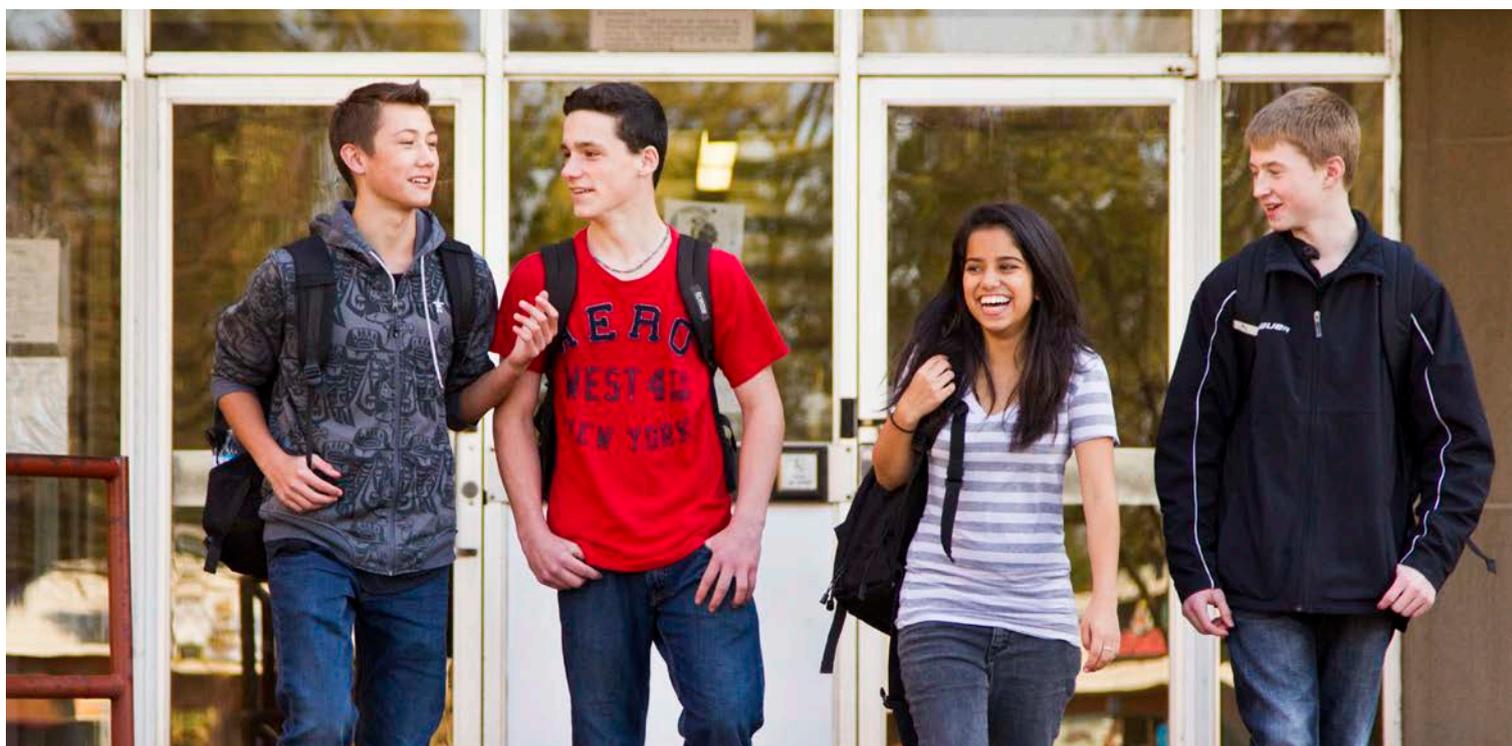
including trustees, should familiarize themselves with the basic provisions of MFIPPA to prevent inadvertent violation of the statute. Any person found guilty of willfully contravening the Act, as set out in section 48, or of altering, concealing or destroying a record, or cause any other person to do so, with the intention of denying a right under MFIPPA to access the record or the information contained in the record is liable to a fine not exceeding \$5,000.

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 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, teachers and early childhood educators 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.

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 their 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
- 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, analyze trends and identify future needs.

The Youth Criminal Justice Act

The *Youth Criminal Justice Act* (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 disclose that information to other persons, only 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
- 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 *Youth Criminal Justice Act* or a court.

Safe and Accepting Schools

A positive school climate and safe learning and teaching environment are essential for students to succeed in school. A safe, inclusive and positive learning environment is essential for student achievement and well-being and promotes positive student behavior. The approach focuses on:

- Clarifying the standards of behavior for the school community
- Requiring every school board employee to play a role in promoting positive student behavior to improve school climate and to support victims
- Preventing inappropriate behavior
- Providing early and ongoing intervention
- Using progressive discipline to promote positive student behaviour and address inappropriate behavior with appropriate consequences and supports, including early and ongoing intervention
- Supporting engagement on the part of parents and community agencies in schools.

For additional information see [PPM 145: Progressive Discipline and Promoting Positive Student Behaviour](#).

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

- Which pupils may not be suspended in certain circumstances depending on their grade level ([Ontario Regulation 440/20: Suspension of Elementary School Pupils](#))
- The mitigating factors and other factors to be taken into account when considering suspension or expulsion decisions ([Ontario Regulation 472/07: Behaviour, Discipline and Safety of Pupils](#))
- Students in Grades 4 to 12 can be suspended for any activity set out in s. 306(1) of the *Education Act*. If a student in junior kindergarten to Grade 3 has engaged in any of the activities listed in s. 306(1), the principal shall not suspend the student and must instead address the behaviour(s) with positive behaviour supports in the school setting.
- It is mandatory that students in Grades 4 to 12 who engage in any activities set out in s. 310(1) of the *Education Act* be suspended pending an investigation by the principal into the incident to determine whether to recommend expulsion to the board. If a student in Kindergarten to Grade 3 engages in any activities set out in s. 310(1), the principal must investigate the allegations to determine if the student should be suspended or suspended pending possible expulsion.

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.

It is the board that decides to expel pupils and whether the pupils are expelled from their school only or from all schools of the board. In making this decision, the board must consider any applicable mitigating or other factors ([Ontario Regulation 472/07: Behaviour, Discipline and Safety of Pupils](#)), the submissions and views of all parties to the hearing, and any written response to the principal's report to the board recommending expulsion. 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.

If the pupil is not a party to the expulsion hearing, the pupil still has the right to be present and make a statement on his or her own behalf. 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.

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 six to 20 school days.

The *Education Act* 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.

- See: [Ontario Regulation 472/07: Behaviour, Discipline and Safety of Pupils](#) for additional information.
- [PPM 141: School board program for students on long-term suspension](#)
- [PPM 142: School board programs for expelled students](#)

Bullying Prevention and Intervention

In 2021, the Ministry of Education updated [PPM 144: Bullying Prevention and Intervention](#) to provide guidance to school boards to support the development of policies, plans and guidelines. School boards are also required to have policies, plans and guidelines on bullying prevention and intervention (including cyber-bullying), to create safe and

inclusive schools, support and maintain a positive school climate that is inclusive and accepting of all students, and to take measures to prevent and address inappropriate behavior in schools. This includes:

- The requirement for principals to suspend and consider recommending expulsion for bullying if the student was previously suspended for bullying and the student's continued presence in the school creates an unacceptable risk to the safety of another person
- The requirement for principals to suspend and consider recommending expulsion for incidents that are motivated by bias, prejudice or hate
- The requirement for school boards to educate teachers and staff about bullying prevention and strategies, and to provide programs, interventions and supports for students who have been bullied, witnessed incidents of bullying or who have engaged in bullying.
- The requirement for boards to support students who want to establish and lead activities and organizations that: promote a safe and inclusive learning environment; acceptance of and respect for others; and, the creation of a positive school climate.

Every school board must establish a plan for schools that integrates all the board's requirements and guidelines regarding bullying prevention and intervention into a comprehensive and achievable plan.

School boards must make their plan available to the public either on the school board's website, or if the board does not have a website, make their plan available in another appropriate manner. Principals are also responsible for making their school's plan available to the public.

School boards must also review their plans periodically (for example, at least once every two years) and must solicit the views of those identified below when reviewing their plan.

In developing bullying prevention and intervention plans, policies and guidelines, school boards should ensure that they are consistent and align with all ministry issued memoranda, ministry strategies and initiatives, relevant legislation and the Ontario curriculum policy documents.



For more on Safe and Accepting Schools, see: <https://www.ontario.ca/page/creating-safe-and-accepting-schools>

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, Youth and Family Services Act, 2017*, and supported by Policy/Program Memorandum 9 – *Duty to report children in need of protection*. For the purposes of this *Act*, a child means a person younger than the age of 18. The duty to report is mandatory for children who are less than 16 years of age and persons *may* report children who are 16 and 17 years of age who are or may be in need of protection.

Student Protection

The Ontario College of Teachers Act, 1996 (OCTA) contains broad definitions of sexual abuse and sexual misconduct and includes sexual abuse of a student and sexual misconduct as part of the definition of professional misconduct with respect to a member of the Ontario College of Teachers. Paragraph 12.1 of subsection 170 (1)



of the *Education Act* requires a school board to ensure that a teacher perform no duties involving contact with pupils if that teacher has been charged with or convicted of an offence under the *Criminal Code* involving sexual conduct with minors, or any other offence under the *Criminal Code* which, in the board's opinion, puts pupils at risk. A board is also required to report this to the College under s. 43.3 (1) of the OCTA. In December 2020, the OCTA and the *Early Childhood Educators Act* (ECEA) were amended to remove the possibility of reinstatement (i.e., introduce a lifetime ban) following mandatory revocation for an act of professional misconduct consisting of or including sexual abuse that involves physical sexual relations or touching of a sexual nature, a prohibited act of child pornography, and prescribed sexual acts prohibited under the *Criminal Code* (Canada) that involve a student or child. This also includes retroactive application of the lifetime ban for individuals who had been found guilty of professional misconduct consisting of or including sexual abuse (excluding remarks/behaviour of a sexual nature) or a prohibited act of child pornography.

Further, under the *OCTA*, a school board is required to report to the College when a member's employment is terminated,

suspended or when a member's duties are restricted for reasons of professional misconduct. This reporting requirement also applies if the employer intended to terminate, suspend or impose restrictions on the member's duties for reasons of professional misconduct but the employer did not do so because the member resigned, or if the member resigns during an investigation into allegations of an act or omission by a member that would, if proven, have resulted in any of these actions. A school board must also report to the College if it is of the opinion that a member's conduct should be reviewed by a committee of the College.

Similar reporting requirements apply to members of the College of Early Childhood Educators pursuant to the *Early Childhood Educators Act, 2007*.

In 2021, the ministry issued [PPM 166: Keeping Students Safe: Policy Framework for School Board Anti-Sex Trafficking Protocols](#). School boards are required to have anti-sex trafficking protocols that clearly articulate the roles, responsibilities and accountability measures. The protocol must be developed with persons with lived experience of trafficking as well as Indigenous organizations, local Children's Aid Societies, victim

services, police services and other community-based service providers. School boards must establish specific procedures and adopt the Statement of Principles as set out in PPM 166. The protocol must be culturally responsive and use a trauma-informed approach to combat sex trafficking. School boards are also required to outline a process for providing ongoing training for school board employees, including teachers, administrators, and other school staff. The protocol and related procedures must be publicly-available on the school board's website.

Criminal Background Reference Checks

Ontario Regulation 521/01: Collection of Personal Information provides school boards with another tool to promote a safe school environment. The regulation requires that school boards collect personal criminal history from service providers at a school site of the board and employees of the board.

Health and Safety

To provide a safe and suitable learning and working environment for school staff and students, it is critical that classroom practice and the learning environment comply with relevant federal, provincial and municipal health and safety legislation and by-laws, including:

- *Workplace Safety and Insurance Act, 1997*
- Workplace Hazardous Materials Information System (WHMIS)
- *Occupational Health and Safety Act.*

Ministry of Labour (MOL) inspectors conduct health and safety inspections in schools to raise awareness of workplace health and safety hazards and to promote compliance with the *Occupational Health and Safety Act* (OHSA) and its regulations.

[Policy/Program Memorandum 76A](#) provides direction to school boards regarding coverage under the *Workplace Safety and Insurance Act, 1997* for students in work education or experiential learning programs. The Ministry

of Education provides coverage for students participating in such programs, where the student is considered a worker. Coverage for these students is provided by the ministry, but school boards, with the assistance of placement employers, must ensure that the requirements of the Workplace Safety and Insurance Board are properly adhered to both prior to and during the work placements.

Additional information is available at:

www.edu.gov.on.ca/eng/policyfunding/workplace.html

Exclusions

Pursuant to the *Education Act* [s. 265(1)], subject to an appeal to the board, a principal has a duty to refuse to admit to the school or classroom a person (including a student) whose presence would, in the principal's judgment, be detrimental to the physical or mental well-being of the pupils.

An exclusion appeal is heard by the board of trustees in accordance with any appeal process established by a school board. A board's decision will either uphold or quash the exclusion and such a decision is final.

Protecting Pupils with Prevalent Medical Conditions

All school boards must have policies in place to support students in school who have asthma, diabetes, epilepsy and/or who are at risk for anaphylaxis [see [Policy/Program Memorandum \(PPM\) 161](#)]. This is an expanded requirement to what is mandated under *Sabrina's Law, An Act to Protect Anaphylactic Pupils*, 2005, which helps to protect pupils with life-threatening allergies and to create a safe and healthy school environment, and *Ryan's Law (Ensuring Asthma Friendly Schools)*, 2015, which seeks to protect pupils with asthma.

The identified prevalent medical conditions (anaphylaxis, asthma, diabetes and/or epilepsy) may be life-threatening and it is essential for school board staff, including principals, teachers and other staff who have direct contact with students at risk for any of these conditions throughout the school day to be aware of the issues they face and

equipped to respond appropriately in the event of an emergency.

School boards must have a Plan of Care form that must contain certain information as prescribed in PPM 161.

While parents of children with prevalent medical conditions are expected to actively participate with school staff in supporting the management of their child's medical conditions, inform the school of same and co-create their child's Plan of Care, and students are expected to support the development and implementation of their Plan of Care if capable of doing so, school boards also have specific obligations. School boards must provide resources and annual training on prevalent medical conditions, develop strategies to reduce risks for students, expectations for safe storage and disposal of medication and supplies and permit students to carry their medication and supplies as outlined in their Plan of Care. School boards must also outline how school staff should respond to medical incidents and/or medical emergencies.

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

The *Good Samaritan Act*, 2001 protects individuals, including employees, from liability with respect to voluntary emergency medical or first-aid services and provides that individuals will not be liable for damages as a result of the individual's negligence in acting or failing to act, unless the damages are the result of the person's gross negligence. Both *Sabrina's Law* and *Ryan's Law* contain provisions limiting the liability of individuals responding to or neglecting to respond to an emergency relating to anaphylaxis or asthma.

School Food and Beverage Policy

As outlined in the [School Food and Beverage Policy](#), school boards are required to ensure that food and beverages sold on school premises for school purposes meet the requirements set out in PPM 150.

The nutrition standards apply to food and beverages sold at the school (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 [Ontario 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 10 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 PPM 150. 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 the policy memorandum.

Supervised Alternative Learning

School boards are required by regulation to establish a Supervised Alternative Learning Committee, which is to include at least one member of the board (i.e., trustee). The board's committee approves applications for students ages 14 to 17 to be excused from attendance at school to participate in Supervised Alternative Learning. This may

include employment at an approved work placement, 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. [Ontario Regulation 374/10: Supervised Alternative Learning and Other Excusals from Attendance at Schools](#) and [Supervised Alternative Learning Policy and Implementation Guide](#) provide additional information.

Human Rights and Equity

Research shows that an equitable and inclusive education system is fundamental to achieving high levels of student achievement and well-being. Ontario is recognized nationally and internationally for its efforts to build and sustain an equitable and inclusive education system. All district school boards in Ontario are required to have policies in place to support equity and inclusion as well as guidelines for religious accommodation.





Ontario Human Rights Code

The *Ontario Human Rights Code (Code)* prohibits discrimination and harassment in specific social areas, including employment and services – which includes education. Discrimination based on disability, race, sexual orientation, gender identity, creed and other personal attributes set out in the *Code* (called “grounds”) is against the law. School boards in Ontario have a legal duty to take steps to prevent and respond to breaches of the *Code*. This responsibility includes maintaining accessible, inclusive, discrimination and harassment-free education and work environments that respect human rights.

The *Code* has primacy over other laws in Ontario, unless the other law specifically states that it applies despite the *Code*. This means that if there is a conflict between the requirements of the *Code* and the provisions of other laws governing the operation of school boards, such as the Education Act, the *Code* may prevail.

In 2017, the Ontario government released the most recent [Anti-Racism Strategic Plan](#). As part of the Plan, the government eliminated discretionary suspensions for pupils in kindergarten to Grade 3 (see Suspension of

Elementary School Pupils above), strengthened sanctions for teachers who engage in behaviour of a racist nature, and began the process of de-streaming courses for Grade 9 students (academic vs. applied) starting with Grade 9 math classes in September 2021.

One of the ways boards can determine where systemic racism may exist is through the collection and analysis of race-based data. [Ontario Regulation 267/18: General](#) made under the *Anti-Racism Act, 2017* mandates district school boards to collect race-based data in four categories: Indigenous identity, ethnic origin, race and religion as of January 1, 2023.

Ontario Regulation 267/18: General made under the *Anti-Racism Act, 2017* provides additional information.

Equity and Inclusive Education

Ontario envisions an equitable and inclusive education system where all students, parents, school staff and members of the school community are safe, welcomed and respected in schools, and where every student is supported and inspired to succeed in a culture of high expectations for learning.

Policy/Program Memorandum 119 (Developing and Implementing Equity and Inclusive Education Policies in Ontario Schools) and the Equity and Inclusive Education in Ontario Schools: Guidelines for Policy Development and Implementation further outline school board expectations for implementing the Strategy.

Pursuant to the *Education Act*, every board is now required to have an equity and inclusive education policy [s. 29.1]. www.ontario.ca/page/ontarios-education-equity-action-plan

The Ministry is also working to revise the Ontario curriculum to include mandatory learning on treaties, the history of residential schools and the legacy of colonialism.

Positive Learning Environments

The *Education Act* [s.169.1] requires all district school boards to provide safe, inclusive, and positive learning

environments for all students. The *Education Act* [S. 303.1] also requires boards to support students to lead activities and organizations that promote gender equity, anti-racism, awareness, understanding and respect for people with disabilities and people of all sexual orientations, and gender identities.

Canadian Charter of Rights and Freedoms

District school board policies and guidelines on religious accommodation are implemented within the context of the Canadian Charter of Rights and Freedoms, Ontario Human Rights Code and *Education Act* and its regulations and policies.

The Ontario Court of Appeal ruled in 1988 that one religion must not be given a position of primacy in public schools and that the content of opening or closing exercises must reflect the multicultural realities and traditions of Ontario society.

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 set out in [Ontario Regulation 612/00: School Councils and Parent Involvement Committees](#). 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 [Ontario Regulation 298: Operation of Schools – General](#).

This regulation, along with 612/00, 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.

Parent Involvement Committee

The regulation 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 support, encourage and enhance parent involvement at the board level in order to improve student achievement and well-being. The PIC is a parent-led committee that is an important advisory body to the board.

Ombudsman Act

The Ontario Ombudsman has the ability to investigate any decision or recommendation made or act done or omitted in the course of the administration of a school board, which includes decisions made by a board of trustees, and decisions that are final and which may not be appealed. Any person affected by a decision may make the request to investigate or the Ombudsman may initiate an investigation. An investigation cannot

commence until all rights of appeal or application of a hearing or a review have been exercised or have otherwise expired.

The report of the Ombudsman as a result of the investigation will include the Ombudsman's opinion(s) and recommendation(s) on what should be done, reasons therefore and a request for the school board to advise as to the steps that will be taken in response to the report. The report will also be made public.

Conflict of Interest

The main purpose of the *Municipal Conflict of Interest Act* (MCIA) is to protect the public interest by ensuring that public officials do not improperly take advantage of their positions of trust to seek personal gain. 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
- File a written statement of the interest and its general nature with the secretary of the committee or board
- 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
- 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 they left the room recorded in the minutes. At the next meeting that is open to the public, the declaration of interest shall be recorded in the minutes but not the general nature of that interest.

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.

Influence

A member who has a pecuniary interest, direct or indirect, in any matter that is being considered by an officer or employee of the school board (or by a person or body to which the school board has delegated a power or duty) the member shall not use their office in any way to attempt to influence any decision or recommendation that results from consideration of the matter.

Registry

Every school board shall establish and maintain a registry available for public inspection in which shall be kept a copy

of each statement of interest filed and a copy of each declaration of interest recorded.

A member who considers a pecuniary interest in a matter to be “so remote or insignificant in its nature that it cannot reasonably be regarded as likely to influence the member” or “in common with electors generally” need not declare it or avoid influencing staff’s decision or recommendation regarding the matter. The decision to declare a conflict of interest or avoid influencing a staff member is the personal responsibility of the trustee. The board cannot force a member to declare a conflict or leave the room. If a trustee is in doubt, however, they should consider declaring a conflict and/or seeking legal advice.

Contravention of the Provisions

An elector entitled to vote at the board elections or a person demonstrably acting in the public interest may apply to a judge of the Ontario Superior Court of Justice for a determination as to whether a member or a former member failed to declare a conflict of interest, file the written statement of interest or leave the meeting where necessary; or the member participated in the vote or discussion or attempted to influence the vote; such a person may also bring an application before a judge of the Ontario Superior Court of Justice for a determination as to whether a member or former member who had a pecuniary interest in a matter being considered by an officer or employee of the board used his or her office in any way to attempt to influence any decision or recommendation.

Where a judge finds that a member or former member contravened the *Municipal Conflict of Interest Act*, they will now have more discretion when imposing sanctions for a breach of the *Act* and vacating a member’s seat is no longer mandatory.

A judge will be able to exercise discretion after considering, among other things, whether the member or former member took reasonable measures to prevent the contravention or committed the contravention through inadvertence or by reason of an error in judgment made in good faith.

The sanctions that may be imposed are a reprimand; suspension of the remuneration paid to the member for a period of up to 90 days; declaration of the member's seat vacant; disqualify the member or former member from being a member during a period of not more than seven years after the date of the order; or if the contravention resulted in personal financial gain, require the member or former member to make restitution to the party suffering the loss or, if the party's identity is not readily ascertainable, to the board.

Where a judge finds that a member has contravened their disclosure obligations under the *Municipal Conflict of Interest Act*, 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 judge finds that the contravention occurred inadvertently or because of a bona fide error in judgement, the member will not be disqualified from the board or have their seat declared vacant. However, the member may still be required to make restitution.

A breach of the *Municipal Conflict of Interest Act* by a member or former member does not of itself invalidate any decision or proceeding in respect of a matter that is the subject of the breach. However, if a member or former member failed to comply with the *Act*, the board may declare the proceedings to be void before the second

anniversary of the date of the passing of the by-law or resolution authorizing the matter, unless this would adversely affect the rights of an innocent third party.

