

GOVERNANCE PROCEDURE	
Adopted	M18-0210 (November 7, 2018) NEW
Last Revised	December 2021
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## DIRECTOR OF EDUCATION – ROLES AND RESPONSIBILITIES

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### 1. PURPOSE

This Governance Procedure provides the Board of Trustees (“BoT”) and the Director of Education (“Director”) with direction on the operational leadership of the Halton District School Board (“the Board”) and is made pursuant to the Director of Education – Roles, Responsibilities, and Annual Performance Review Policy.

### 2. LEGAL FRAMEWORK

The office of Trustee is created under the *Education Act*. The governance responsibilities of the BoT are outlined at Section 169.1 of the *Act*. Trustees are elected or appointed to occupy the office in accordance with the provisions of the *Municipal Elections Act 1996*,<sup>1</sup> and the *Education Act*.<sup>2</sup>

The *Education Act* provides that the Director is the Chief Executive Officer, Chief Educational Officer, and Secretary to the BoT.<sup>3</sup>

Upon appointment, the Director is accountable to the BoT,<sup>4</sup> and holds office unless the Director ceases to be eligible,<sup>5</