School boards may obtain insurance to protect trustees who are found by a court not to have contravened 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

The *Education Act* requires 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: Audit Committees](#) describes the composition, functions, powers, and duties of an audit committee.

Trustees may also wish to review Module 11 – Legal Aspects of School Board Governance in the Ontario Education Services Corporation's *Good Governance for School Board Trustee Professional Development Program* at <https://modules.ontarioschooltrustees.org>

Notes:

Board Representation, Trustee Elections, and Vacancy Information

Municipal Council and School Board Elections

School board trustees are elected every four years during municipal council and school board 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 district may vote in each of the school board districts in which property is held.

Where trustees are elected, the process is governed by the *Education Act* and the *Municipal Elections Act, 1996 (MEA)*.

Pre-Election

How the Number of Trustees is Determined and Distributed

Prior to each regular election, the board of trustees of each district school board must distribute the positions

of the members to be elected across the board's area of jurisdiction.

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 process is referred to as ***Trustee Determination and Distribution (D&D)***.

The Act sets the number of elected trustee positions on a district school board at the number that was determined by the board for the 2006 school board regular election, with the following exceptions:

- For a school board whose number of elected trustees was increased by order of the minister following the isolate board mergers which took place in 2009, the total number of elected trustees includes the additional position(s) ordered by the minister.
- A board may, by resolution, reduce its number of elected trustees to no fewer than five.



- A board that has experienced a demographic or geographic change may use the formula in Ontario Regulation 412/00 to recalculate its number of elected trustees. [s. 58.1 (10.0.1)];

Before each regular election, district school 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.

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.

School boards were required to pass relevant D&D motions by March 31, 2022, and send this information to the Ministry of Education, election clerks in their jurisdiction, and other directors of education with shared jurisdictions by April 4, 2022. Similar timelines will be in place and communicated to the sector for the next term of office.

Information on the trustee D&D process, including the detailed reporting requirements can be found in the [2022 Trustee Determination and Distribution Guide for Ontario District School Boards](#) (OESC) has created a [Trustee Determination & Distribution Calculator](#) to assist school boards with the determination and distribution of their elected trustee positions.

To see the number of trustees at each school board, see Appendix C (page 25) of the Trustee Determination and Distribution Guide. This chart includes the number of trustees in 2006 and any additional trustees added by the approval of the Minister of Education.

First Nation Trustees - Appointments

The appointment of First Nation Trustees to a school board is related to Education Services Agreements and is 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 ESAs and then by the number of Indigenous students attending the board's schools. (For more information, refer to [The Reciprocal Education Approach \(REA\) Instructions for First Nations and School Boards](#))

School Board Trustee Qualifications

Trustee candidates need not have a background in education. However, the following skills and experience would be assets for potential trustee candidates:

- Basic understanding of official meeting procedures
- Basic understanding of a trustee's role as member of a board
- Willingness to learn.

A newly elected school trustee will likely have a fairly steep learning curve, and must be willing to spend time becoming familiar with existing board policies and relevant legislation. Trustees should also be mindful to enter their new role with an attitude that is fair, open-minded and understanding of the distinctiveness of the school system and the importance of equity and inclusion.

Organizations are strengthened when the governing board is made up of individuals who bring a diversity of skills, knowledge, and experience, including lived experience to the policy and decision-making table.

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)
- French language rights** (if running for French language school board)
- Not legally prohibited from voting
- Not disqualified by any legislation from holding school board office.

* "Supporter" refers to the individual's property tax support for one of the four publicly funded school systems.

** "French-language rights holder" is set out in section 23 of the Canadian Charter of Rights and Freedoms and refers to the right of citizens whose first language is French to receive educational instruction in French.

A candidate who is qualified and a resident in the jurisdiction of the school board can seek nomination for *any* geographic area within the jurisdiction of the board. If nominated, a candidate must remain qualified throughout the election and, if elected, throughout the term of office. School board candidates should confirm they have the qualifications described in s. 219 of the *Education Act*. It is the responsibility of the candidate to determine whether they are 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 they take an unpaid leave of absence before being nominated, and resign, if elected to the office
- A judge of any court
- A member of the Legislative Assembly of Ontario (MPP), a Senator or a member of the House of Commons (MP)
- An inmate of a penal or correctional institution under sentence of imprisonment.

A person may not be employed by one school board and hold office on a different school board. More information for trustee candidates and prospective candidates can be found by reading [*Making A Difference: Running for Election as a School Board Trustee*](#).

Term of Office

The 2022-2026 term of office for newly elected members is from November 15, 2022, to November 14, 2026. Boards are required to hold their first meeting within seven days of the new term commencing. It is at this first meeting that a chair is elected, and possibly a vice-chair and committee members. The members of a board remain in office until their successors are elected and the new board is organized [s. 220 (1)].

Trustees who are currently members of school boards are expected to remain fully committed to their role and responsibilities up until the end of their term on November 14, 2022.

Key Dates – 2022 Municipal Council and School Board Elections

NOMINATION AND CAMPAIGN PERIOD BEGINS	May 2*, 2022
NOMINATION DAY (LAST DAY TO BE NOMINATED)	August 19, 2022
FINAL DAY FOR WITHDRAWAL OF CANDIDACY	August 19, 2022
VOTING DAY	October 24, 2022
SCHOOL BOARD TERM BEGINS	November 15, 2022
CAMPAIGN PERIOD ENDS	January 3**, 2023
FINANCIAL FILING DEADLINE	March 31, 2023
SCHOOL BOARD TERM ENDS	November 14, 2026

* As May 1 is a Sunday, May 2 may be the first date that the clerk's office is open.

** As December 31 falls on the weekend, the deadline moves to the first day that is not a holiday.

More information can be found at the Ministry of Municipal Affairs and Housing website:

www.ontario.ca/municipalelections.

Post-Election

This section addresses questions that may arise after the votes have been tallied on Election Day or once the term of office has begun.

Tied votes

If two or more candidates receive the same number of votes and they cannot all be elected, there is an automatic recount. The recount must be held within 15 days of the clerk declaring the results of the election. Candidates involved in the tie are entitled to be present at the recount.

If the recount shows that there is still a tie, then the legislation states that the clerk will choose the winner by lot. This means putting the names of the tied candidates into a hat (or another suitable container) and drawing the name of the winner.

Recounts

The *Municipal Elections Act, 1996* requires an automatic recount only if the votes are tied.

A school board may have a policy in place that sets out other specific circumstances under which the clerk must conduct an automatic recount. For example, a board may decide that if two candidates are within 10 votes of each other, an automatic recount will be held. The policy must be adopted at least 60 days before voting day.

A school board may also order a recount within 30 days after the clerk has officially declared the results of the election. If a candidate feels there should be a recount, they must persuade the school board to order one or they may apply to the Superior Court of Justice to persuade a judge to order a recount. This application may be made by any eligible elector, and must be made within 30 days of the clerk declaring the results of the election.

Recounts must be conducted in the same way that the votes were originally counted, unless the recount is ordered by the court. For example, if the votes were counted by a vote tabulator, they may not be counted by hand during the recount.

If the recount is ordered by the court, the judge may order that the votes be counted in a different manner if the judge

believes that the way the votes were counted the first time was an issue.

Vacancies

A trustee does not have to resign in order to run as a candidate for another office, as long as they continue to meet attendance requirements for board meetings. If a trustee chooses to resign in order to become a candidate for another office, they 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 their bid for the other office, and they have resigned, they 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
- **Please note:** In response to the COVID 19 pandemic, certain exemptions were made to the attendance requirements in Ontario Regulation 463/97 – “Electronic Meetings and Meeting Attendance” that would expire as of November 15, 2022. School boards should refer to the regulation for current requirements.

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)]. A school board has



90 days to decide whether to fill the vacancy by appointment or by holding a by-election.

1. **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. If a board decides to fill a vacancy by appointment, they must appoint a person who is eligible to serve on the board and who is willing to accept the appointment.

The legislation does not set out any other criteria. It is up to the board to determine how they will decide who to appoint. Different approaches include:

- Appointing the candidate who came second in the last election
- Inviting interested persons to apply for the position
- Offering the appointment to a member of the community.

Should a board decide to use an application process, it should ensure that the process is widely communicated and accessible to all communities served by the board. This will help to attract candidates from different fields and with different skill sets and experience, including lived experience, that may not already be represented on the board.

2. **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*
- 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.

Once the school board has decided to hold a by-election, the municipal clerk is in charge of conducting the by-election. The board does not decide when nomination day or voting day will be. These dates are determined by the clerk.

Nominations open when the school board has passed a resolution ordering the by-election and sent it to the clerk who will conduct the by-election. Nominations close at 2 p.m. on nomination day.

The clerk must set the nomination day within 60 days after the by-election is ordered by council, the board or the court. Voting day takes place 45 days after nomination day.

In a by-election for a trustee position, the following persons cannot run unless their present term of office is 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.

Subsection 7 (2) of the *Municipal Elections Act* states that municipalities bear the costs of a regular election, but local boards bear the costs of by-elections under the *Act*. The Ministry of Education provides funding to school boards in cases where they are legally required to hold a by-election.

Additional Resources

Prior to each election, the Ministry of Municipal Affairs and Housing updates and produces resources for candidates and voters. These include:

- [2022 Voters' Guide](#)
- [2022 Candidates' Guide](#)
- [2022 Third Party Advertisers' Guide](#)

Notes:



First Nation, Métis and Inuit Education

It is important to note that First Nation, Métis and Inuit are all very unique in their own right. Furthermore, the term “First Nations” includes many distinct Nations, each with their own traditions, languages and culture. First Nation students attend their own community schools or the province's publicly funded schools. Métis and Inuit students also attend the province's publicly funded schools.

Based on preliminary data from provincial school boards, 46,361 students voluntarily self-identified as Indigenous in 2020-21 (34,584 First Nation, 10,688 Metis, and 1,089 Inuit). However, the latest Statistics Canada census data suggests this student population is much larger and that the Indigenous student population in Ontario funded public school system exceeds 79,000 students.

According to Nominal Roll data from the Department of Indigenous Services Canada (ISC), approximately 13,773 students in 2019-2020 attended First Nation-operated and federally-operated schools in Ontario. Further, in 2020-21, 4,934 First Nation students attended Ontario's publicly funded school system under the Reciprocal Education Approach or under existing Education Services Agreements.

The federal government provides funding that extends to First Nation students who reside in First Nation communities on reserve, whether they attend publicly funded schools off reserve or First Nation-operated/federally-funded schools in First Nation communities.

Indigenous students who live in First Nation communities and attend schools operated by a district school board or school authority may do so under an existing Education Service Agreement or Reverse Education Service Agreement (ESA/RESA). These agreements are developed through mutual discussions around the provision of services for school-based programs, or individual student supports as determined by both the First Nation and the school board or school authority. The agreements may also outline the programs and services for First Nation students, with tuition fees determined by a provincially required formula, that are to be paid to the school board for these services, as well as reporting requirements.

Under the *Education Act*, and as outlined in [Ontario Regulation 462/97](#) (First Nations Representation on Boards), students attending schools of a school board may be entitled to representation by a First Nation trustee. The

threshold for First Nation trustee appointments, outlined in Ontario Reg 462/97, remains unchanged where the number of First Nation students attending schools of a school board under an Education Services Agreement (ESA) or the Reciprocal Education Approach REA is as follows:

Enrolment	Number of First Nation Trustees
Fewer than the lesser of 100 or 10 percent of the average daily enrolment (ADE) in the schools of the school board	The First Nation entity (or entities) may name one person and the school board has discretion to appoint them to be a member of the board.
100 or 10 percent of the ADE in the schools of the school board	The First Nation entity (or entities) may name one person and the school board shall appoint them to be a member of the board.
Exceeds 25 percent of the ADE in the schools of the school board	The First Nation entity (or entities) may name two persons and the school board shall appoint them to be members of the board.

Current regulations on the appointment of First Nation Trustees do not consider the number of First Nation students attending the board's schools, but reside outside of their First Nation community.

Education in First Nation Communities

Ontario has 133 First Nations. A few First Nations have opted to retain federally-operated schools. Most First Nation communities with schools offer only elementary school to a specific grade, however some have options to attend First Nation-operated secondary schools. The communities without schools enroll their students into public or private schools for elementary/secondary education.

Responsibilities for First Nation communities that have schools, set local education policy and manage their own operations, may 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
- Operating and maintaining school buildings.

Upon completion of the schooling offered in the community, students may transfer into public/private schools or post-secondary schools to further their education.

Reciprocal Education Approach & Existing Education Services Agreements/Reverse Education Services Agreements (ESAs/RESAs)

In response to concerns from First Nations and school boards on the provisions in the *Education Act* regarding Education Services Agreements (ESAs) and Reverse Education Services Agreements (RESAs), the Ministry of

Education worked in collaboration with First Nation partners and education stakeholders to develop the Reciprocal Education Approach (REA).

The REA came into effect on September 1, 2019, and is designed to improve First Nation students' access to education, reduce barriers and strengthen parent and guardian choice in cases where a First Nation student residing on reserve wishes to attend a provincially funded school off reserve, or when a First Nation student off reserve wishes to attend a First Nation-operated school.

Under the REA, when requirements are met, school boards are required to:

- Admit eligible students, who ordinarily reside on-reserve, to a school of a school board; and
- Provide funding support for eligible students, who would ordinarily be eligible to be pupils of the board.

The REA reduces red tape for school boards and First Nations by no longer requiring parties to negotiate and enter into an agreement for the base tuition fee. Under the REA, the base fee is transparent, predictably calculated and reciprocal.

The base fee is calculated by the Ministry of Education annually and is unique to each school board. The base amount fee is derived from the Grants for Student Needs (GSN) and will be based on school board estimates for the given school year. The ministry will post the base fee amounts by school board on its website in advance of each school year. School boards also have access to their base fee calculation through the Education Financial Information System (EFIS).

School boards and First Nations can negotiate additional supports and services for which funding may be provided in addition to the base fee (i.e. for additional special education staffing and equipment costs, transportation and/or Indigenous languages and studies courses) but, during negotiations, no student can be prevented from enrolling in a school. Processes for negotiating additional supports and services are set out in policy.



Existing Education Services Agreements/Reverse Education Services Agreements (ESAs/RESAs)

The REA is not intended to replace existing ESAs/RESAs that are already in effect and where both parties are in agreement.

Existing ESAs/RESAs remain in effect until the agreement expires or the agreement is terminated.

The ability to extend/renew an existing ESA/RESA would depend on the terms of the particular agreement. Parties are encouraged to seek the advice of their legal counsel regarding the option to extend an existing agreement.

The Reciprocal Education Approach (REA) applies if an existing ESA/RESA expires and it is determined that the agreement cannot be renewed or extended, or if there is no existing agreement in place between a First Nation and a school board.

Please note:

Existing ESAs/RESAs refers to ESAs and RESAs entered into prior to September 1, 2019.

- Any existing RESA will be subject to the condition that the base fee that is to be paid to the First Nation entity



must be at least the fee calculated in accordance with the reciprocal base fee formula, set out in regulation. REA reporting requirements must be followed under existing RESAs.

- Any existing ESAs will be subject to the condition that the fee as set out in the annual Fees regulation applies.

Existing ESAs/RESAs will vary depending on the types of services and programs that the First Nation community and the board agree should be provided. Once the ESA/RESA is in place, the board/First Nation 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 general provincial standards
- An educational environment and teaching staff that respects First Nation culture and culture specific programming.
- Consistent and timely reporting to the First Nation Education Authority
- First Nation involvement in schools attended by First Nation students.

Impact of the Truth and Reconciliation Commission (TRC)

In 2015, the TRC, released its final [Executive Report](#) and with it, the issuance of 94 “Calls to Action.” These Calls to Action also align and are in support of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), of which Canada is an official signatory. Furthermore, in 2021 Canada passed the *United Nations Declaration on the Rights of Indigenous Peoples Act* (UNDRIPA) to ensure the laws of Canada are consistent with the Declaration. The UNDRIP identifies clearly in Article 14 that education systems around the world, and in particular those in countries that are signatories, must reflect and endorse education that includes languages, the history, and the cultures of Indigenous peoples.

Among the Calls to Action, two identify the need for ongoing review and subsequent action for appropriate curriculum reform; and sufficient funding for development and implementation of revised curriculum. Individual boards may be at different phases of implementation in approach and development for such action.

TRC Call to Action #62 – We call upon the federal, provincial, and territorial governments, in consultation and collaboration with Survivors, Aboriginal peoples, and educators, to:

- i. Make age-appropriate curriculum on residential schools, Treaties, and Aboriginal peoples' historical and contemporary contributions to Canada a mandatory education requirement for Kindergarten to Grade Twelve students.

TRC Call to Action #63 – We call upon the Council of Ministers of Education, Canada to maintain an annual commitment to Aboriginal education issues, including:

- i. Developing and implementing Kindergarten to Grade Twelve curriculum and learning resources on Aboriginal peoples in Canadian history, and the history and legacy of residential schools.

- ii. Sharing information and best practices on teaching curriculum related to residential schools and Aboriginal history.
- iii. Building student capacity for intercultural understanding, empathy, and mutual respect.
- iv. Identifying teacher-training needs relating to the above.

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

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

student achievement, close achievement gaps between First Nation, Métis and Inuit and non-Indigenous students, increase the knowledge and understanding of all students regarding First Nation, Métis and Inuit histories, cultures, contributions and perspectives, and thereby increase public confidence in publicly funded education. The framework clarifies the roles and relationships among the ministry, school boards, and provincially funded elementary and secondary schools in supporting these goals.

The introduction to the framework describes its direction as follows:

“The strategies outlined in the framework are based on a holistic and integrated approach to improving First Nation, Métis, and Inuit student outcomes. The overriding issues affecting First Nation, Métis, and Inuit student achievement are a lack of awareness among teachers of the particular learning styles of First Nation, Métis, and Inuit 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 First Nation, Métis, and Inuit learner needs, curriculum that reflects First Nation, Métis, and Inuit cultures and perspectives, effective counselling and outreach, and a school environment that encourages First Nation, Métis, and Inuit 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 have been made in school boards across the province to move toward realization of the objectives of the policy framework. Changes have included increasing the number of First Nation, Métis, and Inuit staff working in school boards, improving First Nation, Métis, and Inuit students' literacy and numeracy skills, training teachers in teaching methods appropriate for First Nation, Métis, and Inuit students and encouraging more parent involvement in their children's education or school.

The Role of School Boards in Supporting First Nation, Métis, and Inuit Education

Beyond the contractual obligations school boards have under the Reciprocal Education Approach and Education Service Agreement, boards have a responsibility role in developing and supporting education programs that meet the unique needs of First Nation, Métis, and Inuit students at both the elementary and secondary levels. School boards are required to co-develop Board Action Plans on Indigenous Education with their Indigenous Education Council and the board's Indigenous Lead.

School boards must also recognize the need for education programs to respond to the need for age appropriate curriculum on residential schools, treaties, and First Nation, Métis, and Inuit peoples' historical and contemporary contributions, to grow the knowledge and awareness of all students, as prescribed by the Truth and Reconciliation Commission in 2015.

The Role of First Nation Trustees

A person appointed to the board to represent the interests of 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 voice, vision and culture is part of the strategic direction of the board

The First Nation trustee is responsible for:

- Ensuring that the actions of the board reflect the Education Service Agreement(s)
- Ensuring that both parties to the Education Service 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
- 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 has a key role in representing the interests of the First Nation communities at the school board level and ensuring that there is dialogue with the First Nation communities about the work of the board and, in particular, matters affecting First Nation students. The First Nation trustee is also in a position to encourage the involvement of the family and the First Nations communities in their students' education.

Indigenous Education Councils (IEC)

All Ontario school boards are expected to have an established Indigenous Education Council (IEC). Indigenous Education Councils are comprised of a diverse membership, including First Nation, Métis and Inuit representatives and look different in each school board, in accordance with local partnerships. A First Nation trustee, along with representatives from each First Nation community that has students in the board's schools may also be members on an IEC.

These councils provide a forum for discussing First Nation, Métis, and Inuit education matters and support the co-development of initiatives that support the success and well-being of Indigenous youth. For instance, since 2016, school boards have been required to co-develop their Board Action Plans on Indigenous Education with their Indigenous Education Councils and IECs must approve the Board Action Plan before it can be submitted to the Ministry of Education as final.

Indigenous Education Rights

Trustees should have a current understanding of the evolving landscape of Indigenous rights to ensure they hold school boards accountable for upholding these rights.



At the Federal level, the *United Nations Declaration of the Rights of Indigenous Peoples Act* (UNDRIP) received Royal Assent on June 21, 2021. UNDRIP states that Indigenous peoples have the “right to establish and control their educational systems and institutions providing education in their own languages, in a manner appropriate to their cultural methods of teaching and learning.” Furthermore, *The Indigenous Languages Act*, 2019 recognizes Indigenous language rights as Aboriginal rights under Section 35 of the *Constitution Act*, 1982; a provision specifically responded to the Truth and Reconciliation Commission's Call to Action 13.

Roles and Responsibilities of First Nation, Métis and Inuit Organizations

Trustees, First Nation Trustees and Indigenous Leads have a responsibility to build awareness of First Nation, Métis and Inuit education infrastructure in their boards and to direct their boards to properly reconcile with First Nation, Métis and Inuit knowledge systems.

Community-based First Nation, Métis and Inuit organizations, such as Friendship Centres, have an important role in providing space, resources, and

relationships required to acquire First Nation, Métis and Inuit knowledge and pedagogies. It is incumbent on trustees and their school boards to build connections with these community-based organizations so they can be viewed as important elements of community well-being and prosperity.

Trauma-Informed Approaches

First Nation, Métis and Inuit education programming must consider the impacts of colonialism and subsequent intergenerational trauma that have affected First Nation, Métis and Inuit communities for generations. Colonial structures such as the *Indian Act*, the reserve system, and residential schools were created with the purpose of assimilating First Nation, Métis and Inuit peoples into mainstream society.

For many Ontario First Nation, Métis and Inuit students, a way forward must start with the acceptance that First Nation, Métis and Inuit students begin to see themselves and their values reflected in Ontario's pedagogy and curriculum. Trustees play an important role in understanding the impacts of trauma on First Nation, Métis and Inuit students and their families in order to find unique approaches to support student well-being and success in culturally appropriate ways.

Additional Resources

A majority of Ontario school boards have strong structures in place to ensure vibrant First Nation, Métis and Inuit representation. Indigenous Education Councils provide for community involvement in issues affecting the education of First Nation, Métis and Inuit students.

The Ontario legislation concerning First Nation, Métis and Inuit representation on school boards is found in Section 188 of the *Education Act* and in Ontario Regulation 462/97: First Nations Representation on Boards. Additional resources include:

- OESC Module 20: A Journey Towards Truth and Reconciliation for examples of models of Indigenous representation at school boards at

<https://modules.ontarioschooltrustees.org/Modules/20-Truth-and-reconciliation.aspx>.

- The United Nations Declaration on the Rights of Indigenous People at https://www.un.org/development/desa/indigenouspeoples/wp-content/uploads/sites/19/2018/11/UNDRIP_E_web.pdf
- The Ontario Human Rights Commission's - To Dream Together: Indigenous Peoples and Human Rights Dialogue Report at <https://www.ohrc.on.ca/sites/default/files/INDIGENOUS%20POLICY%20DIALOGUE%20REPORT%20FINAL%20DESIGNED.pdf#overlay-context=en>
- Indigenous Services Canada <https://www.canada.ca/en/indigenous-services-canada.html>
- Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC) at www.canada.ca/en/crown-indigenous-relations-northern-affairs.html.
- Ontario First Nation, Métis, and Inuit Education Policy Framework, 2007 at <https://www.ontario.ca/page/ontario-first-nation-metis-and-inuit-education-policy-framework-2007>
- Truth and Reconciliation Commission of Canada Final Report, 2015, at www.trc.ca.
- The Journey Together: Ontario's Commitment to Reconciliation with Indigenous Peoples at https://www.ontario.ca/page/journey-together-ontarios-commitment-reconciliation-indigenous-peoples?_ga=2.76522453.1960615061.1527003237-1009809131.1527003237.
- A Solid Foundation: Second Progress Report on the Implementation of the First Nation, Metis and Inuit Education Policy Framework, 2013, at <https://www.ontario.ca/page/solid-foundation-second-progress-report-implementation-ontario-first-nation-metis-and-inuit>.
- Strengthening Our Learning Journey: Third Progress Report on the Implementation of the First Nation, Metis and Inuit Education Policy Framework, 2018,

- at <https://www.ontario.ca/page/strengthening-our-learning-journey-third-progress-report-implementation-ontario-first-nation>.
- The Education Service Contracts/Tuition Agreements Guidebook, at <https://education.chiefs-of-ontario.org/priorities/lifelonglearning/education-agreements/>.
 - Our Children, Our Future, Our Vision, First Nation Jurisdiction over First Nation Education in Ontario, Chiefs of Ontario, at <https://education.chiefs-of-ontario.org/download/our-children-our-vision-2012/>.
 - Report of the National Panel on First Nation Elementary and Secondary Education, 2011, at <http://www.aadnc-aandc.gc.ca/eng/1373075023560/1373075345812>.
 - Aboriginal Peoples in Canada, 2011, at <https://goodminds.com/products/9780135106495>.
 - Aboriginal Beliefs, Values and Aspirations in Contemporary Society, 2011, at <https://goodminds.com/products/9780135106518>.
- The Listening Stone Project Year Three: Lessons From First Nations, Metis and Inuit Collaborative Inquiry 2015-2016, requested by the Council of Ontario Directors of Education (CODE) includes 44 district school boards, at http://www.ontariodirectors.ca/downloads/Listening_Stone/LSY3_Report_Nov_1_2016-Final.pdf.
 - 2021-22 Reciprocal Education Approach (REA) Instructions for First Nations and School Boards at https://efis.fma.csc.gov.on.ca/faab/Memos/SB2021/SB20_Attach1_EN.pdf
 - Calls for Justice – Murdered and Missing Indigenous Women and Girls https://www.mmiwg-ffada.ca/wp-content/uploads/2019/06/Calls_for_Justice.pdf



CHAPTER 7



Board and Committee Meetings

Public accountability is a cornerstone of Ontario's education system. One of the primary ways that school boards meet public expectations of transparency and accountability is to make policy decisions at open public meetings. Meetings are formal ways people gather to discuss issues and make decisions.

Recognized and understood processes for conducting meetings help deliberations run smoothly and provide structure to board business. The *Education Act* states that all meetings of the board shall be open to the public [s. 207(1)] with certain exceptions. Within this, boards have the flexibility to create their own policies and procedures that ensure orderly, productive meetings that also demonstrate balanced, respectful debate and allow for all voices to be heard.

Regular Meetings

Boards hold meetings regularly in order to govern effectively. Most boards adopt a regular meeting schedule, usually monthly, which they post on their website and share with key partners and stakeholders in the different communities of the board. The dates are generally set in

advance and should not be changed unless absolutely necessary.

Special Meetings

Boards may need to hold special meetings to consider time-sensitive or weighty matters [s. 208(13)]. Special meetings may be called by the chair, typically in consultation with the director of education [s. 208(13)], but may also be called on a request, in writing to the director of education, by a majority of the members [s.198(1)(d)].

Inaugural Meeting/Organizational Meeting

Amendments to the *Municipal Elections Act, 2006* advanced the start of the term of office for district school board trustees and municipal council members from December 1 to November 15. This change came into effect for the 2022 - 2026 term of office .

The *Education Act* requires a board to hold its first meeting within seven days following the start of the term of office [s. 208(2)]. This is commonly referred to as the inaugural or

organizational board meeting after an election. A newly elected trustee does not officially take office until the board's inaugural/organizational meeting (within 7 days of November 15, 2022) and a trustee swears a declaration as prescribed in the *Education Act*. The board can determine an alternate location and day, as long as it is within the first seven days of the term of office [s. 208(2)]. Organizational meetings typically accomplish the following:

- Elect the chair of the board for a one-year term [s. 208(4), (5)]
- Consider electing a vice-chair
- Determine committee structure and provide direction for the development of terms of reference for each committee
- Adopt a meeting schedule for board and committee meetings for the following 12-month period
- Appoint members to statutory, advisory or other committees.

In-Camera/Closed/Private Meetings

The *Education Act* specifies that a meeting of a committee of the board, including a committee of the whole board, may be closed to the public, the media, and any trustee who has declared a conflict of interest regarding the matter being considered, when any of the following will be discussed [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 their parent or guardian
- The acquisition or disposal of a school site
- Decisions in respect of negotiations with employees of the board
- Litigation affecting the board
- An ongoing investigation by the Ontario Ombudsman.



In-camera meetings are considered a good governance practice for handling issues that are best discussed in private. They serve the core functions of assuring confidentiality, creating a mechanism for board independence and oversight, and enhancing relationships among board members and with the director of education. Over time, in-camera sessions allow for areas of possible conflict to be identified proactively. These meetings should be used sparingly with a well-understood rationale for their use.

In-camera meetings may take place before, in the middle of, or at the end of a regular meeting. Typically, the need for these meetings should be determined prior to the regular board meeting; however, an in-camera meeting may be called promptly should a particular matter arise that meets the criteria mentioned above.

A school board must make all of its decisions at a public meeting of the board, even when the discussions took place in an in-camera meeting. When this happens, it is often the director of education who determines what aspects of the private discussion can be made public.



The only motions that can be passed at an in-camera meeting are procedural and include the following:

- A motion respecting the minutes to be kept of in-camera discussions
- A motion to revert to out-of-camera
- A motion to recess.

No new topics should be introduced during an in-camera session. 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.

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 process and not discuss any aspect of private matters, including the nature of the topic and anything that occurred during the in-camera meeting. In certain cases, the law may require trustees to disclose proceedings discussed during in-camera meetings. Even after the board has voted on a private matter, it may still remain completely undisclosed to

the public, sometimes for a short period of time, and other times forever.

Note: In-camera agenda items are typically indicated by an item number. Minutes of in-camera meetings should be kept and be approved by the committee of the whole. Trustees should be given copies of the minutes at the meeting, which are then collected and destroyed after a motion to approve. A copy of the minutes is kept in the Director's Office and may be viewed by trustees at any time. Because any motion to take action by the board must be a motion in the public and because it likely refers to an in-camera item number, the minutes of the in-camera are necessary to record what that motion was about.

Professional Development (PD) Sessions

Most boards provide orientation and topic-specific professional development opportunities for its members. These are not meetings that include board discussions and/or actions that advance board business. If and when a board decides to engage in specific PD (e.g. an off-site one-day session), they should be open and transparent as to why the trustees are gathering.

Board Meetings – Operations

Agendas

Board staff must provide trustees and the public with proper notice of an upcoming meeting [s. 198(1)(c)] and the agenda of items to be discussed. Most often this is done by posting the agenda to the board website and emailing it to the trustees.

The chair, in consultation with the director of education, sets the agenda for meetings and a process is established whereby individual trustees can request that a matter be considered for inclusion on an agenda. The chair works closely with the director of education to ensure that the rights and privileges of board members are recognized, and to ensure that administrative requirements are met.

All boards should consider including a traditional territory acknowledgement as part of their agenda at the beginning of their meetings. Adhering to local protocols, school boards should work in partnership with the Indigenous Education Council to determine the potential usage of a land acknowledgement at board meetings.

Delegations

Most boards include as part of their agenda, an opportunity for members of the public to address the board through a delegation. This can be an oral presentation or written statement. Boards should have a clear delegation process that is easy for members of the public to understand and is managed fairly and equitably.

Best practices to consider:

- Ensuring the delegation addresses an item on the agenda or is considered timely or relevant to the committee or board
- Ensuring delegation participants reside within the board's jurisdiction
- Providing all delegations a specific amount of time
- Allowing brief questions following the delegation

- Providing for discussion among the board to occur when the corresponding item is on the meeting agenda
- Allowing a delegation to be made on a topic only once within a 12-month period.

Minutes

Minutes are official records of what happened in a board meeting. The secretary of the board is responsible for keeping a full and accurate record of the proceedings of every meeting of the board and for ensuring that the minutes, when confirmed, are signed by the chair of the meeting.

Minutes will include:

- When and where the meeting took place
- Who was present
- All matters considered at the meeting (in some boards, only the decisions are recorded, in other boards, the discussion is also recorded)
- All decisions made, including procedural steps taken to reach those decisions. The votes of individual members are not in the minutes unless a recorded vote has been requested. Student trustees 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.

Meeting minutes are public documents [s. 207(4)] and should be posted to the board's website along with any report or background information considered by the board at the meeting. Some boards find it helpful and a matter of good public relations to produce a summary of board decisions soon after the meeting to distribute to trustees, board staff and post on the board's public website.

Attendance at Board Meetings

Trustees are expected to attend all regular meetings of the board and all meetings of the committee(s) of which they are a member. Under the *Education Act* [s. 228(1)], a trustee's seat is automatically vacated if the trustee is absent from three consecutive regular meetings of the board, unless the absence is authorized by the board.

Regulations made under the *Education Act* [Ontario Regulation 463/97: "Electronic Meetings and Meeting Attendance"] provide for the attendance of meeting by

electronic means; however, a trustee must be physically present in the meeting room of the board for at least three regular meetings of the board in each 12-month period beginning November 15. In response to the COVID-19 pandemic, certain exemptions were made to the in-person attendance requirements that would expire as of November 15, 2022. School boards should refer to the regulation for current requirements.

Trustees may take a pregnancy or parental leave for up to 20 weeks without authorization from their board. The seat of the member who takes a parental or pregnancy leave would not be declared vacant if they missed three consecutive regular board meetings during the 20-week time period.

Participation by Electronic Means

Every board must develop and implement a policy providing for the use of electronic means for the holding of meetings of a board and meetings of a committee of a board, including a committee of the whole board. The participation of a trustee by electronic means must be noted in the record of the meeting's attendance.

A member who participates by electronic means must ask the chair to be recognized and inform the meeting when joining, leaving or returning to a meeting. This is necessary to enable the chair to properly conduct votes.

The board policy must enable public participation in meetings by electronic means that “permit members of the public to hear and be heard by all other participants in the meeting.”

[Ontario Regulation 463/97: Electronic Meetings](#) provides additional information.

Quorum

A meeting of the board cannot be convened until a quorum is present. A quorum is “a majority of all the members constituting a board” [s. 208(11)]. The number for quorum is constant and does not get reduced even if there’s a vacancy on the board (due to resignation, death, etc.). Student trustees are not included in the number required to constitute a quorum.

If a lack of quorum is caused from one or more members declaring conflicts of interest, the *Municipal Conflict of Interest Act* provides that a meeting may continue without the members who have declared conflicts of interest as long as there are no fewer than two members remaining [s. 7(1)]. The *Act* also provides remedies that may be applied if there are fewer than two members remaining [s. 7(2, 3)].

Rules of Order

School board meetings are run according to parliamentary 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.

Although specific practices may vary, most school boards follow accepted rules of parliamentary procedure for their public decision-making processes. The most commonly used procedures are the recent editions of Robert’s Rules of Order or Bourinot’s Rules of Order. Any variation from



parliamentary procedure that might be required to better suit a school board can be incorporated in a school board’s procedural rules through the creation of a by-law.

A board’s meeting rules do not need to be as comprehensive or complex as Robert’s or Bourinot’s rules, but should be based on these authorities while taking into consideration the privileges and duties of school board members, democratic principles, and any special rules deemed necessary to suit the needs of an elected member who represents constituents and the needs of a school board.

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.

Note: Some boards have begun to include processes during certain meetings that reflect more traditional and non-colonial meeting processes. For example, a board’s Indigenous Education Council (IEC) uses the Algonquin Nation protocols to support how the meetings are conducted and the process of decisions and procedures.



Accessibility and Accommodation

All boards want to ensure they provide welcoming, safe, equitable, inclusive and accessible meetings that allow students, parents and members of the community to attend and participate.

Two main areas* that should be considered for meetings are:

- Physical access to the meeting space
- Access to the content and proceedings of the meeting

Physical access to the meeting includes accessible spaces for parking, accessible entrances and washrooms, and meeting rooms that provide space for participants who use wheelchairs, scooters or have service animals. Access to the content and proceedings of the meeting includes making background and presentation materials available in accessible, electronic formats as well as alternate formats such as large print and Braille. People with disabilities face different obstacles and should be asked in advance what accommodations they may need to be able to fully participate in board or committee meetings.

Be Prepared: Even if no advance requests for accommodations are received, the board may receive last-minute or on-the-spot requests for accessibility supports.

* Source: [The Ontario Municipal Social Services Association \(OMSSA\)'s GUIDE TO Conducting Accessible Meetings.](#)

Key Roles of the Board

Chair and Vice-Chair

The board chair and vice-chair (if a board chooses) are appointed for one-year terms. School boards may choose to have elections for the position of chair and vice-chair by secret ballot or by recorded voting (public). If there is a tied vote, the *Education Act* stipulates that it shall be decided by the drawing of lots.

The *Act* does not indicate the number of years or terms that the same person may continue as chair, however, boards may create a by-law with term limits.

Attendance

The chair of a meeting must be physically present in the meeting room unless the board has a policy allowing the

chair to preside over meetings by electronic means. If the board has such a policy in place, the chair may preside over meetings electronically if any of the following applies:

- The distance between the chair's residence and the meeting location is 200 kilometres or more
- Weather conditions do not allow the chair to travel to the meeting safely
- The chair cannot physically attend the meeting due to health-related issues.

No more than half of board meetings in a 12-month period, beginning November 15, can be chaired electronically.

Chair Responsibilities

A chair of the board has the following additional duties [s 281.4]:

- Preside over meetings of the board
- Conduct the meetings in accordance with the board's procedures and practices
- 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 strategic 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.

The chair may vote on all matters but has only one vote, the same as any other trustee. However, a chair, while presiding over a meeting, should not participate in the discussion or make motions. If a chair wishes to have their views heard,

the chair must delegate their responsibilities to another trustee at the beginning of the discussion. The gavel may be returned to the chair only when consideration of the matter is concluded.

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 has no greater rights or powers than any other member of the board other than the above mentioned additional duties.

The chair may call special meetings of the board [s. 208(13)] and, as the presiding officer, may, at their discretion, have people removed from meetings for improper conduct [s. 207(3)]. This includes trustees as well as members of the public.

To run productive meetings, it is recommended a chair should:

- Have a basic knowledge of the rules of parliamentary procedure and the board's procedural by-laws
- Ensure that all relevant information has been provided to trustees and to the public
- Allow open debate
- Provide opportunities for and encourage all members to speak
- Manage conflict effectively
- Ensure that issues are separated from individuals
- Lead the board as a team
- Help the board reach its decisions.

The chair must keep in mind that their 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 dominate.

Board Secretary

The *Education Act* provides that the director of education shall act as the secretary of the board [s. 283.1(1)(c)]; however, if the board has no more than five members it may appoint one of its members to act as secretary. If the director of education is the secretary, they may assign the secretary role to a qualified staff member.



Board Treasurer

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 their possession, power or control that belong to the board.

The director of education is often assigned as treasurer of the board. The director of education may assign the treasurer role to a qualified staff member.

Committees

Committees provide boards the opportunity to have specific issues of the board researched and discussed by a small body, with recommendations presented to the board for decision. Some committees are made up entirely of trustees and some will have a mix of members. All committee meetings are public unless the matter under discussion is covered under [s. 207(2)] as outlined previously under In-Camera/Closed/ Private Meetings.

Most boards have a structure for their committees that contributes to efficient and effective board meetings and effective decision-making. Committees can gather information, 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. Committees should record the minutes of their meetings, and/or make a report to the board following every meeting. Committees may include recommendations for consideration by the board; however, the board, as a whole, makes the final decision.

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.

Types of 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. Only trustees are members of standing or permanent committees. A staff person is usually assigned as a resource person to provide expertise, fulfil administrative requirements, and provide necessary information.

Advisory committees are established on either a short or long-term basis to 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, and members of the community or local business-people. Many boards now establish advisory committees as part of their commitment to public consultation. Moreover, many boards have established relationships with particular diverse community groups and this may have led to the creation of specific Committees, such as an Indigenous Education Advisory Committee (IEAC).

Statutory committees are required in accordance with the relevant regulation. Trustee representation on these advisory committees is required. The four statutory

committees are:

- [Audit Committee \(Ontario Regulation 361/10\)](#)
- [Parent Involvement Committee \(Ontario Regulation 612/00\)](#)
- [Special Education Advisory Committee \(Ontario Regulation 464/97\)](#)
- [Supervised Alternative Learning Committee \(Ontario Regulation 374/10\)](#)

A board can also create standing committees, ad hoc trustee committees, sub committees and other advisory committees. These are all reflective of a board's culture and need to support their students and communities. Select, special or ad hoc committees, such as task forces or work groups, investigate a specific issue and report to the board within a stated time frame. These committees are generally created by a board resolution and are comprised and led by trustees.

External committees are those requested by bodies external to the board who may ask for trustee representation. Such committees may be called by a trustee association, a municipality, a research body, or other organization external to the school board.



Suspension Appeal/Expulsion Hearings

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.

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.” This allows matters to be discussed in a less formal setting. Some boards will hold committee of the whole meetings to deal with matters that fall outside the purview of other committees or to hear from representatives of other levels of government.

No minutes are to be taken during these sessions, and no decisions are to be made. Any discussion at the committee of the whole is then brought as a recommendation to the board for approval at a public meeting.

Trustees may wish to review Module 12 – Running Effective Meetings in the Ontario Education Services Corporation's *Good Governance for School Board Trustee Professional Development Program* at <https://modules.ontarioschooltrustees.org>

Notes:



Supporting Student Achievement and Well-Being

Elected school boards make a deep and direct contribution to the improvement of learning for all students through their leadership in building public understanding and cultivating the commitment of their communities to valuing and sustaining high levels of student achievement.

The research is compelling – elected school boards make a difference. When the board of trustees moves to the higher levels of authentic governance that is truly student-centred and makes teaching and learning their first priority, changes occur (Waters and Marzano).

Research on *Strong Districts and Their Leadership* (Dr. Kenneth Leithwood, 2013) supports the premise that trustees have an essential role in supporting student achievement and well-being through policy development, resource alignment and ensuring continued focus on the needs of children and youth.

Student Well-Being and Mental Health

Promoting the healthy development of all students, and enabling all students to reach their full potential, is a priority for educators across Ontario. Students'

health and well-being contribute to their ability to learn in all disciplines, and that learning in turn contributes to their overall well-being. A well-rounded educational experience prioritizes well-being and academic success for all students by promoting physical and mental health, social-emotional learning, safety and inclusion. Families, community partners, and educators all play critical roles in creating this educational experience.

The COVID-19 pandemic has had a significant impact on the delivery of education in Ontario and across the globe. We know that the pandemic has had far reaching impacts on the learning development and mental health of education staff and families across the province. In 2022, the Ministry of Education launched a five-point Learning Recovery Action Plan to address critical gaps, modernize education and support learning recovery. The plan will continue to support student resilience and well-being through:

- Mentally healthy classroom and learning environments
- Effective and responsive school mental health supports
- Connections to the broader provincial system of mental health care.



Curriculum

Curriculum is developed by the Ministry of Education in consultation with education stakeholders and partners. It has mandatory learning expectations (what students must learn) and optional teaching supports (tools and information that teachers may use to help students learn). It also includes information about ministry policies related to student learning (e.g., assessment, evaluation and reporting, special education, equity and inclusive education). Curriculum policy for each subject area can be found on the Ministry of Education's Curriculum and Resources website at: <https://www.dcp.edu.gov.on.ca/en>

The Ontario curriculum is designed to help all students reach their full potential in the classroom and beyond through a program that is clear, relevant, and age appropriate. Ontario recognizes that the needs of students are diverse. It is important that curriculum is meaningful to students, and that they see themselves reflected in what is taught, how it is taught, and how it applies to the world.

Full-Day 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 four and five year olds. A majority of parents send their children to publicly funded schools for Kindergarten.

The Kindergarten program is staffed by an educator team of a teacher and an early childhood educator (ECE) in classes of 16 or more children. Through play- and inquiry-based learning and small group instruction, children develop a strong foundation for learning in all areas, including language and math, engage in healthy physical activities and the arts, and develop socially and emotionally through interaction with their peers and the educators who guide them. Through informal meetings, parent/guardian conferences or written reports, families receive regular updates that include comments on the child's key learning and growth in learning. The reports also include suggestions for parents/guardians to support their child's learning.

Kindergarten is complemented by a fee-based before-and-after-school program for four and five year olds that boards are required to offer where there is sufficient demand. These programs can be directly operated by the school board or delivered through a third party.

Child Care and the Early Years

Ontario is committed to building a system with affordable child care spaces and integrated early years programs and services that are responsive to the needs of children and families.

Licensed child care programs must meet and maintain specific provincial standards as set out in *The Child Care and Early Years Act, 2014*. These standards provide for the health, safety and developmental needs of the children. Many child care centres and programs serving younger children are located in public schools. Child care, extended day programs, and early years programs are greatly affected by board and school policies such as rent and shared use of space. By working together, school boards, municipalities, and service providers can ensure a consistent, high quality educational experience for children and their families as they transition between child care

and early years services and as they enter and progress through school.

The Canada-wide Early Learning and Child Care (CWELCC) system will:

- Give families access to more affordable and high-quality child care options
- Help lower child care fees for parents of children under the age of six
- Increase child care spaces
- Support the child care workforce.

In addition, the agreement includes a clear commitment to begin discussions with Indigenous partners on developing a collaborative plan that supports Indigenous children's access to affordable, high-quality, and culturally appropriate early learning and child care.

To learn more about child care and early learning in Ontario, please visit: <http://www.edu.gov.on.ca/childcare>.

Elementary and Secondary Education

Provincial curriculum documents outline the knowledge and skills that students must demonstrate at the end

of each grade in each subject in all publicly-funded elementary and secondary English-language school boards.

The Ontario curriculum includes the following:

- One Kindergarten program
- 8 subjects for Elementary (Grades 1-8)
- 19 disciplines for Secondary (Grades 9-12).

To view a list of all curriculum, visit the Curriculum and Resources website:

Elementary: <https://www.dcp.edu.gov.on.ca/en/curriculum#elementary>

Secondary: <https://www.dcp.edu.gov.on.ca/en/curriculum#secondary>

Indigenous Education in Curriculum

All students, Indigenous and non-Indigenous, are enriched by learning about the histories, cultures, perspectives and contributions of First Nation, Métis and Inuit individuals and communities in Canada. Ontario has committed to working with Indigenous partners to advance reconciliation and to implement the [Truth and Reconciliation Commission of Canada's](#) Calls to Action. The implementation of mandatory





learning within the curriculum on key topics such as the residential school system, treaties, and First Nation, Métis, and Inuit historical and contemporary contributions to Canada is in response to Nos. 62 and 63 of the [Truth and Reconciliation Commission's Calls to Action](#). These efforts support the academic success and well-being of Indigenous students, as well as build the knowledge of all students and educators on Indigenous histories, cultures, perspectives, and contributions.

The Ontario Secondary School Diploma (OSSD)

The requirements for earning an Ontario Secondary School Diploma (OSSD) can be found in the policy document *Ontario Schools Kindergarten to Grade 12: Policy and Program Requirements, 2016*. To learn more, visit: <https://files.ontario.ca/edu-ontario-schools-policy-programs-2016-en-2022-01-19.pdf>

Students who successfully complete a Specialist High Skills Major (SHSM) program as part of the requirements for their OSSD will receive a diploma with a SHSM seal.

Direction to school boards on the implementation of the new online credit graduation requirement is in [Policy/Program Memoranda \(PPM\) 167](#), issued in February 2022.

Compulsory and Optional Credits

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

18 compulsory credits

- Four credits in English (one credit per grade)
- One credit in French-as-a-Second Language
- Three credits in mathematics (at least one credit in Grade 11 or 12)
- Two credits in science
- One credit in the arts
- One credit in Canadian geography
- One credit in Canadian history
- One credit in health and physical education
- 0.5 credit in civics and citizenship
- 0.5 credit in career studies

plus:

- Three additional credits, consisting of one credit from each of the following groups:
 - Group 1: English, French-as-a-Second-Language, classical studies and international languages, Native languages, First Nations, Métis, and Inuit studies, Canadian and world studies, social sciences and humanities, guidance and career education, cooperative education, American-Sign-Language-as-a-Second-Language, Langue des signes québécoise langue seconde
 - Group 2: French-as-a-Second-Language, business studies, health and physical education, the arts, cooperative education, American-Sign-Language-as-a-Second-Language, Langue des signes québécoise langue seconde
 - Group 3: French-as-a-Second-Language, science (Grade 11 or 12), computer studies, technological education, cooperative education, American-Sign-Language-as-a-Second-Language, Langue des signes québécoise langue seconde

12 optional credits

These are selected from the courses available in the school's course calendar.

Student Success

Each school board has a Student Success Lead to collaborate, lead and supervise the supports that assist students who may not otherwise reach their full potential for achievement and well-being. School boards must ensure that every secondary school has a student success team and a student success teacher to work in collaboration with school staff to support students who are struggling with their secondary school program and are at risk of not graduating. The student success team will include, at a minimum, the student success teacher and representation from administration, guidance, and special education. The inclusion of other members such as classroom teachers, child and youth workers, social workers, and attendance counsellors will be determined by local needs.





The responsibilities of the student success team for students considered to be at risk in secondary school include:

- Monitoring and tracking individual students' progress
 - Providing direct support for differentiated instruction to meet the learning needs of students and to improve their achievement, promote their retention, and support significant transitions
 - Ensuring that students have opportunities to engage meaningfully in their own learning
 - Supporting students in their education and career/life planning
 - Supporting school-wide efforts to improve outcomes for students struggling with their secondary school program
 - Re-engaging early school leavers
 - Working with parents and the community to support student success.
- The Learning Opportunities Grant (LOG) provides funding for a range of programs to help students who face barriers to success, including:
- Grades 7 to 12 Literacy and Numeracy Outside the School Day Programs – additional programming during the summer and during the school year outside the regular school day to enhance literacy and math skills
 - Student Success, Grades 7 to 12 Allocation – to support opportunities that create more equitable outcomes for students and assist students who may not otherwise reach their full potential for achievement and well-being
 - Grades 7 and 8 Literacy and Numeracy and Student Success Teachers – for dedicated staff to provide support/instruction to students in Grades 7 and 8 in order to improve student performance, track the progress of students who face barriers to consistent success, support school-wide efforts to improve outcomes for students who are not achieving consistent academic success, and work with families and the community to support student success
 - Tutoring Allocation - to support school boards in initiating and expanding before-and-after-school, weekend, and summer tutoring programs that provide extra help to students who are not yet achieving the provincial standard in reading, writing, or mathematics.

In addition, Credit Recovery is available so that students who fail a secondary course can work with a teacher to retake only the units where they did not initially meet the expectations. This provides the student with another chance to demonstrate their understanding of specific topics, rather than retaking the entire course.

As part of its efforts to ensure all students can reach their full potential, in July 2020 the government announced the de-streaming of Grade 9, beginning with math in September 2021. As of September 2022, all Grade 9 subjects will be offered in one stream.

De-streaming Grade 9 is helping to create the conditions for all students to be successful, to be prepared for the senior program in secondary school, and to pursue any postsecondary pathway they choose.

Education and Career/Life Planning

The province's career development policy from Kindergarten to Grade 12, [*Creating Pathways to Success \(2013\)*](#), requires school boards to implement an education and career/life planning program for their students. This is a whole-school program delivered by all teachers through classroom instruction linked to the curriculum, through school-wide programs and through broader community activities, such as field trips, career fairs, job shadowing, cooperative education, etc.

The program is designed to help students identify and develop strengths, interests, and goals during their school experience, to plan their individual pathways through school, make an informed transition to their initial postsecondary destination (i.e., apprenticeship, college, community living, university and workplace), and plan for their future careers. Students from Grades 7-12 document their learning in a web-based Individual Pathways Plan (IPP), which becomes the primary planning tool as they move through the grades. They review their learning with a teacher/guidance counsellor and/or parent, if possible, at least twice a year.



Experiential Learning and Specialized Programs

Experiential learning is a hands-on learning approach that provides developmentally appropriate opportunities for students in all grades to see how their learning applies in a real-world setting. It can include long-term or short-term opportunities and can include: learning in the outdoors, project- or program-based learning, job shadowing, cooperative education, etc.

Experiential learning may be delivered as part of the curriculum in all disciplines and programs, engaging students in the experiential learning cycle where students:

- Participate in learning experiences connected to a community or economic sector
- Reflect on those experiences to derive meaning
- Apply their learning to influence their decisions and actions in various aspects of their lives, including education and career/life plans.

Experiential learning is a foundational element of job skills programs that support secondary students' transition to postsecondary destinations (i.e., apprenticeship, college,



community living, university, and workplace). These programs include:

- **Specialist High Skills Major (SHSM):** a program that provides students in secondary school an opportunity to focus on a specific sector and gain valuable experiences while meeting the requirements of the Ontario Secondary School Diploma (OSSD). Students who complete a SHSM program as part of the requirements for their OSSD will receive a diploma with an SHSM seal.
- **Dual Credits:** a key part of the School-College-Work-Initiative, which enables eligible students, while they are still in secondary school, to take college or apprenticeship courses that count towards their OSSD and a postsecondary certificate, degree, diploma or Certificate of Apprenticeship. The primary target group for Dual Credit programs are students facing significant challenges in completing their graduation requirements. Students in SHSM and OYAP are also eligible to participate.
- **Ontario Youth Apprenticeship Program (OYAP):** a school-to-work program that allows students to earn credits toward the OSSD by taking a cooperative

education course for which the community component is in an apprenticeship trade. Students have an opportunity to become registered apprentices, complete Level 1 apprenticeship training and work toward becoming certified journeymen in a skilled trade while completing their secondary school diplomas.

The Ontario Secondary School Certificate (OSSC)

The Ontario Secondary School Certificate (OSSC) will be granted on request, to students who are leaving secondary school upon reaching the age of 18 without having met the requirements for the Ontario Secondary School Diploma. To be granted an OSSC, a student must have earned a minimum of 14 credits, distributed as follows:

Seven compulsory credits

- Two credits in English
- One credit in mathematics
- One credit in science
- One credit in Canadian history or Canadian geography
- One credit in health and physical education

- One credit in the arts, computer studies, or technological education.

Seven optional credits

- Seven credits selected by the student from available courses.

Online Learning Graduation Requirement

Beginning with the cohort of students who entered Grade 9 in the 2020-21 school year, all students must earn a minimum of two online learning credits as part of the [requirements for an OSSD](#) unless they have opted out. Adult learners entering the Ontario secondary school system in 2023-24 or later will also be required to meet this graduation requirement unless they opt out. For full details of the Online Learning Graduation requirement please see [Policy/Program Memorandum 167](#) - Online learning graduation requirement.

Students working toward secondary certificates (for example, the certificate of accomplishment or an Ontario Secondary School Certificate) are not required to complete the online learning graduation requirement yet may be

encouraged to enroll in online learning courses to support the development of digital literacy and other important transferable skills that help prepare them for success after graduation and in all aspects of their lives.

To support the new online learning graduation requirement, the ministry provides school boards with access to the Virtual Learning Environment (VLE), a secure online learning management system that supports the delivery of online, remote, and blended learning to K-12 students by classroom educators, and professional learning for educators and other school board employees.

Access to the VLE is provided by the ministry at no cost to all publicly funded school boards, First Nation communities, school authorities, and provincial schools.

Organization of Courses

All schools must offer a sufficient number of courses and appropriate types of courses to enable students to meet the diploma requirements. The provision of different types of courses in the secondary school program is designed to provide all students with the essential knowledge and skills they will need to be successful in any pathway, as well as





the opportunity to specialize in areas that are related to their particular postsecondary goals or pathways.

As outlined above, as part of its efforts to ensure all students can reach their full potential, in July 2020 the government announced the de-streaming of Grade 9, beginning with math in September 2021. As of September 2022, all Grade 9 subjects will be offered in one stream. De-streaming Grade 9 is helping to create the conditions for all students to be successful, to be prepared for the senior program in secondary school, and to pursue any postsecondary pathway they choose.

In Grade 10, course types available are academic, applied and open. Academic courses develop students' knowledge and skills through the study of theory and abstract problems. Applied programs focus on the essential concepts of a subject and develop students' knowledge and skills through practical applications and concrete examples. Open courses, which comprise a set of expectations that are appropriate for all students, are designed to broaden students' knowledge and skills in subjects that reflect their interests and prepare them for active and rewarding participation in society. Locally developed compulsory credit (LDCC) courses develop

students' knowledge and skills through the focus on essential skills in math, English and science. LDCC courses provide flexibility to explore practical application of concepts through hands-on learning.

In Grades 11 and 12, students will focus increasingly on their individual interests and will identify and prepare for their postsecondary pathways. The following five types of courses are offered in Grades 11 and 12:

- College preparation courses are designed to equip students with the knowledge and skills they need to meet the entrance requirements for most college programs or for admission to specific apprenticeship or other training programs
- University preparation courses are designed to equip students with the knowledge and skills they need to meet the entrance requirements for university programs
- University/college preparation courses are designed to equip students with the knowledge and skills they need to meet the entrance requirements for specific programs offered at universities and colleges
- Workplace preparation courses are designed to equip students with the knowledge and skills they need to meet the expectations of employers, if they plan to

enter the workforce directly after graduation, or the requirements for admission to certain apprenticeship or other training programs

- Open courses, which comprise a set of expectations that are appropriate for all students, are designed to broaden students' knowledge and skills in subjects that reflect their interests and prepare them for active and rewarding participation in society. They are not designed with the specific requirements of university, college, or the workplace in mind.

Some students may change their educational goals as they proceed through secondary school. When they decide to embark on a new pathway, they may find that they have not completed all of the prerequisite courses they need. Schools must make provisions to allow students to change pathways and must describe these provisions in their school's program/course calendar.

Board Improvement and Equity Plan (BIEP)

The Board Improvement and Equity Plan (BIEP) is a board improvement planning tool that will increase accountability and standardize commitments for advancing human rights and equity across the education system. The BIEP enables school boards to engage with their local communities to identify and dismantle systematic barriers facing student groups who are underserved by the education system, including Indigenous students, Black and other racialized groups of students, students with disabilities and/or special education needs, English and French Language Learners, and 2SLGBTQ+ students. Foundational to the BIEP is the use of student demographic data, which all school boards have, or are in the process on collecting, in compliance with Ontario's Anti-Racism Data Standards.





Student Assessment and Reporting Student Achievement

The primary purpose of assessment and evaluation is to improve student learning.

Growing Success is the Ministry of Education's policy on *Assessment, Evaluation and Reporting in Ontario Schools Grades 1-12* and can be found online at <http://www.edu.gov.on.ca/eng/policyfunding/growsuccess.pdf>.

Each curricular document from Grades 1 to 12 contains achievement charts that 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/guardians 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 toward the end of June of each school year. For Grades 1 to 6, student achievement of the overall curriculum expectations will be evaluated in accordance with the achievement charts in the provincial curriculum and will be reported using letter grades. For Grades 7 and 8, a student's achievement will be reported using percentage grades.

The achievement of secondary students is also assessed regularly by teachers and a report is sent home to parents/guardians three times a year for non-semestered schools and twice per semester for semestered schools. For Grades 9-12, a student's achievement of the overall curriculum expectations will be evaluated in accordance with the achievement charts in the provincial curriculum and will be reported using percentage marks.

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.

Communication with families and students about student achievement should be continuous throughout the year, by means such as parent/guardian-teacher or parent/guardian-student-teacher conferences, portfolios of student work, student-led conferences, interviews, phone calls, emails, checklists, and informal reports.

Provincial Assessments

Established in 1996 through *The Education Quality and Accountability Office Act*, the Education Quality and Accountability Office (EQAO) is a board-governed, operational service agency of the Government of Ontario. Its mandate includes the evaluation of the quality, effectiveness and accountability of Ontario's education system and to report publicly about the state of public education in Ontario.

Annually, it administers assessments and questionnaires to over 500,000 students in the publicly-funded education system. EQAO data is used by the province, school boards and schools to identify goals for improvement planning, professional learning and resource allocation.

EQAO develops, administers, scores and reports on province-wide assessments of elementary and secondary students' achievement in reading, writing and mathematics in relation to *Ontario Curriculum* learning expectations. The agency also supports the province's participation in national and international assessments.

Each year, EQAO provides training and detailed guides and resources on its website (<https://www.eqao.com/>).

Information for families and students is also available on the website.

EQAO provides individual student results and schools and school boards with detailed reports about students' achievement, as well as contextual, attitudinal, and behavioural information from questionnaires. EQAO also reports provincial results publicly.

K-12 Assessments

EQAO assesses student learning of the provincial curriculum. EQAO administers and reports on student performance for the following assessments:

EQAO Assessments	Grade of Administration	Subjects
Assessment of Reading, Writing and Mathematics, Primary Division	Grade 3 (Grades 1-3 curriculum)	Reading, Writing, Mathematics
Assessment of Reading, Writing and Mathematics, Junior Division	Grade 6 (Grades 4-6 curriculum)	Reading, Writing, Mathematics
Grade 9 Assessment of Mathematics*	Grade 9 (Grade 9 curriculum)	Mathematics
Ontario Secondary School Literacy Test (OSSLT)/Test provincial de compétences linguistiques (TPCL)**	Grade 10 (literacy skills expected by the curriculum across all subjects up to the end of Grade 9)	Literacy

* Per Appendix 1 of the Growing Success policy document, results of the Grade 9 Assessment of Mathematics may count towards a portion of the student's final mark.

** Students can meet the literacy graduation requirement in one of three ways:

- Taking the OSSLT/TPCL
- Enrolling in the Ontario Secondary School Literacy Course (OSSLC); or
- Receiving an adjudication process through the school and board
- At this time, the OSSLT is available to students who are learning in-person
- The OSSLT/TPCL, typically administered in Grade 10, is the primary means of satisfying the Ontario literacy requirement for graduation
- Additional information on eligibility criteria for each avenue for meeting the literacy graduation requirement is outlined in the policy document entitled *Ontario Schools Kindergarten to Grade 12: Policy and Program Requirements, 2016*.



Early Development Instrument (EDI)

Information on children's developmental health and well-being prior to Grade 1 is collected throughout the province using the Early Development Instrument (EDI). The EDI is a questionnaire that teachers complete about the skills and abilities of each of their Year 2 (senior) kindergarten students. It measures developmental health and well-being across five domains:

- Physical health and well-being
- Social competence
- Emotional maturity
- Language and cognitive development
- Communication skills and general knowledge.

The EDI is used as a population measure (i.e., a measure of whole populations based on geographical or administrative boundaries) by the ministry, municipalities, school boards, and community organizations to inform decision-making and plan early years programs and services. The ministry uses the EDI as a key indicator to monitor the state of young children in Ontario. For more information on EDI, please see: [Ontario's Early Years and Child Care Annual Report 2020 | Ontario.ca](#)

National and International Assessments

The Ministry of Education and EQAO coordinate Ontario's participation in four large-scale national and international assessments: the Pan-Canadian Assessment Program (PCAP), Programme for International Student Assessment (PISA), Progress in International Reading Literacy Study (PIRLS), and the Trends in International Mathematics and Science Study (TIMSS). These assessments are conducted through partner organizations every three to five years and are administered to random samples of students. Additionally, Ontario participates in the Programme for the International Assessment of Adult Competencies (PIAAC), which the Ministry of Labour, Training and Skills Development coordinates for Ontario. PIAAC operates on a 10-year cycle and is administered to a random sample of those aged 16 to 65 years. Ontario's participation in national and international assessments provides data that support improvements to our education system; data that enables the province to:

- Gauge the success of Ontario's education system against national and international jurisdictions,

- Inform curriculum revisions ensuring national and international relevance and leadership, and
- Build the public's confidence in the public school system.

For more information, please see: <https://www.eqao.com/the-assessments/program-overview/>

Scope	Assessment	Partner Organization	Frequency	Age/ Grade	Domains
National	Pan-Canadian Assessment Program (PCAP)*	Council of Ministers of Education, Canada (CMEC)	3 years	Grade 8	Reading, mathematics, science
International	Programme for International Student Assessment (PISA)	Organisation for Economic Co-operation and Development (OECD)	3 years	15-year-olds	Reading, mathematics, science
	Progress in International Reading Literacy Study (PIRLS)	International Association for the Evaluation of Educational Achievement	5 years	Grades 4	Reading
	Trends in International Mathematics and Science Study (TIMSS)	International Association for the Evaluation of Educational Achievement (IEA)	4 years	Grades 4 & 8	Mathematics, science
	Programme for the International Assessment of Adult Competencies (PIAAC)	Organisation for Economic Co-operation and Development (OECD)	10 years	16 to 65-year-olds	Literacy, numeracy, problem-solving

* PCAP was first administered in 2007 and replaced the previous Canada-wide School Achievement Indicators Program (SAIP)



Human Rights, Equity, and Inclusive Education

A positive, inclusive, equitable, and non-discriminatory elementary and secondary school experience is vitally important to a student's personal, social, and academic development, to their future economic security, and to a realization of their full potential. The *Ontario Human Rights Code* recognizes the importance of creating a climate of understanding and mutual respect for the dignity and worth of each person, so that each person can contribute fully to the development and well-being of their community and the province. The *Code* guarantees a person's right to equal treatment in education. It requires educators and school leaders to prevent and respond appropriately to discrimination and harassment, to create an inclusive environment, to remove barriers that limit the ability of students, and to accommodate the needs specified by *the Code*.

Ontario's education system, at all levels, must respect diversity, promote inclusive education, and work towards identifying and eliminating obstacles to equal treatment in education that limit the ability of students to learn, grow, and contribute to society. Discriminatory biases,

harassment, bullying, non-inclusive environments, lack of accommodation, systemic barriers, poverty, and racism make it difficult for students to acquire the skills they need to be successful, competitive, and productive members of society. Ontario schools aim to improve the academic outcomes and experiences of students who have traditionally not benefited from the promise of public education.

Culturally Responsive and Relevant Pedagogy (CRRP)

Research has shown that students who do not see themselves reflected in what they are learning, in their classrooms, and in their schools become disengaged and do not experience as great a sense of well-being or as high a level of academic achievement as those who do. In an inclusive education system, students must see themselves reflected in the curriculum, their physical surroundings, and the broader environment, so that they can feel engaged in and empowered by their learning experiences. Students need to experience teaching and learning that reflect their needs and who they are. To ensure that this happens, educators in Ontario schools embrace *culturally responsive*

and relevant pedagogy (CRRP), which recognizes that all students learn in ways that are connected to background, language, family structure, and social or cultural identity.

CRRP provides a framework for building positive environments, improving student responsibility and success, encouraging parent-school relationships, and building strong community connections. High-quality instruction, tasks, student affirming classroom environments, and critical thinking are foundational to CRRP. This pedagogy equips educators and school leaders with tools to build positive learning environments, affirm students' identities and lived realities and mobilize student voice to identify, prevent and respond to discrimination and disadvantage. It also emphasizes the importance for educators and school leaders to examine their own biases and to analyse how their own identities and experiences affect how they view, understand, and interact with all students. This can help to prevent discrimination, harassment, and the creation of poisoned environments.

Developing and Implementing Equity and Inclusive Education Policies in Ontario Schools

District school boards are responsible for ensuring they comply with all applicable statutes, legislation and policies, including the Canadian Charter of Rights and Freedoms, the *Ontario Human Rights Code*, and the *Education Act*.

Policy/Program Memorandum No. 119: Developing and Implementing Equity and Inclusive Education Policies in Ontario Schools provides direction to school boards on the review, development, implementation and monitoring of equity and inclusive education policies to foster a positive school climate that is free from discriminatory or harassing behaviour. This includes prohibiting discrimination on the following grounds: race, colour, ancestry, place of origin, citizenship, ethnic origin, disability, creed (e.g., religion), sex, sexual orientation, gender identity, gender expression, age, family status, and marital status.

The principles of equity and inclusive education support a whole-school approach to foster positive student behaviour. These principles must also be applied in progressive discipline, particularly when it is necessary





to consider mitigating and other factors. Boards will also put procedures in place that will enable students and staff to report incidents of discrimination and harassment safely, and that will enable boards to respond in a timely manner.

Positive School Climate

School climate is the learning environment and relationships in a school and school community.

In a positive school climate:

- Everyone in the school community feels safe, included and accepted
- All members of the school community demonstrate respect, fairness and kindness in their interactions, and build healthy relationships that are free from discrimination and harassment
- Students are encouraged and given support to be positive leaders and role models in their school community for example, by speaking up about issues such as bullying
- Students, principals, staff members, parents and community members engage in open and ongoing dialogue and all partners are actively engaged

- Principles of equity and inclusive education are embedded across the curriculum
- Strategies for bullying prevention and intervention and awareness-raising are reinforced for students and staff
- The learning environment, instructional materials, and teaching and assessment strategies reflect the diversity of all learners
- Every student is inspired and given support to succeed in an environment of high expectations.

To help achieve a positive school climate, boards and schools should:

- Actively promote and support positive behaviours that reflect their board's code of conduct and equity and inclusive education policy
- Invite members of the broader community to become involved in this effort as part of the school community.

School boards must administer school climate surveys to their students, parents and school staff at least once every two years. Boards are required to inform parents that these surveys are voluntary and that they can choose not to have their child participate.

Schools and school boards use data from the surveys to assess students', parents' and staff's perceptions of safety and make informed decisions to help prevent bullying and build and sustain a positive school climate.

For more information, please see:

PPM 145 (Progressive Discipline and Promoting Positive Student Behaviour) at: <https://www.ontario.ca/document/education-ontario-policy-and-program-direction/policyprogram-memorandum-145>

PPM 119 (Developing and implementing equity and inclusive education policies in Ontario Schools) at: <https://www.ontario.ca/document/education-ontario-policy-and-program-direction/policyprogram-memorandum-119>

Parent Engagement

[Ontario Reg. 612/00 of the Education Act](#) requires schools to have a school council and each district school board to establish a Parent Involvement Committee (PIC). These advisory bodies provide parents with opportunities to give input and to contribute to all parents' engagement in their children's learning at the school and school board levels. In addition, the ministry has held regular virtual meetings with parent involvement committee chairs and co-chairs, strengthening the relationship between the ministry, school boards and parent leaders across the province.

[Parents in Partnership: A Parent Engagement Policy for Ontario Schools, 2010](#) formally recognizes and supports a vision of parents as both valued partners and active participants in their children's education. The policy recognizes and supports the important role parents have in contributing to their children's learning at home and at school, and provides strategies to remove barriers to parent engagement, and to support educator/parent partnerships.

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 they are 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 Plan, how the school board will meet the special education needs of students with exceptionalities. The programs or services required to facilitate learning by a student with exceptionalities 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 students with exceptionalities, and must describe these in its Special Education Plan. Each school board's Special Education Plan must be current at the beginning of each school year and be publicly available. A school board may provide its own special education



programs and services, or it may purchase them from another school board. [Ontario Regulation 306/90: Special Education Programs and Services](#) provides additional information and can be found at: <http://www.edu.gov.on.ca/eng/general/elemsec/speced/regs.html>.

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: Special Education Advisory Committee. More information can be found at: <http://www.edu.gov.on.ca/eng/general/elemsec/speced/seac/>

The SEAC is composed of representatives of local associations, members of the school board, and, in specific cases, other members of the community. Each local association that meets the criteria should be invited to participate in the SEAC, up to a maximum of 12 representatives. A new SEAC is formed every four years following the election of the board of trustees.



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 10 times 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 Plan.

The SEAC also has the opportunity to review the board's annual budget process, and financial statements. More information is available at: <http://www.edu.gov.on.ca/eng/general/elemsec/speced/seac/>.

Identification and Placement of Students with Exceptionalities

The identification and placement of students with exceptionalities is governed by [Ontario Regulation 181/98: Identification and Placement of Exceptional Pupils](#). [Highlights](#) can be found at: <http://www.edu.gov.on.ca/eng/general/elemsec/speced/hilites.html>.

Students with exceptionalities 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/guardians (and the student, if age 16 or over) approve. The parents and the student (if age 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.

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
- Any recommendations regarding special education services and programs.

The needs of the vast majority of students with exceptionalities can be addressed in a regular classroom with the help of instructional, environmental, and/or assessment accommodations or some curriculum modification or both. The regulation 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.

All school boards in Ontario are required to develop, implement, and maintain a policy on student use of service animals in schools. School boards are expected to allow a student to be accompanied by a service animal in school when doing so would be an appropriate accommodation to support the student's learning needs and would meet the school board's duty to accommodate students with disabilities under the Ontario Human Rights Code.

In some instances, a student may need to attend a provincial school for the deaf, blind, or deafblind, 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/guardians may provide a written statement to waive the IPRC review. Also, the IPRC must review the placement if the parents/guardians 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/guardians 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/guardians 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/guardian has consented in writing
- The parent/guardian 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
- 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/guardians.

The broad categories of exceptionalities set out in the *Education Act* [s. 1(1)] (Behaviour, Communication, Intellectual, Physical and Multiple) are designed to address the wide range of conditions that may affect a student's

ability to learn. They do not exclude any medical condition, whether diagnosed or not, that can lead to particular types of learning difficulties. All students with demonstrable learning-based needs are entitled to appropriate accommodations in the form of special education programs and services, including classroom-based accommodations. The determining factor for the provision of special education programs or services is not any specific diagnosed or undiagnosed medical condition, but rather the needs of the individual students based on the individual assessment of strengths and needs.

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/guardian or student
- 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/guardians 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 three days of the end of the meeting.

The board must, within 30 days, decide on the action it will take and inform the parents/guardians of its decision. The notice to the parents/guardians must explain the parents'/guardians' 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/guardian 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/guardians 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/guardians and the board. However, the parents/guardians 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

Regulation requires that an Individual Education Plan (IEP) be developed for students with exceptionalities. The requirements for IEPs are further set out 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 having an exceptionality 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 student who has not been identified as having an exceptionality. In such cases, an IEP should be developed for that student. 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 age 16 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
- A transition plan for all students who have an IEP, whether or not they have been identified as having an exceptionality by an IPRC; this includes students identified as having an exceptionality solely on the basis of giftedness. This is required by Policy/Program 156 (*Supporting Transitions for Students with Special*

Education Needs). Further information on the transition plan is available at: <https://www.ontario.ca/document/education-ontario-policy-and-program-direction/policyprogram-memorandum-156>

School boards have been encouraged by the province 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.

While the Ministry of Education has devised its own framework for identifying “exceptional pupils,” it is the *Ontario Human Rights Code* and human rights case law that establishes that education providers have a legal duty to accommodate the disability-related needs of students to the point of undue hardship. This legal duty exists whether or not a student with a disability falls within the Ministry’s definition of “exceptional pupil,”^[23] and whether or not the student has gone through a formal IPRC process, or has an IEP. It is important to note that the *Code* has primacy over other legislation, including the *Education Act*. *More information can be found at:* <https://www.ohrc.on.ca/en/policy-accessible-education-students-disabilities>

Further information about special education policies and procedures can be found at <http://www.edu.gov.on.ca/eng/parents/speced.html>.

Adult and Continuing Education

The Continuing Education and Other Programs Grant within the Grants for Student Needs (GSN) contains multiple components to support a variety of pupils and learning opportunities, primarily outside the regular day school program, including summer school, adult education, international and Indigenous language programs, and other programs to support student achievement and address learning needs.

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 for prior learning. Prior learning includes the knowledge and skills that students have acquired, in both formal and informal ways, outside secondary school. All boards must develop and implement policies and procedures related to the equivalency and challenge processes. See Policy/Program Memorandum 132 for more details (<https://www.ontario.ca/document/education-ontario-policy-and-program-direction/policyprogram-memorandum-132>). Relevant and culturally appropriate assessment tools and processes should be used to take into account the unique perspectives of First Nation, Métis and Inuit students, as well as the unique cultural perspectives of racialized students and newcomers to Ontario. Boards are also required to provide appropriate accommodations and supports as required by the [Ontario Human Rights Code](#).

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

Many school boards also offer programs funded by other ministries, including:

- Adult non-credit programs for English or French-as-a-Second-Language and Citizenship offered by the Ministry of Labour, Immigration, Training and Skills Development
- Adult non-credit programs for Literacy and Basic Skills offered by the Ministry of Labour, Immigration, Training and Skills Development.

Trustees may also wish to review Module 2 – Effective Governance for Student Achievement and Well-Being: Boards Matter in the Ontario Education Services Corporation’s *Good Governance for School Board Trustee Professional Development Program* at: <https://modules.ontarioschooltrustees.org/Modules/02-Effective-governance-student-achievement.aspx>



Education Funding

Budgeting is a vital and integral part of the overall planning responsibilities of a school board. School board operating and capital budgets should align with the long-term strategy that school boards develop to ensure effective stewardship of the school board's resources. School boards are required to develop a balanced operating budget within the funding allocated to them by the Ministry of Education and funding from other sources such as tuition fees and school-generated funds.

Funding Sources

Since 1998, the provincial government has had full control of education property tax revenues. At that time, the government introduced a series of funding allocations that together determine the revenue each school board receives on an annual basis, known as the Grants for Student Needs (GSN) funding model. This funding model has undergone significant evolution since it was first introduced and is consulted on annually with education stakeholders.

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 provincial government 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 respective school boards on behalf of the provincial government. The Ministry of Education, using the GSN funding formula, determines each school board's overall funding allocation. Property tax revenues form part of the allocation, and the provincial government provides additional funding up to the levels established by the funding formula.

While GSN funding accounts for about 90 per cent of total school board revenues, they also receive funding through the Priorities and Partnerships Funding (PPF) by the Ministry of Education, other government grants, tuition fees from students, school-generated funds and other revenues such as investment income.



Grants for Student Needs (GSN) – Operating Funding

The GSN supports funding for the classroom, school leadership and operations, specific student-related priorities and local management by school boards. The current funding system for education is intended to:

- provide a fair allocation for all students, wherever they live in Ontario
- operate in a fair and non-discriminatory manner as between the public and Catholic school boards in both the English-language and French-language systems
- provide funding to maintain schools and to build new schools where they are needed
- allow school boards some flexibility to decide how funds will be allocated to programs and supports, and among schools
- restrict how school boards spend money in some specific areas (e.g. to protect funding for capital and special education, and limit spending on school board administration)

- promote school board accountability by ensuring that school boards report consistently and publicly on how they spend their allocations.

The Province invests about \$26 billion a year in elementary/secondary education through the GSN.

A school board's total GSN allocation is determined by the formulas in the Pupil Foundation Grant, the School Foundation Grant and 16 supplemental grants. These grants are intended to provide a total amount of operating and capital revenue based on the specific needs of a school board and its students.

Pupil Foundation Grant

This grant accounts for about 45% of the GSN. It supports the components of classroom education that are required by, and generally common to all students. 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 programming teachers, and professional development

- Early childhood educators in Kindergarten classrooms
- Classroom consultants
- Library and guidance services
- Educational assistants
- Professional and paraprofessional supports
- Elementary supervision
- Department heads
- Textbooks and learning materials
- Additional educational software licensing
- Classroom supplies
- Classroom computers
- Broadband Network Operations (new in 2022-23).

There are four different per-pupil allocations at the elementary level, depending on the grade in which a student is enrolled – Kindergarten, primary (Grades 1 to 3), junior/intermediate (Grades 4 to 6), and a supplementary allocation for intermediate only (Grades 7 to 8) and one per-pupil allocation for secondary students (Grades 9 to 12).

School Foundation Grant

This grant supports the costs of salaries and benefits for in-school administration and leadership (principals, vice-principals, and office support staff) and supplies for school administration purposes, as well as funding to support targeted library staff for elementary schools and parent engagement. The grant includes measures which:

- Recognize a school's size as well as its remoteness and whether it is operating in a minority language context
- Provide greater funding overall for principals in combined elementary and secondary schools (subject to minimum enrolment limits), and in elementary or secondary schools with multiple buildings (subject to minimum enrolment limits).

Supplemental Grants

There are 16 supplemental grants that recognize that different levels of support are required by school boards to provide quality education in different locations, to respond to the needs of particular students and schools and support varying demographic profiles, as follows:

- Special Education Grant – provides funding for students with special education needs. It supports the





incremental costs of providing the additional programs, services and equipment needed to support the educational requirements of students with special education needs. There are several components to this grant, the largest two being the Special Education Per Pupil Amount (SEPPA) and the Differentiated Special Education Needs Amount (DSENA) allocations. The SEPPA allocation provides a base funding for all pupils of the board with special education needs. The DSENA allocation addresses the variation among school boards with respect to students with special education needs and school boards' abilities to respond to those needs. The DSENA includes various components based on the demographics and other data specific to the board. Boards may use the Special Education Grant only for students with special education needs, and must set aside any unspent funding to use for special education in a future school year. There is flexibility in how they may use some of the individual allocations within the Special Education Grant, as long as the funds are spent on special education. It is important to note that boards are required to establish a Special Education Advisory Committee (SEAC) and that Boards

should consult with SEAC in establishing the budget for special education.

- Language Grant – for language instruction, including: French-as-a-First Language, Actualisation linguistique en français, and Programme d'appui pour nouveaux arrivants; English-as-a-Second-Language/ English Literacy Development; French-as-a-Second-Language.
- Indigenous Education Grant – for programs and initiatives to support the academic success and well-being of Indigenous students, as well as build the knowledge of all students and educators on Indigenous histories, culture, perspectives and contributions. This grant includes a “Board Action Plan” component. The Indigenous Education Grant is enveloped and may only be used for its intended purpose.
- Geographic Circumstances Grant – this funding recognizes additional costs of operating small schools that are isolated and costs that are associated with the geography of school boards. It takes into account several factors, including school board and school size, school board distance from urban centres and dispersion of schools over a school board's geographic area.

- Learning Opportunities Grant (LOG) – provides funding for a range of programs to help students who are at greater risk of poor academic achievement, including providing supports for de-streaming as well as learning recovery programming and supports that are responsive to the challenges that students may continue to experience as a result of the COVID-19 pandemic.
- Mental Health and Well-Being Grant – provides funding to foster the learning and well-being of students, including support for frontline mental health workers in secondary schools to provide direct service, reduce wait times, and improve access to critical services; to strengthen positive school climates; and support the continued learning and well-being of students who are suspended/expelled or at risk of being suspended or expelled. This grant also provides targeted funding for select secondary schools in priority urban neighbourhoods.
- Continuing Education and Other Programs Grant – provides funding for a range of programs to support a variety of students, including adult learners (21 and older), secondary students who have completed more than 34 credits and wish to continue their studies as well as international languages, Indigenous languages in elementary classes, summer school and continuing education.
- Cost Adjustment and Teacher Qualifications and Experience Grant – provides additional funding for a variety of compensation related funding adjustments for teachers and other staff, as well as funding for benefits and teacher professional development.
- Supports for Students Fund (SSF) – provides flexible funding for school boards to support the learning needs of students, which may include special education, mental health and well-being, language instruction, Indigenous education and Science, Technology, Engineering and Mathematics (STEM) programming.
- Program Leadership Grant (PLG) – provides funding to support six lead positions within each school board: Early Years Leads, Indigenous Education Leads, Mental Health Leaders, School Effectiveness Leads, Student Success Leads and Technology Enabled Learning and Teaching Contact Leads. These leads are responsible for the organization, administration, management, and implementation of supports to achieve the goals within





their respective program areas. Funding must be spent on leads' salary, benefits, travel, and professional development. School boards are required to spend at least half of the Indigenous Education Lead benchmark on the Lead's salary and benefits through the PLG, and any remainder must be reported and spent under the Board Action Plans (BAP) Allocation of the Indigenous Education Grant.

- Student Transportation Grant – for transporting students to and from school, including students with special needs.
- Declining Enrolment Adjustment – provides school boards with transitional support recognizing that it takes time for school boards to adjust their cost structures to reflect declines in enrolment.
- School Board Administration and Governance Grant – provides funding for administration and governance costs such as operating school board offices and central facilities, school board-based staff and expenses, including tab officers and their administrative support.
- School Facility Operations and Renewal Grant – supports the costs of operating (heating, lighting,

maintaining and cleaning), repairing and renovating school facilities. Under the formula, funding is adjusted for school boards that have older schools with unique design features such as wide hallways, large shop spaces, and auditorium spaces. The grant includes funding for Community Use of Schools, Education and Community Partnership Program and Capital Planning Capacity.

- Debt Service Support – relating to ministry approved capital expenditures (principal and interest)
- The COVID-19 Learning Recovery Fund (new in 2022-23) – provides temporary funding through the GSN (previously provided through Priority and Partnership Funding) to allow school boards to continue to hire teachers, early childhood educators, educational assistants, and other education workers to address the following priorities: learning recovery, the implementation of the first year of a fully de-streamed Grade 9, the delivery of remote learning, supports for special education and enhanced cleaning standards.

The GSN has a robust financial accountability framework that has been developed by the Ministry of Education in consultation with school boards. This framework

recognizes that accountability to the ministry must be balanced against the need for school board flexibility to address local condition, and:

- Legislative requirements, such as the provision that school boards balance their budgets
- Requirements around budgeting and financial reporting, as well as monitoring, audit, review and, in some cases, supervisory activities by the ministry
- Enveloping, which means requiring that certain grants be used only for the purpose intended
- Program/grant-specific reporting requirements overseen by various branches of the ministry.

Grants for Student Needs: Capital Funding

Capital Priorities

Capital Priorities funding is designed to address school building and major renovation projects at school boards through a business case approach. As part of the Capital Priorities program, school boards are asked to identify major capital projects (new schools and additions, including child care spaces) that are required within the

next three-year timeframe. The ministry focuses its efforts on helping to ensure that all boards are able to meet their project completion timelines, as well as identifying upcoming accommodation issues.

School boards are asked to rank their business case requests based on their highest and most urgent student accommodation priorities dealing with accommodation pressures, facility conditions and school consolidations.

School Condition Improvement

The School Condition Improvement program addresses school renewal needs. This funding focuses on ensuring facilities are in good condition, energy-efficient, accessible and that they meet modern service standards. The funding helps school boards address their school consolidation needs in cases where an existing school can accommodate the students through renovations without the need to increase the building footprint.

Amount for Temporary Accommodation

This allocation is designed to address the estimated annual cost of temporary accommodation for boards. The funding is based on a combination of expected lease costs reported





by boards and a model of portable needs activity. The funding can be used for portable moves, leases and purchases, as well as lease costs for permanent instructional space.

Education Development Charges

An education development charge (EDC) is a levy on new construction in a municipality. A school board may pass bylaws to collect EDCs on new real estate developments within all or part of the school board's jurisdiction when elementary enrolment exceeds its elementary capacity and secondary enrolment exceeds its secondary capacity within a defined region of the board, or when a board has an existing EDC 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: Education Development Charges – General.

Priorities and Partnerships Funding (PPF)

Each year, the ministry announces certain funds which are supplemental to the GSN and are generally targeted for

specific purposes. In the past, those funds have been provided to expand the use of technology, improve math scores or enhance specific programs. These are limited to the specific purpose and timeframes and have certain reporting requirements. Occasionally, if the need for the funding is on-going the funding may be added to the GSN. For example, the Mental Health and Well-being Grant started as a PPF but was later transferred to the GSN.

Other Funding Sources

In addition to the funding sources noted above, school boards also receive funding through sources such as student tuition fees and school-generated funds.

Budget Development

School boards are required to develop a balanced operating budget based on the educational needs of its students and within the funding allocation provided by the ministry and funding from other sources such as tuition fees and school-generated funds. The school board should ensure that this balanced budget reflects the school 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 of trustees, before the start of the fiscal year.

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 input on priorities and potential budget choices. It is also a public process: school 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 operating budget, school boards must demonstrate that they have allocated the available funds effectively throughout the system. This requires school boards to analyze 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.

School boards should also have a long-term capital plan which identifies areas of population growth or decline, where new schools should be built or other schools should close, as well as schools that may be in need of significant repair or retrofit.

While the *Education Act* and its regulations set out a number of requirements related to how school boards set their budgets, the most significant is the requirement to adopt a balanced budget [s. 231]. There are regulatory requirements that significantly affect the budget such as class size restrictions, as well as restrictions on the use of certain GSN funding grants or portions thereof, including, but not limited to:

- Board administration and governance (expenses not to exceed the grant)
- Special Education
- Indigenous Education
- Mental Health and Well-Being
- Experiential Learning
- School Renewal Allocation.



The *Education Act* also gives school boards the authority to invest and borrow money, but at the same time puts limits on this authority [s. 241 to 249]. 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.

Trustees may also wish to review Module 13 - School Board Finance in the Ontario Education Services Corporation's *Good Governance for School Board Trustee Professional Development Program* at <https://modules.ontarioschooltrustees.org/Modules/13-School-board-finance.aspx>

Notes:

CHAPTER 10

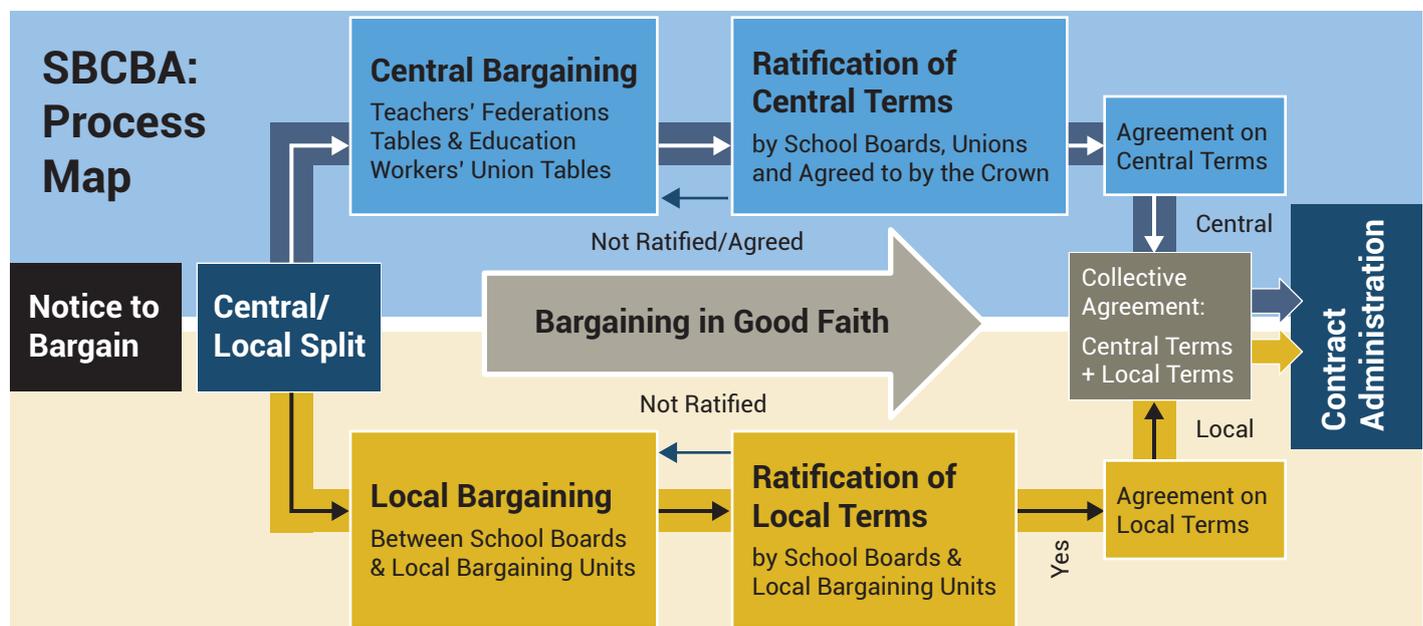


Collective Bargaining

School boards, the Crown and the unions share a commitment to publicly funded education and work together in good faith towards positive labour relations. As employers, school boards engage in the process of collective bargaining with the unions representing the employees of the school board to achieve a collective agreement. The Crown is a participant in the central bargaining process.

Collective Bargaining

The *School Boards Collective Bargaining Act, 2014* (SBCBA) serves to formalize a collective bargaining process. It defines a two-tier structure – a central process and a local process.



* Local bargaining may occur at the same time as, or after, central bargaining.

** A collective agreement is only completed once both central and local agreements are ratified.



Employer Bargaining Agencies

- The SBCBA designates each of the four school board/trustees' associations as the statutory employer bargaining agency for their respective school boards, 72 in total plus 10 school authorities, at the central tables. This school board representation at a central table is:
- Association des conseils scolaires des écoles publiques de l'Ontario (ACÉPO), representing the French-language public boards
- Association franco-ontarienne des conseils scolaires catholiques (AFOCSC), representing the French-language Catholic boards
- Ontario Catholic School Trustees' Association (OCSTA), representing English-language Catholic boards
- Ontario Public School Boards' Association (OPSBA), representing English-language public boards

Employee Bargaining Agencies

The SBCBA further requires that all unionized/federated employees participate in central bargaining. For teachers these groups are:

- Association des enseignantes et des enseignants franco-ontariens (AEFO), which represents teachers in French Catholic and public elementary and secondary schools
- Elementary Teachers' Federation of Ontario (ETFO), which represents teachers in English-language public elementary schools
- Ontario English Catholic Teachers' Association (OECTA), which represents teachers in English-language Catholic elementary and secondary schools
- Ontario Secondary School Teachers' Federation (OSSTF/FEESO), which represents teachers in English-language public secondary schools

The establishment of bargaining tables for education workers is more complex because a job classification might be differently unionized in various boards. For example, the Canadian Union of Public Employees (CUPE/SCFP) may represent educational assistants in some boards while

OSSTF/FEESO represents them in others. Additionally, a single union may have members in school boards in more than one system. As a result, the employers' designated bargaining agencies form a Council of Trustees'

Associations (CTA) to collectively bargain at the education worker central tables. The Central Bargaining Tables established historically to bargain are described below.

Central Bargaining Tables for 2014-2017, 2017-2019 and 2019-2022	
Employee Groups	Council of Trustees' Associations and the Crown
Canadian Union of Public Employees (CUPE/SCFP)	ACEPO, AFOCSC, OCSTA, OPSBA
Ontario Secondary School Teachers' Federation Education Workers (OSSTF/FEESO)	ACEPO, AFOCSC, OCSTA, OPSBA
Elementary Teachers' Federation of Ontario Education Workers (ETFO)	OCSTA, OPSBA
Education Workers' Alliance of Ontario (EWAO): <ul style="list-style-type: none"> ▪ Association des enseignantes et des enseignants franco-ontariens (AEFO) ▪ Association of Professional Student Services Personnel (APSSP) ▪ Dufferin-Peel Educational Resource Workers' Association ▪ Educational Assistants Association ▪ Halton District Educational Assistants' Association ▪ Service Employees International Union / Union internationale des employées et des employés de service ▪ Unite Here 	AFOCSC, OCSTA, OPSBA
Ontario Council of Educational Workers (OCEW): <ul style="list-style-type: none"> ▪ COPE Ontario & Locals ▪ Essex and Kent Counties Skilled Trades Council ▪ Labourers' International Union of North America ▪ Maintenance and Construction Skilled Trades Council ▪ Ontario Public Service Employees Union ▪ Unifor 	ACÉPO, AFOCSC, OCSTA, OPSBA

With the SBCBA mandating all unionized employees be represented in central bargaining, these tables are redefined in each round of bargaining. The Minister of Education has a role in establishing the composition of bargaining tables inside the requirements of the Act.



Terms and Conditions for Non Union Employees

Not all employee groups in a school board are unionized and in fact some job classifications are deemed to be excluded from joining a union. Classifications deemed ineligible are excluded because of their roles with their school boards or because of the type of information to which they have access. They include:

- Supervisory officers, including the director of education
- Principals and vice-principals
- Some executive/administrative assistants
- Most management staff in operational areas
- Some human resources staff who have responsibility for aspects of collective bargaining
- Some financial services and information technology staff

These employees, together with the board establish terms and conditions set by the board and compliant with statute and regulation, usually following discussions with the affected staff. These discussions usually occur after collective agreements have been settled with unionized staff.

While not included under the SBCBA, the Ministry of Education has committed to a similar two-tier process of good faith discussions participating with the trustee/school boards associations representing school boards as the employer representatives and the principals and vice-principal associations namely; Association des directions et directions adjointes des écoles franco-ontariennes (ADFO), The Catholic Principals' Council of Ontario (CPCO), and Ontario Principals' Council (OPC). To facilitate discussion, a Provincial Discussion Table is established off-cycle with collective bargaining to discuss terms and conditions for principals and vice-principals.

Legislation Impacting Collective Bargaining

Several statutes and regulations define a board's relationship with its employees, and their conditions of employment including the following:

- *Education Act*
- *School Boards Collective Bargaining Act, 2014*
- *Labour Relations Act, 1995*
- *Employment Standards Act, 2000*
- *Occupational Health and Safety Act*
- *Pay Equity Act*
- *Municipal Freedom of Information and Protection of Privacy Act*
- *Ontario Human Rights Code*

Statutes and regulations govern the operation of elementary and secondary schools, including the school year calendar, class size, and instructional time.

Regulations, statutes and constitutional protections take precedence over collective agreements.

The Role of the Bargaining Agents

Employer Bargaining Agency and School Boards

As the designated employer bargaining agencies for their respective school boards at the central tables, school

board/trustees' associations play a critical role in the collective bargaining process. Subject to the appropriate ratification process, school board/trustees' associations have the authority to bind the school boards in their respective systems to centrally negotiated terms and conditions of employment, which then become part of the collective agreements, once local issues are also settled and ratified. School board/trustees' associations are also required to establish their own policies and procedures to fulfil their statutory duties and responsibilities, including conducting votes to ratify centrally negotiated terms.

Employee Bargaining Agency

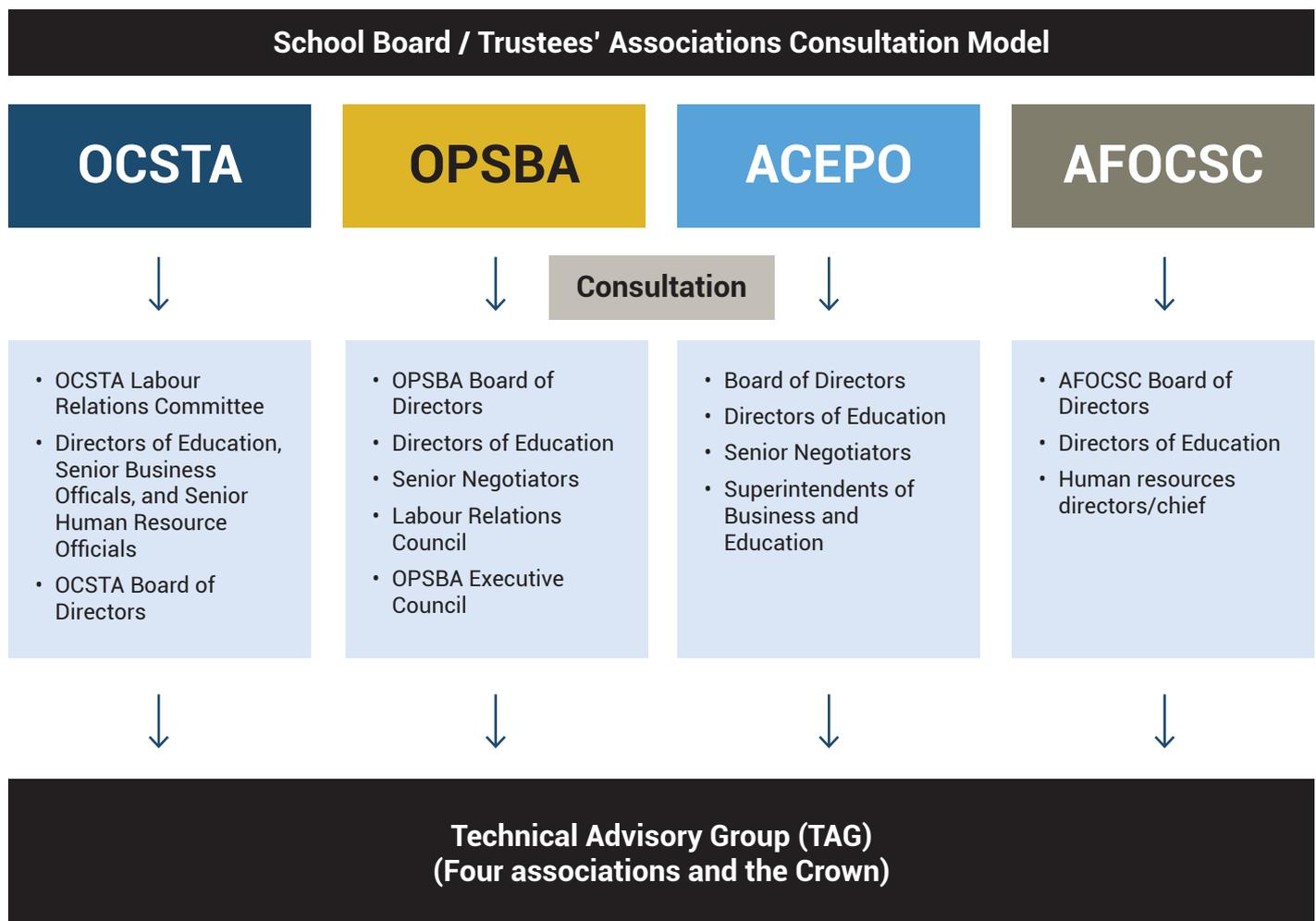
Trade unions are legally obliged to represent their members in matters relating to the collective agreement. These obligations include negotiating the terms and conditions of employment on behalf of their members and representing their members' rights under the collective agreement.

Collective Agreements

Each school board will have a single separate legally binding collective agreement with each of its unionized employee groups that will include the terms negotiated at central tables and locally negotiated terms. There is no final collective agreement until there is a ratification of both central terms and of local terms.

Preparation for Collective Bargaining

In order for the employer bargaining agents to identify the proposed matters to be centrally bargained and bargaining positions, each school board/trustees' association will consult with consideration for student achievement, equity and inclusion, fiscal sustainability, and the well being of school board employees. Additionally, French and Catholic trustees' associations will consult with consideration for language and faith formation respectively.



The first step in the bargaining process is for either party at the central table (union or employer) to serve notice to bargain to the other within 90 days before the expiration of the collective agreement. When notice to bargain centrally is given it is deemed that local notice has also been given, to the corresponding local parties.

Following notice to bargain, central table parties and the Crown must meet within 15 days to begin negotiations, starting with discussions on “ground rules” and the scope of matters to be bargained centrally. Anything not explicitly identified as a central matter is available for local bargaining. The agreed central list may vary from table to table.

If agreement cannot be reached, the Ontario Labour Relations Board (if requested) will render a decision based on the following factors for deciding whether a matter is within the scope of central bargaining:

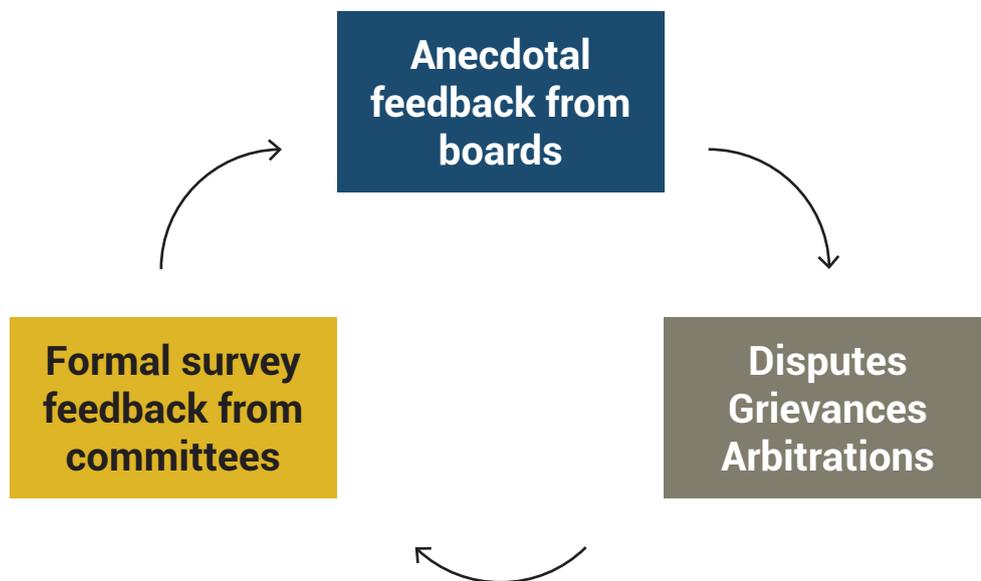
- The extent to which the matter could result in a significant impact on the implementation of provincial education policy

- The extent to which the matter could result in a significant impact on expenditures for one or more school boards
- Whether the matter raises common issues between the parties to the collective agreements that can more appropriately be addressed in central bargaining than in local bargaining
- Such other factors as the board considers relevant in the circumstances.

Following conclusion of scope discussions, the parties have up to 15 days to begin discussions on issues bargaining at the central table.

Data Gathering

The figure below illustrates the various sources of data. All school board labour relations and human resources practitioners have access through their school board/ trustees' associations to a web-based provincial portal which offers a variety of information and data on labour relations issues. The portal is maintained by the [Ontario Education Services Corporation \(OESC\)](#).



Negotiating a Collective Agreement

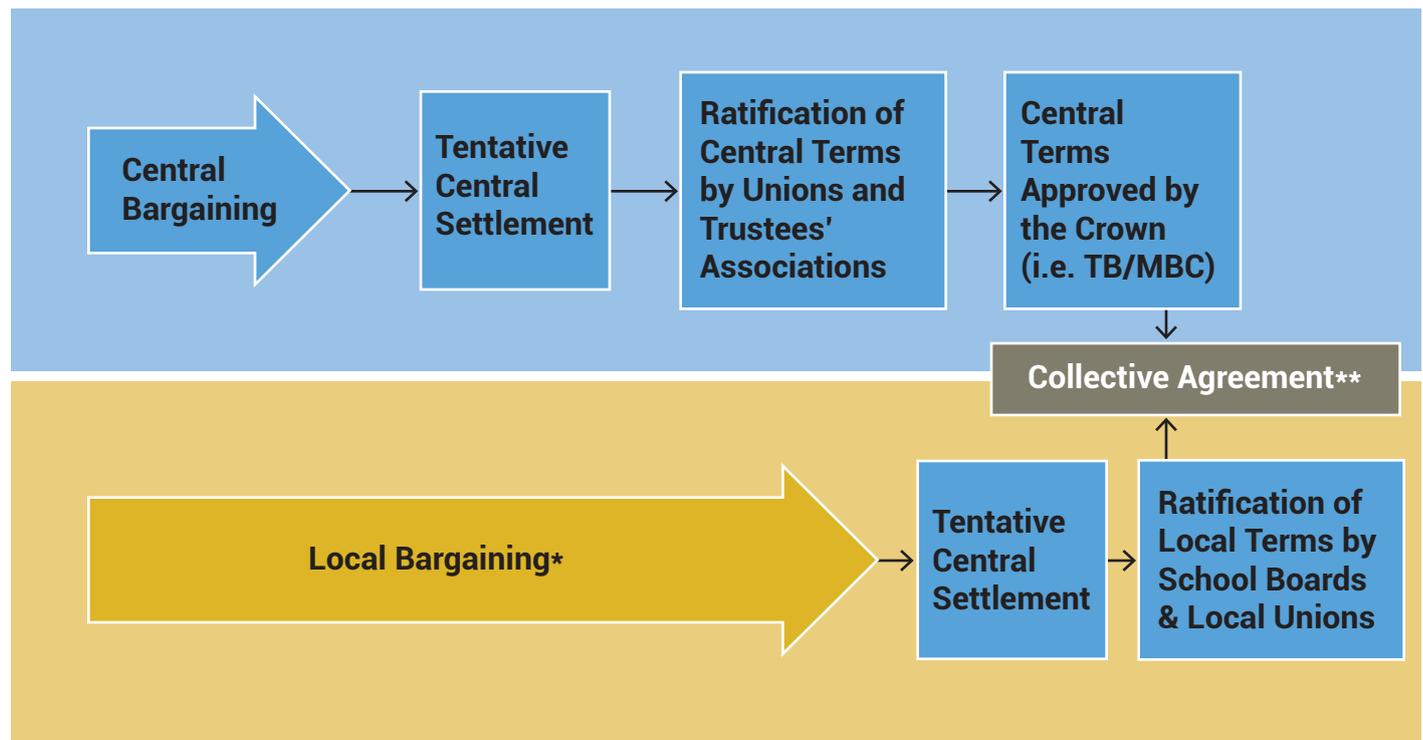
The parties meet to begin the process of negotiating the collective agreement. At the central table these negotiations include the Crown as a participant rather than a party to the central terms. Most collective agreements are settled without conflict.

Ratification

Following an agreement being reached, the employer and the union require ratification through their mandated processes.



School Boards Collective Bargaining Act: Ratification Pathway



TB/MBC: Treasury Board/Management Board of Cabinet

Under the SBCBA:

* Local bargaining may occur in concert with central bargaining or sequentially.

** A collective agreement is only completed once both central and local agreements are ratified.

Failure To Reach An Agreement

Should negotiations break down, unions and federations have the right to strike and the employer has the right to lock out their employees and, under certain conditions, to impose new terms and conditions of employment. A strike includes any action or activity undertaken collectively with the intent to stop or limit the normal operation of the board, including regular classroom programs. The following are considered strike actions: withdrawing services; work to rule; and curtailing the performance of the duties of employees. The right to strike and lock out exists at both the central and local levels, for the two tiers of bargaining.

The following must occur before unions/federations can strike or an employer may lock out:

- One party has served the other with notice of intent to bargain
- The collective agreement has expired
- There has been conciliation conducted by a conciliation officer appointed by the Ministry of Labour and a no board report has been issued by the Minister
- Fourteen days have elapsed since the release of the no-board report
- A strike has been supported by a majority of the employees voting in a strike vote
- One party has provided five calendar days' notice for any strike or lock out activity.

Should a strike occur, the government could choose to enact back to work legislation if the Education Relations Commission advises that the school year is in jeopardy. Even though a strike or lock out may be ongoing, the parties remain under a duty to seek a negotiated settlement and to bargain in good faith.

Mediation and Arbitration

While mediation services are often initiated by the Ministry of Labour if a strike or lock out occurs or is likely to occur, both parties may jointly agree to the appointment of a mediator in an attempt to resolve outstanding issues at any time.

Arbitration can be non-binding or binding, and each carries risks and advantages and should only be requested after consultation with legal counsel and/or other professionals experienced in such proceedings.

At any time during the bargaining process, the parties may jointly agree to refer all matters remaining in dispute to final and binding arbitration.

Contract Administration

Parties to a collective agreement are responsible for its implementation. The SBCBA includes provisions for a central grievance arbitration process and a local grievance and arbitration process. Arbitration and settlements can continue to be used to resolve disputes at the local level involving both central and local terms. The designated Employer and Employee Bargaining Agencies will have access to final and binding arbitration or settlement to resolve differences about any central terms of a collective agreement. For central grievances, the parties are school board/trustees' associations and provincial unions. The Crown is not a party to central grievances, but will have the right to participate in arbitrations and its agreement is required for a settlement.



Parent and Community Engagement

Education is a shared responsibility. Trustees are part of a large education team that includes students, their parents, guardians and communities, educators and all board staff, 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 and well-being. Active community involvement helps to create strong, vibrant school communities where partnerships with parents and community support student success.

An important challenge and opportunity for school boards today is to identify and address discriminatory biases and systemic barriers in education. By actively engaging a diversity of stakeholders and community, school boards lay a strong foundation to support the families and students they serve.

School boards can promote healthy partnerships with parents and the communities by:

- Ensuring schools and the school system are accessible and welcoming to parents and other members of the community

- Allowing the public open access to relevant information about educational policies, programs, and services
- Conducting outreach to invite a diversity of opinions and voices that may not have been heard, including those of marginalized communities
- Creating meaningful opportunities for input and advice 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 (both inside and outside), equipment and materials, entertainment (sporting or artistic events), human resources (both the staff and the students), supports and programs for students, community partnerships, and may include courses and activities for the broader community.

Promoting Parent Engagement

Parents want to know what their children are learning and doing at school, how they are progressing and how they can help their children at home.



Parent engagement strategies should create a welcoming environment for parents and support their participation in their children's education. When schools succeed in engaging parents and families, there is a strong and positive connection to improved student achievement and well-being.

The evidence of the benefits of families being involved in their children's education is overwhelming. Parent engagement in their children's learning positively affects academic performance in both elementary and secondary schools and leads to:

- Improved academic achievement
- Greater cognitive competence
- Greater problem-solving skills
- More school enjoyment
- More consistent school attendance
- Fewer behavioural problems at school.

Studies show that children whose parents are involved demonstrate greater social and emotional development including:

- More resilience to stress
- Greater life satisfaction

- Greater self-direction and self-control
- Greater social adjustment
- Positive mental health and well-being
- More supportive relationships
- Greater social competence
- More positive peer relations
- More tolerance.

These advantages continue throughout childhood into adulthood.

Examples of parent engagement encompass a wide range of activities:

- Participating on School Councils, Parent Involvement Committees (PICs) or school board advisory committees,
- Attending school events and committee/board meetings
- Volunteering for field trips and school activities
- Ensuring a quiet place is available to do homework
- Helping with homework and actively reading with children
- Meeting with teachers and other school staff

- Spending time talking to children about their day at school.

Whether the activity is in the school or in the home, the engagement of parents and family makes an important contribution to their children's school experience and success.

Parent Engagement Policy

Ontario's parent engagement policy:

- Recognizes and supports the role parents have in contributing to their children's learning at home and at school
- Recognizes, encourages and supports many forms of parent engagement
- Identifies strategies to remove barriers to parent involvement that may prevent some parents from fully participating in their children's learning and to reflect the diversity of our students and communities
- Supports parents to acquire the skills and knowledge they need to be engaged and involved in their child's learning

provides a parent voice at the local level (for example, [parent involvement committees](#), and [school councils](#) and as well as individual parents talking to teachers and principals).

This policy sets out four strategies for success; includes an action plan for schools, boards and the ministry; and showcases some of the many exemplary practices across the province. The full policy is available at: [Parents in partnership: a parent engagement policy for Ontario schools | ontario.ca](#)

There are two formalized groups that support parent engagement: School Councils and PICs. The mandate and structure of each group is set out in [Ontario Regulation 612/00: School Councils and Parent Involvement Committees](#).

Within the Ministry of Education, the Inclusive Education and Parent Engagement Unit helps develop and implement parent engagement initiatives across the province. This includes materials available on the ministry website, such as School Councils: A Guide for Members ([School councils: a guide for members | ontario.ca](#)), Tips for School Councils ([Involving parents in the school: tips for school councils | ontario.ca](#)) and Making a Difference: A Practical Handbook





for Parent Involvement Committee Members ([Parent involvement committee handbook | ontario.ca](#)).

The Role of School Councils

Active and involved school councils offer parents and guardians an effective way to engage and participate in their children's school. The ministry provides school boards with funding to support the work of these committees. 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 the school principal and, where appropriate, to the local school board. Part of a school council's role is to help ensure their school responds to local needs and reflects local values and the diversity of the community.

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. See for example: [Involving parents in the school: tips for school councils | ontario.ca](#)

School boards and principals are required to consult school councils before they make decisions on certain matters, such as policies about appropriate dress for students, or policies affecting the operation of school councils. A comprehensive list of the areas requiring consultation with school councils by principals and school boards is set out in regulation as well as in *School Councils: A Guide for Members*. 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 *Education Act*, regulations and any applicable board policies. School boards are encouraged to work collaboratively with school councils to promote understanding of the legislation that established school councils and their purpose and goals, as well as relevant board policies.

The school councils of the board may also have linkages to provincial groups: Ontario Reg 612/00 requires that if one of the three provincial parent associations (Ontario

Federation of Home and School Associations, the Ontario Association of Parents in Catholic Education, or Parent Partenaires en Éducation) is established with respect to a school, there must be an appointed member of the association on the school council [s.3(1)].

The Role of Parent Involvement Committees (PICs)

Every school board is required to establish a PIC. Regulation sets out provisions for the composition, function, and mandate of the PIC. The ministry provides school boards with funding to support the work of this committee.

These committees are formal structures and important advisory bodies to the board. They are a 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 well-being throughout the board and its schools. 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 also members of the PIC. Subject to board by-laws, a PIC can include a principal, teacher and/or

support staff. PICs help the school board to communicate with parents and to ensure parents have a voice.

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 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 parent engagement, including outreach to parents who find involvement more challenging and face barriers such as language, recent immigration, poverty, newness to the system or other factors. PICs develop strategies the board could use to effectively communicate and engage parents, and work with the school councils of the board and employees of the board to identify and reduce barriers to parent engagement. PICs can promote the initiatives of school councils, encourage dialogue on relevant board policies and help share effective practices that support





parent engagement in their children's learning and well-being. 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.

Parents Reaching Out Grants

Ontario's Parents Reaching Out (PRO) Grants provide funding to school boards to work with parents to support projects and initiatives which remove barriers at the local level that prevent parents from participating and engaging fully in their children's learning and educational progress.

Promoting Community Involvement

School boards and school communities can also encourage partnerships with:

- Local professionals, seniors, and other individuals
- Community associations, such as multicultural associations, service clubs, other citizen groups, and groups promoting and supporting equity, diversity, and inclusion (Egale Canada, Learning Disabilities Association of Ontario, (LDAO), Chinese Canadian National Council for Social Justice (CCNCs)),

Regroupement ethnoculturel des Parents Francophones de l'Ontario (REPFO), Jaku Konbit, etc.)

- Child care centres, recreational programs and community service agencies (YMCA, Boys and Girls Clubs, Kids Help Phone, Ontario Association for Children's Aid Societies, Ontario Council of Agencies Serving Immigrants (OCASI), etc.)
- Religious institutions, artists, musicians, and cultural organizations
- Municipalities (through parks, libraries, and other community facilities)
- Community colleges and universities
- Emergency / First Responder services
- Health care institutions, such as hospitals, nursing homes, community mental health agencies, and family health clinics
- The private sector, including businesses, boards of trade, and chambers of commerce.

All of these potential partners can help to enrich the life of the school and its community.

Community Engagement

Community engagement in public education recognizes and values the right of community members to have input into the decisions that affect the lives and education of the community's children. It is the process of building relationships with community members who will work with the school board as an ongoing partner and support its mission with the end goal of making the community a better place in which to live.

The *Education Act* establishes the duty of the elected board to engage with the communities of the board in setting the board's strategic direction and goals. Trustees are expected to consult with parents, students, and constituents of the board on the board's multi-year strategic plan. The elected board must make its constituencies aware of the plan and report on progress on implementation of the plan. The plan demonstrates the board's responsiveness and accountability to its community and reflects community values and priorities.

Community engagement is a purposeful exercise. It is a collaborative process aimed at reaching a shared understanding of preferred solutions to identified problems or the needs and priorities of the communities of the board.

How Trustees Can Support and Promote the Parent and Community Voice

Trustees can support the work of school councils and PICs 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 the board reports back to school councils or the PIC on the actions taken by the board in response to advice provided by school councils or the PIC (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
- Promoting and encouraging collaborative relationships among the board, school councils, the PIC, and the broader school community



- Engaging school councils and the PIC in consultations on important issues affecting all students and families, in particular the board's multi-year strategic plan, the annual board budget, the school year calendar, equitable access to technology, the board's equity plan, the board's Indigenous Education plan, student census data collection processes, and hiring criteria for senior leadership positions.

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, equitable, inclusive, time-efficient, and accessible.

The Ministry of Education's Multi-Year Strategic Planning: A Guide for School Board Trustees (<https://www.ontario.ca/page/school-board-governance-resources>), is a resource designed to support school boards with their responsibility to develop, implement, and monitor a multi-year strategic plan. This guide makes a distinction between two types of engagement with stakeholders: ongoing community engagement and formal stakeholder engagement. It includes questions such as:

- What is the level of parent and community engagement in our board?
- What have we done to identify and remove barriers that prevent marginalized families from becoming more involved?

Making Connections in the Community

In addition to working in their own school board, some trustees sit on other boards in the community, such as library boards, district health councils, hospital boards, immigrant settlement agencies, and boards of trade. Trustees may also participate in community service clubs. Although this involvement is not a requirement of the

trustee's role, building 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

Be committed. A school board should not simply view community engagement as one of its projects but as a way of doing business.

Be accountable. Demonstrate that the board leadership is committed to engaging with all communities within the board and be clear about roles and responsibilities for maintaining communication. Let communities know that their input makes a difference in outcomes and keep them informed of the progress in strategic planning efforts, in particular through the Director's Annual Report.

Be transparent. Board information, business practices and decision-making processes should be highly visible, easily accessible and accountable and open to participation.

Schedule public forums appropriately. At forums and consultations, consider limiting verbal input to three to four minutes per person, and invite presenters to provide a short, written summary to serve as the "official record" of their presentation.

Build trust. This means building or rebuilding relationships with constituent groups including board staff, students, parents, volunteers, community members and business leaders. Respond to phone calls, emails, or letters in a timely manner and ensure appropriate follow-up takes place and that matters are brought to closure as effectively as possible.

Know the board's communities. Get to know stakeholders thoroughly. Take the time to gather information and be available to meet with people face to face.

Make effective use of all communication vehicles. Don't underestimate the power of clear, succinct messages in parent newsletters and the local media. Take advantage of school gatherings. Ask to speak at local civic organizations. Most people want to know what is going on and want to support public education.

Use technology and online communities. Social media platforms help give voice to citizens who care about public schools but do not want to attend public engagement activities.

Be clear and use simple language. Every message should be viewed as a "report to the shareholders." Don't assume prior knowledge. Every message should stand on its own. Only use educational terms if absolutely necessary and even then, define them. Provide access to multi-language translation, and for critical important information, provide it directly in the most commonly used languages in the community.

Use graphics and lists where appropriate. Key information in point-form or conveyed through an appealing graphic is more user-friendly than dense text.

Deliver key messages in ways most likely to reach the target audience. Audiences want to hear what the core message is. They don't want it buried in the process that was followed.

Frame the essential questions to guide dialogue. Reflective thinking can be enhanced by pointed questions. Invite key constituents to respond to these questions. Wide-open public forums may invite confusion and grandstanding.

Have a clear process to express concern after decisions are made. After any public debate is complete and decisions have been made, ensure that the process used to reach the decision is known. If individuals still object to the outcome, make sure everyone knows in writing what the process is to express concern, and make it available to the all stakeholders.

Explore new tactics. Be creative in the methods used to encourage stakeholders to become actively engaged in the board and its schools. From parents and senior citizens to business and religious communities, take the necessary steps to target information to them and invite their increased awareness and participation in ways that work uniquely for them.

Adopt equitable and inclusive practices. Be proactive to review school board practices, policies and decisions with an equity lens so diverse groups and the broader community needs are respected and included. Boards should be prepared to invite and consider a diversity of views and implement strategies that identify and remove discriminatory barriers that limit engagement by students, parents, and the community.

Create welcoming schools. Ensure all who are entitled access to the school are made to feel welcome, engaged, and valued.

Other opportunities to engage parents include school board special committees and consultation groups. Two important examples are the Special Education Advisory Committee (SEAC – see chapter 8 for more detail) and the Indigenous Education Council (IEC – see chapter 6).

Trustees may wish to review Module 9 – Family and Community Engagement in the Ontario Education Services Corporation's *Good Governance for School Board Trustee Professional Development Program* at <http://modules.ontarioschooltrustees.org>

Notes:

Communications, Media Relations and Social Media

School board trustees are locally elected public representatives who serve as the community's advocate for public education. Communicating with the community and ratepayers is an important part of the trustee's role. Trustees have a responsibility to share how school boards are providing equal opportunities for all students to reach their maximum potential, how tax dollars are being spent in this endeavour, and how to participate in discussions on the allocation of education resources in their community.

This chapter offers trustees guidelines on how to communicate effectively, with families, school councils, other ratepayers, community associations and the media.

Board Communication Policies and Procedures

School boards are committed to open and inclusive communication with all stakeholders. Most school boards have a communications department that is guided by board procedures on communication responsibilities, and how to provide informed, effective and responsive communications. These procedures, and board policies, support trustees in communicating with their community.

It is important for school board trustees to review the board's policies/procedures on communication. These procedures, along with the support of the board communications department, will assist trustees in being informed and prepared to address community questions and concerns. A defined communications procedure will help advance the strategic and operational goals of the board.

Principles of Effective Communication

Preparation

Whenever possible, consult with your colleagues and board staff about the board's position on an issue or topic before communicating with the public or media (see the section on media relations below) when speaking or in a written statement. Remember that the *Education Act* stipulates that the board chair acts as the spokesperson on behalf of the board of trustees unless designated otherwise. Refer to board policies/procedures for appropriate key messaging (if available) or follow up with the director of education's



office and board communication staff for important content and guidance on key messaging. Remember the purpose of key messages is to build trust, transparency and understanding among the key stakeholders and audiences of the board.

Good key messages are short and simple and articulate the board's position on a given issue. Key messages are often designed for a specific audience and address those aspects of an issue that the board ultimately wants the audience to understand.

When making a presentation or preparing to communicate with constituents, it's a good idea to write out the main points using the board's key messages and rehearse them. Think of all possible questions that may be asked. If confronted with an unanticipated question, take time to think before answering. If you don't know the answer, indicate that, and if possible, refer the person to someone who is likely to know.

Review the board and/or trustee association media roundups (media monitoring) of local, provincial and national education-related coverage to stay apprised of current education issues. Your board's communication

department usually also has a pulse on timely or hot button issues. Reviewing key education-related social media accounts is also an efficient way to keep up with the latest news on various topics relevant to the school board.

Confidentiality

Trustees have an obligation to maintain privacy and confidentiality. As members of the school board, trustees must comply with protection of privacy legislation and board policies. 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 discussions or material from a board's private session to stakeholders or a member of the media.

Public Confidence

It is important that trustees support the process of democratic decision-making. During board meetings, some disagreement or controversy is almost inevitable, however, once a decision has been made, trustees are required to uphold all decisions of the board. Trustees should be able to explain the rationale for those decisions, even if they did not

support them individually.

Confirm with board staff that background information is also available to the public on the school board website and that they or the spokesperson (e.g., chair of the board) will send it automatically to local media. Where the situation warrants, boards can also 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.

Responding to Family/Public Concerns

School boards are committed to developing strong relationships with families, school communities and the public. Sometimes, families, students, staff or members of the public contact a trustee because of an issue they feel isn't being addressed. It is important that trustees review their board's policy on responding to concerns. In most cases, concerns and questions, especially those related to students, should be dealt with at the level closest to the issue. The board and trustees must comply with all relevant legislation as it relates to privacy for all members of the community.

Communication Tips

Be clear and concise: Always speak and write in plain language. Avoid educational jargon or overly technical terms. Provide only necessary background information and keep it simple and easy to understand. Defer to subject matter experts (board staff) when more context or detailed information is needed.

Be inclusive: Use inclusive language that respects everyone and ensures no one feels excluded. This means avoiding generalizations, stereotypes and prejudiced language. Take time to educate yourself about offensive words or phrases. Your board may have an inclusive language guide or diversity style guide for reference. In addition, review your board's policies or procedures regarding equity, diversity, inclusion and safe schools to ensure you are compliant with human rights legislation.

Be accessible: Be mindful of who needs to know, when they need to know and how they usually access information. Use a variety of information-sharing approaches to reach all audiences. Ensure you adhere to accessibility standards as set out in the *Accessibility for Ontarians with Disabilities Act* (<https://aoda.ca/what-are-accessible-formats/>). Be aware of and respond to communications barriers, such as





language and culture. Boards can, for example, often arrange for translations of communications and interpreters for critical meetings and interviews.

Be calm: Stay calm during any discussion. Showing sensitivity and empathy is an authentic way to handle a disagreement or contentious situation. Losing control will only affect the message you are trying to convey and potentially damage your and the board's reputation.

Be honest: Always tell the truth. Use factual and credible points that are not open to interpretation. If an issue can't be discussed, such as an in-camera item, state that you are not able to discuss the matter and indicate when it will be dealt with publicly (if applicable). Remember, some items such as legal or human resources matters, cannot be disclosed to the public. Don't risk the long-term consequences of speaking recklessly or unprepared.

Be proactive: The *Education Act* requires a board to make its meetings public. As a trustee, you may encourage attendance at board meetings by highlighting the issues that will be discussed. Posting information on a personal website or social media is an effective and timely way to inform the community of emerging issues.

Working with the media

For many people in Ontario, what they learn about schools comes from the media or social media. Media outlets are aware that a large percentage of their audience are families with children and youth who attend local schools or other residents who are concerned about the impact local schools have on their communities.

Trustees, in partnership with school board staff, should be committed to working with media outlets to provide ongoing, timely and newsworthy information about schools in the region. When a reporter calls about a story, it is important to respond in a timely and professional manner to develop positive working relationships with media and to ensure the school board position is included in their coverage when and where appropriate.

Each school board's policy on communication with the media will differ because of varying needs and resources. The *Education Act* stipulates that the board chair acts as the spokesperson on behalf of the board of trustees unless designated otherwise. Trustees should understand their board's policy before contacting or responding to media. It's also wise to allow the board communications

department to contact the media to solicit key information to ensure the board is well prepared to respond.

Media Outreach

Trustees should consult with board staff and/or the board chair before taking an unsolicited story to the media. Again, review the board's policy on communication in advance. If you have a story idea, consult the board's communication department who are well versed in what media are and aren't likely to pursue as a potential story. Communications staff can help assess if your idea is newsworthy and any potential risks or pitfalls to sharing it with the media. Communications staff also often have additional information on province-wide media and/or risk management issues which is a key consideration when dealing with the media. There are cases when media interviews aren't the best way to respond or aren't possible based on the reporter's deadline. In these cases, the board's communication staff will provide guidance in developing a written response or a holding statement if information is still being gathered.

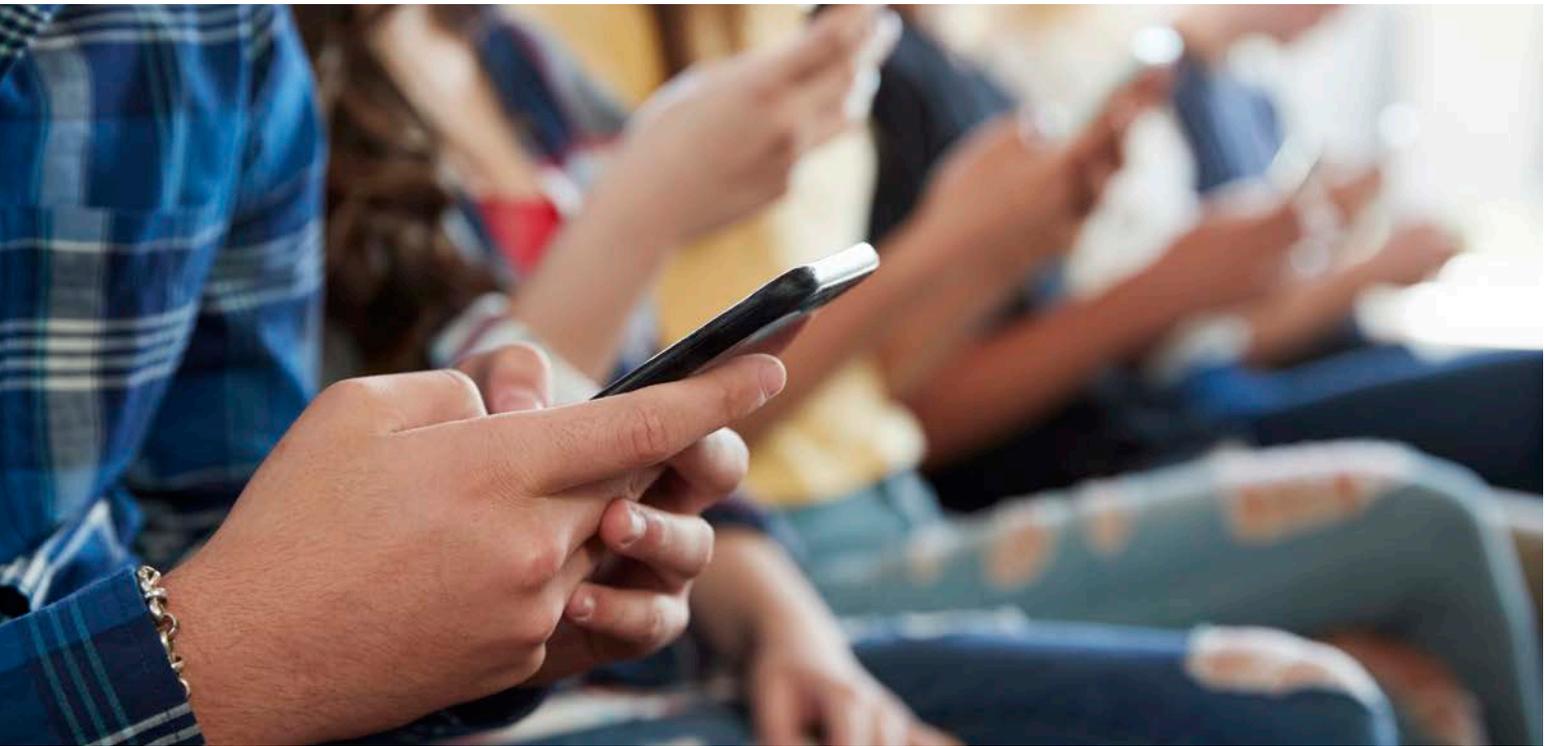
Responding to Media

Despite an official statement or interview with the board's official spokesperson, reporters may approach individual trustees for comment, especially if the issue is connected to a school in a particular trustee area. If that happens, again, follow the board's policy on communicating with the media.

If you've reviewed your board's policy on communication with the media and you are permitted to address the issue (as official board spokesperson, the board chair has approved it), it's a good idea to consult with communications staff who may already have prepared key messages or briefing notes on the topic. Even if you feel you may not require these messages, it is important to review them to ensure the consistency of the board's message or stance on a particular issue or topic. If a reporter requests an off-the-record conversation, do not reveal anything you would not want to become part of the record. Assume that everything you say could become part of the record and proceed accordingly.

Communications staff should always be alerted that a media inquiry has been made. Further, if media have requested an interview at a school site, communications





staff should be made aware as there are procedures governing media attending school sites which include student and staff safety and privacy.

Communications staff also can provide media tips and training to board chairs and trustees.

Inaccurate Media Coverage

There are occasions when coverage resulting from a media interview isn't ideal or is incorrect. When it is an issue of tone or context, there may not be much to do to change the piece, and it may in fact keep a negative story in the news for longer than it would have been otherwise. In these cases, although it may be tempting to contact the reporter to voice discontent, if everything in the story is accurate, it's unlikely this will result in any changes and is not advised. If, however, the story has a factual error, it is important to let the reporter know about the error as soon as possible and provide a suggested correction. Trustees should consult with communications staff to discuss a strategy before moving forward.

Communicating on Social Media

Using a social media tool (Twitter, Facebook, Instagram, YouTube, TikTok, LinkedIn, WhatsApp, Snapchat etc.), can demonstrate a genuine interest in engaging with communities. The use of online tools gained even greater popularity as a result of the pandemic as an alternative and creative way to communicate to and with communities.

Social media also allows trustee associations to communicate directly with key online audiences as part of wider efforts to be accountable and transparent to the education community. Social media allows these associations to extend the reach of their strategic messaging by building relationships with school board stakeholders, the media, and the wider community.

Many schools have transitioned to mostly digital tools to match the communication preferences of families. Most hard copy communications will never be as current or as quickly dispatched as online tools. Twitter, Facebook, classroom and school blogs and websites have changed the way families get news from schools.

Most, if not all, school boards now have a social media presence on at least one or two popular social platforms like Twitter. Boards have procedures on how staff and the board use these tools and you should consult your board's policies to familiarize yourself if you choose to use social media in your communications.

Trustees may wish to explore social media as another way to reach families and ratepayers and build support for public education and local school board issues. If you choose to use social media, be informative and ensure you welcome a range of viewpoints. Social media must be democratic to be constructive. As with any communication, consider barriers such as language proficiency, culture and accessibility. If posting an image with text, for example, ensure you are using accessible features such as alternative text so that it can be read by a screen reader.

Trustees who choose to use social media should review Module 18 – Social Media in the Ontario Education Services Corporation's *Good Governance for School Board Trustee Professional Development Program* at <https://modules.ontarioschooltrustees.org/Modules/18-Social-media.aspx>. This resource includes tips and useful information about how to use social media effectively and responsibly as an elected official.

School board communications staff may also offer trustees training sessions on social media and other ways to best engage with local audiences.

School Board/Trustee Association Social Media Platforms

Ontario Public School Boards' Association (OPSBA)

- Twitter <https://twitter.com/OPSBA>
- Instagram https://instagram.com/opsba_official
- Facebook <https://www.facebook.com/OPSBAOfficial>

Ontario Catholic School Trustees' Association (OCSTA)

- Twitter <https://twitter.com/CatholicEdu>
- Facebook <https://www.facebook.com/CatholicEducationInOntario>
- Instagram <https://www.instagram.com/catholicedu>



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

- Twitter <https://twitter.com/acepontario>
- Facebook <https://www.facebook.com/ACEPOntario/>

Association franco-ontarienne des conseils scolaires catholiques (AFOCSC)

- Twitter <https://twitter.com/afocsc>
- Facebook <https://www.facebook.com/afocsc.afocsc.1>
- Instagram <https://www.instagram.com/afocsc/>

APPENDIX A



School Board/Trustee Associations/CODE – Contact Information



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

Executive Director: Isabelle Girard

439 University Avenue, Office 800
Toronto, ON M5G 1Y8

Phone: 647-499-4261

E-mail: info@acepo.org

Website: <https://www.acepo.org>

Twitter: @ACEPOntario

Facebook: ACEPOntario



Association franco-ontarienne des conseils scolaires catholiques (AFOCSC)

Executive Director: Yves Lévesque

372 Bay Street, Suite 701
Toronto, ON M5H 2W9

Phone: 416-250-1754

E-mail: info@afocsc.org

Website: <https://afocsc.org>

Twitter: @AFOCSC

Facebook: Afocsc Ontario



Ontario Catholic School
Trustees' Association

Ontario Catholic School Trustees' Association

Executive Director: Nick Milanetti

Box 2064, Suite 1804
20 Eglinton Avenue West
Toronto, ON M4R 1K8

Phone: 416-932-9460

E-mail: ocsta@ocsta.on.ca

Website: <https://www.ocsta.on.ca>

Twitter: @CatholicEdu

Facebook: CatholicEducationinOntario

Instagram: <https://www.instagram.com/catholicedu>



ONTARIO PUBLIC
SCHOOL BOARDS'
ASSOCIATION

Leading Education's Advocates

Ontario Public School Boards' Association (OPSBA)

Executive Director: Stephanie Donaldson

439 University Avenue, 18th Floor
Toronto, ON M5G 1Y8

Phone: 416-340-2540

E-mail: inquiry@opsba.org

Website: <http://www.opsba.org/>

Twitter: @OPSBA

Instagram: OPSBA_Official

Facebook: OPSBA_Official



Ontario Association of
School Business Officials

Council of Senior Business Officials (COSBO)

Executive Director: Peter Derochie

320 Bloomington Road West
Aurora, ON L4G 0M1

Phone: 905-713-0707

E-mail: cosboed@oasbo.org

Website: <https://www.oasbo.org/page/COSBOCtee>



Council of Ontario Directors of Education (CODE)

Executive Director: Laura Elliott

1123 Glenaston Drive
Oakville, ON L6H 5M1

Phone: 905-845-4254

E-mail: laura@ontariodirectors.ca

Website: <https://www.ontariodirectors.ca>

APPENDIX B



Constitutional Provisions on Rights to Education

Canadian Charter of Rights and Freedoms, section 23

Minority Language Educational Rights

Language of instruction

23. (1) Citizens of Canada:

- a. whose first language learned and still understood is that of the English or French linguistic minority population 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.

Continuity of language instruction

- (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 school instruction in the same language.

Application where numbers warrant

- (3) The right of citizens of Canada under sections (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.

Constitution Act, 1867, sections 93 and 93A

Education

Legislation respecting Education

93. In and for each Province the Legislature may exclusively make Laws in relation to Education, subject and according to the following Provisions:

1. Nothing in any such Law shall prejudicially affect any Right or Privilege with respect to Denominational Schools which any Class of Persons have by Law in the Province at the Union;
2. All the Powers, Privileges, and Duties at the Union by Law conferred and imposed in Upper Canada on the Separate Schools and School Trustees of the Queen's Roman Catholic Subjects shall be and the same are hereby extended to the Dissident Schools of the Queen's Protestant and Roman Catholic Subjects in Quebec;
3. Where in any Province a System of Separate or Dissident Schools exists by Law at the Union or is thereafter established by the Legislature of the Province, an Appeal shall lie to the Governor General in Council from any Act or Decision of any Provincial Authority affecting any Right or Privilege of the Protestant or Roman Catholic Minority of the Queen's Subjects in relation to Education;

4. In case any such Provincial Law as from Time to Time seems to the Governor General in Council requisite for the due Execution of the Provisions of this Section is not made, or in case any Decision of the Governor General in Council on any Appeal under this Section is not duly executed by the proper Provincial Authority in that Behalf, then and in every such Case, and as far only as the Circumstances of each Case require, the Parliament of Canada may make remedial Laws for the due Execution of the Provisions of this Section and of any Decision of the Governor General in Council under this Section.

Quebec

93A. Paragraphs (1) to (4) of section 93 do not apply to Quebec.

APPENDIX C



History of French-Language Education In Ontario

- 1786** The first French language school in Ontario opens in the parish community of Notre-Dame de l'Assomption (Windsor).
- 1841** The Sydenham School Act of the United Province of Canada is adopted and defends the right to establish non-denominational public school boards and leads to the appointment of a Superintendent of Education for Upper Canada.
- 1843** The United Province of Canada establishes a law to protect the educational rights of the Protestant minority in Canada East (Quebec) and the Catholic minority in Canada West (Ontario). These are called "separate" schools.
- 1844** Egerton Ryerson, Superintendent of Education in Ontario, creates the public school system as we know it today, open to all and free. A few years later, he will advocate for the use of French as the language of instruction in schools, where parents request it, since French is one of the country's official languages.
- 1863** The Scott Act grants Catholics the right to establish faith-based schools, to benefit from the Common School Fund (government grants) and even to levy school taxes.
- 1867** The British North America Act produces the Constitution of Canada. Section 93 of the Constitution protects the rights of religious minorities to education, which they have retained up to this point.
- 1876** Establishment of the Ontario Ministry of Education
- 1885** English becomes a mandatory subject in all schools, including French language schools.
- 1910** Creation of the Association canadienne-française d'éducation de l'Ontario (ACFEO) to uphold the rights of francophones in matters of education

- 1912** Drafted in June 1912, Regulation 17 would mandate English as the language of instruction and communication with students in all public and separate schools in Ontario, including French schools.
- 1913** Regulation 17 is revised and adopted in August. It prohibits the use of French as the language of instruction and communication within public or separate schools, including French-language schools, starting in grade 2.
- 1915** Regulation 17 becomes law in April.
- 1927** The Scott-Marchand-Côté Report recommends that the French and English languages be given equal consideration and use in teaching and in other communications. In French elementary schools, inspectors should be bilingual and of Francophone origin.
- 1928** Circular 46, known as the “Grande Charte”, is the first curriculum written specifically for French language schools.
- 1936** The Hepburn government passes legislation that ensures equitable distribution of corporate and commercial property taxes to Catholic school boards.
- 1940** French-language public high schools exist only in areas where Francophones are a majority. Some separate French-language schools offer education up to grade 10. After grade 10, to continue their learning to grade 12, Francophone families must choose between private schools or English-language public high schools, therefore between double taxation or assimilation.
- 1944** Regulation 17 is removed from the Ontario’s statutes.
- 1950** The Royal Commission on Education in Ontario finds French-language education does not have appropriate status and that this situation needs to be remedied.
- 1967** Ontario Premier John Robarts denounces the fact that too many young Franco-Ontarians are dropping out of school before completing their high school education. The Ministry of Education opens an investigation into the situation of Franco-Ontarians in their school system.
- 1968** Release of the Bériault Report:
Bill 121 recommends that schools or classes in French-language public elementary schools be established to provide French-language instruction to Francophone students. A request must be made by ten Francophone ratepayers of a board of education or separate school board.
Bill 122 allows for the funding of French-language public high schools. Catholic separate high schools are not eligible for this funding. French-language advisory committees are also created within boards of education (public schools).
In July, Bill 141 grants, but does not require, Francophones the right to be taught in French and to establish high schools where numbers warrant.
- 1982** Section 23 of the Canadian Charter of Rights and Freedoms protects the constitutional rights of parents, whose mother tongue is that of the minority and who have received their elementary education in that language, to send their children to an elementary school and a high school where the language of instruction is also that of the minority, and where the numbers justify it.
- 1983** The Ontario Reference on Education to the Ontario Court of Appeal strikes down the provisions of the Education Act that give school boards discretion to determine the number of children required for the provision of French-language education.

- 1984** In June, Premier William Davis announces additional funding for grades 11, 12 and 13 in Ontario's Catholic schools.
- 1985** The Ontario government submits its Bill 30, for the full funding of Catholic high schools, to the Ontario Court of Appeal for constitutional review. It is found to be constitutional and adopted on June 23, 1986, by the Legislative Assembly of Ontario.
- 1986** On October 1, Bill 75 gives voters the right to elect Francophone school trustees and thereby ensure that Franco-Ontarian education would be managed by Francophones.
- 1988** Creation of the first French-language school board by the public school system rights-holders of the Toronto urban community.
- 1989** Opening of the Cité collégiale
The Conseil scolaire de langue française d'Ottawa-Carleton begins operations with Catholic and public sections.
- 1990** Bill 64, effective January 1, 1990, allows Catholic boards partial access to commercial and industrial taxes.
The Mahé Case - The Supreme Court concludes that Section 23 of the Charter recognizes the right of Francophones to the management and control of their education.
- 1991** The Advisory Group on French-Language Education Management releases its report.
- 1993** Regulation 297 recognizes faith education as a didactic and a teachable subject.
- 1994** Dissolution of the Conseil scolaire de langue française d'Ottawa-Carleton and formation of the Conseil des écoles publiques d'Ottawa-Carleton and the Conseil des écoles catholiques de langue française de la région d'Ottawa-Carleton
- 1995** The Sweeney Report is released by the Task Force on Ontario School Board Reduction.
- 1997** Francophones gain control of their Catholic and public school boards and receive equitable funding.
- 1998** Creation of French-language District School Boards (8 French-language Catholic school boards and 4 French-language public school boards)
- 2004** The government adopts an Ontario *Aménagement Linguistique Policy (PAL)* for French-language education in the province.
- 2011** The Consultation Policy on Governance of French-Language Education is issued, recognizing the importance of consulting with its French-language education partners on proposed amendments to the Education Act or its regulations, if it is determined that these could have an impact on the governance of French-language education.
- 2014** The Ministry of Education extends the Teacher Education Program by one year, including the French-language Teacher Education Program, and removes half of the publicly funded student seats in all faculties of education in Ontario.
- 2017** The Ontario government amends the Education Act to create a new not-for-profit entity called the Consortium Centre Jules-Léger, to operate as a school board, and govern provincial and training schools already in existence and known as "Centre Jules-Léger".

- 2020** A Task Force on Teacher Shortages in Ontario's French-Language Education System is created. It is established to recommend solutions to the provincial government to address the shortage of Francophone teachers in Ontario.
- Governance is officially transferred to the Consortium Centre Jules Léger in August, making it the 13th school board of French-language education in Ontario.
- 2021** The Task Force on the Shortage of French-Language Teachers in Ontario submits a comprehensive report to the Minister of Education in January, outlining its recommendations for addressing the shortage.
- The Université de l'Ontario Français (UOF) in Toronto, the first postsecondary institution by and for Francophones in Ontario, opens its doors in November.
- 2023** Celebration of the 25th anniversary of the creation of French District school boards in Ontario.

APPENDIX D



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.

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.

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.

BAP

The Board Action Plan on Indigenous Education is a planning and reporting tool used by Boards to co-develop initiatives to support Indigenous students and enhance learning of all students.

BIEP

The Board Improvement and Equity Plan is a continuous quality improvement plan that standardizes provincial

education priorities, goals, and performance indicators to guide school boards in identifying and eliminating disproportionalities in students' outcomes and experiences in school, and to increase accountability and transparency between school boards and their local communities. Through the use of student demographic data, the BIEP guides boards in developing action plans that are responsive to the needs of their students and local communities.

CESBA

Ontario Council of Adult and Continuing Education School Board Administrators. CESBA is a provincial non-profit professional association that represents, advocates for and supports adult and continuing education program staff working in nearly 60 school boards across Ontario.

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, CODEC 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).

COSBO

Council of School Business Officials. Members include superintendents of business or senior business officials from all four school board systems.

COSHRO

Council of Senior Human Resource Officials. Members include representative superintendents of human resources or other senior human resources officials from all four school board systems.

COTERMINOUS BOARDS

District school boards that serve all or part of the same geographical area.

CPCO

Catholic Principals' Council of Ontario. A professional association for Catholic Principals and Vice-Principals in Ontario's publicly-funded Catholic school system. CPCO also offers services to individuals from other organizations, provinces and countries around the world

CRRP

Culturally Responsive and Relevant Pedagogy is an evidence-based practice that equips educators and school leaders with tools to build positive learning environments and build strong parent and community connections.

DSB

District School Board. There are 72 District School Boards in Ontario.

DUAL CREDIT PROGRAMS

Dual Credit programs allow students in secondary school to take college or apprenticeship courses that count towards their Ontario Secondary School Diploma and a postsecondary certificate, diploma, degree or a Certificate of Apprenticeship. Dual Credit programs can help students move from high school to college and apprenticeship programs.

EBA

Employee Bargaining Agencies

ECCODE

English Catholic Council of Directors of Education. Members include directors of education for English Catholic school boards (See also CODE).

ECE

Early Childhood Educator. Works in a team with a teacher in kindergarten classrooms and are registered with the College of Early Childhood Educators.

EDI

Early Development Instrument is a questionnaire that is completed by Kindergarten teachers and measures the skills and abilities of children in the second year of Kindergarten across five health domains.

EDUCATION AGREEMENT

Education Agreements are agreements entered into on or after September 1, 2019 which are intended to support students attending schools under the Reciprocal Education Approach (REA).

EDC

Education Development Charge. This is a levy school boards can charge new real estate developments to help pay for new school sites.

EDU

Ministry of Education. An abbreviation used by the ministry in some of its publications.

EFIS

Education Financial Information System

Elementary Level

Kindergarten to Grade 8 (See also Primary Division, Junior Division, and Intermediate Division).

EQAO

Education Quality and Accountability Office. A board-governed agency of the Government of Ontario established in 1996 with a mandate to evaluate the quality, effectiveness and accountability of Ontario's education system and to report publicly about the state of public education in Ontario.

ESA

Education Services Agreements are between a First Nation entity and a school board which was required, prior to the introduction of the Reciprocal Education Approach (REA), for First Nation students living on reserve to attend a school of a school board.

ETFO

Elementary Teachers' Federation of Ontario. An affiliate of the Ontario Teachers' Federation, representing English public elementary teachers.

FDK

Full-Day Kindergarten. This program for four and five year olds was fully implemented in Ontario by September 2014.

GSN

Grants for Student Needs.

ICT

Information and Communication Technology.

IEC

Indigenous Education Council

IEP

Individual Education Plan is a written plan describing the special education program and/or services required by a particular student, including a record of the particular accommodations needed to help the student achieve his or her learning expectations.

Intermediate Division

Grades 7 to 10.

IPRC

Identification, placement and review committee is a school board committee that decides whether a child is exceptional and requires special education programs and services. They also decide the placement within the school and the decision is reviewed annually.

ISC

Indigenous Services Canada

Junior Division

Grades 4 to 6.

LOG

Learning Opportunities Grant within the GSN.

LRA

Labour Relations Act.

MACSE

Minister's Advisory Council on Special Education.

MEA

Municipal Elections Act

MFIPPA

Municipal Freedom of Information and Protection of Privacy Act.

MLITSD

Ministry of Labour, Immigration, Training and Skills Development

MYSP

Multi-Year Strategic Plan

NTIP

New Teacher Induction Program – supports the growth and professional development of new teachers.

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.

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. The OCT is a 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 and analysis.

OESC

Ontario Educational Services Corporation. A non-profit organization set up by the four school board associations (OPSBA, OCSTA, ACÉPO, and AFOCSC) and the Council of Directors of Education (CODE) to provide services to school boards, (e.g., a school energy coalition which intervenes at the Ontario Energy Board to effect savings for boards).

OHSA

Occupational Health and Safety Act

OPC

Ontario Principals' Council. Related associations include ADFO and CPCO.

OPSBA

Ontario Public School Boards' Association.

OPSOA

Ontario Public Supervisory Officers' Association. Members include supervisory officers in public school boards throughout Ontario. Related associations include OASBO, OCSBO, OCSOA, and ASFO.

OSET

Ontario Special Education Tribunal. A tribunal that hears appeals by parents who disagree with the identification and/or placement decision made following a meeting of the

Identification, Placement, and Review Committee (IPRC) and a subsequent meeting of the special education appeal board (SEAB).

OSR

Ontario Student Record. The Ontario Student Record is the record of a student's educational progress through schools in Ontario.

OS

Ontario Schools, Kindergarten to Grade 12: Policy and Program Requirements, 2016 sets out Ontario's requirements for the policies and programs of all publicly funded elementary and secondary schools in Ontario.

OSSC

Ontario Secondary School Certificate. The Ontario Secondary School Certificate will be granted, on request, to students who are leaving secondary school upon reaching the age of eighteen without having met the requirements for the Ontario Secondary School Diploma.

OSSD

Ontario Secondary School Diploma. To earn a high school diploma in Ontario, students must:

- earn 18 compulsory credits
- earn 12 optional credits
- pass the literacy requirement
- earn at least two online learning credits
- complete a minimum of 40 hours of community involvement activities

OSSTF

Ontario Secondary School Teachers' Federation. The federation representing English public secondary teachers.

OST

Ontario Student Transcript provides an official and consistent record of the Ontario secondary school credit courses that a student has successfully completed.

OSSLT

Ontario Secondary School Literacy Test or Test provincial de compétences linguistiques (TPCL). A province-wide test administered by the EQAO and typically first written by Grade 10 students. The test is based on the Ontario curriculum expectations for reading and writing up to and including Grade 9.

OSTA-AECO

Ontario Student Trustees' Association - l'Association des élèves conseillers et conseillères de l'Ontario - An independent, non-partisan group of democratically-elected student representatives in Grades 11 and 12 who sit on Ontario's 72 public school boards.

OTF

Ontario Teachers' Federation. An umbrella organization for the following affiliates: OECTA, OSSTF, ETFO, and AEFO.

OYAP

Ontario Youth Apprenticeship Program lets students explore and work in apprenticeship trades starting in Grade 11 or Grade 12 through cooperative education. Students can become registered apprentices and work towards becoming certified in a skilled trade, while completing their secondary school diplomas.

PCAP

Pan-Canadian Assessment Program. A national assessment of Grade 8 reading, math and science conducted every three years through the Council of Ministers of Education, Canada (CMEC). Samples of students from all 10 provinces participate in this

assessment enabling inter-provincial comparisons of achievement and contextual information about students' learning experience.

PIC

Parent Involvement Committee. A system-level committee of parent representatives established to support improved student achievement and well-being through encouraging and enhancing parent involvement and collaboration. The director, or designate, a trustee, and community representatives are members of this parent-majority committee. The Parent Involvement Committee may provide advice to the Board.

PIRLS

Progress in International Reading Literacy Study. An international assessment of Grade 4 reading that takes place every five years through the International Association for the Evaluation of Educational Achievement (IEA). A sample of Ontario students participate in this assessment enabling international comparisons of Grade 4 reading achievement and contextual information about students' learning experience.

PISA

Programme for International Student Assessment. An international assessment in reading, mathematics and science for 15-year-old students conducted every three years through the Organization for Economic Cooperation and Development (OECD). Samples of students from a number of provinces and international jurisdictions participate in this assessment enabling inter-jurisdictional comparisons of the achievement of students nearing the end of compulsory education and the related learning contexts.

PLAR

Prior Learning Assessment and Recognition is a formal evaluation and accreditation process, including for mature

students, that recognizes and grants secondary school credits for their prior learning.

Primary Division

Kindergarten to Grade 3.

REA

The Reciprocal Education Approach is a framework supported by the *Education Act* and regulations made under the Act. It is intended to improve access to education for First Nation students and families by removing barriers for First Nation students transitioning between school systems in Ontario.

RECFO

Le Regroupement des élèves conseiller.ère.s francophones de l'Ontario. The association representing student trustees from the French-language public and French-language Catholic school boards.

RESA

The Reverse Education Services Agreement between a First Nation entity and a school board which was required, prior to the introduction of the REA, for students who reside off-reserve to attend a First Nation-operated or federally-operated school and receive tuition funding from a school board.

Rules of Order

Rules of Order refer to the parliamentary procedures followed to ensure motions are introduced, debated and voted on in an orderly manner.

SBCBA

School Boards Collective Bargaining Act

SAL

Supervised Alternative Learning – relates to policies and programs intended to re-engage young people 14 to 17 years old who are not attending school and are at risk of not graduating.

School Authorities

In addition to Ontario's 72 district school boards, there are 10 school authorities that operate a school in distinct communities. 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, the school principal, school representatives and student representatives with a mandate to provide advice to the school principal and the school board on certain matters.

SCWI

School College Work Initiative. SCWI focuses on helping disengaged students graduate from high school and provides a seamless transition to college and apprenticeship programs. SCWI has two components: 1. Activities and forums targeted at Grade 7 and Grade 8 students, as well as their parents and teachers, to increase their awareness of and exposure to college and apprenticeship pathways. 2. Dual Credits programs allow students, while they are still in secondary school, to take college or apprenticeship Level 1 in-class training.

SEAB

Special Education Appeal Board. A group of three individuals to which parents have a right to appeal the decision of the Identification, Placement, and Review Committee (IPRC). The three individuals, one of whom is selected by the parents, have no prior knowledge of the matter under appeal.

SEAC

Special Education Advisory Committee. A committee of a school board that provides advice on special education. A SEAC may make recommendations to the board on any matter affecting the establishment, development, and delivery of special education programs and services for exceptional students in a board. Each school board in Ontario must establish a SEAC.

Secondary Level

Grades 9 to 12 (See also Intermediate Division and Senior Division).

Senior Division

Grades 11 and 12.

OSET

Ontario Special Education Tribunal.

A tribunal that hears appeals by parents who disagree with the identification and/or placement decision made following a meeting of the Identification, Placement, and Review Committee (IPRC) and a subsequent meeting of the special education appeal board (SEAB).

SHSM

Specialist High Skills Major programs allow students in Grades 11 and 12 to focus their learning on one of 19 specific economic sectors and earn valuable workplace experience while meeting the requirements for the OSSD. SHSM programs assists students in their transition from secondary school to apprenticeship training, college, university, or the workplace.

SIP

Special Incidence Portion. Part of the Special Education Grant in the annual Grants for Student Needs, SIP is a claims-based allocation which supports pupils who require

more than two full-time staff to address the health and safety needs of both the students who have extraordinarily high needs related to their disabilities and/or exceptionalities and others at their school.

TIMSS

Trends in International Mathematics and Science Study is an international assessment of Grades 4 and 8 mathematics and science that takes place every four years through the International Association for the Evaluation of Educational Achievement (IEA). A sample of Ontario students participate in this assessment enabling international comparisons of Grades 4 and 8 math and science achievement and contextual information about students' learning experience.

TPA

Teacher Performance Appraisal is the appraisal process for teachers and is normally conducted once every five years against province-wide teacher performance standards.

Truth and Reconciliation Commission (TRC)

The Truth and Reconciliation Commission was created to help those directly or indirectly affected by the legacy of the Indian Residential Schools system with an opportunity to share their stories and experiences. As a result of the commission, 94 Calls to Action were created to help with the reconciliation between Canadians and Indigenous peoples.

UNDRIPA

United Nations Declaration on the Rights of Indigenous Peoples Act. Received Royal Assent by the Parliament of Canada on June 21, 2021.

YCJA

Youth Criminal Justices Act



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



Association franco-ontarienne des conseils scolaires catholiques (AFOCSC)



The Council of Ontario Directors of Education (CODE)



Council of Senior Business Officials (COSBO)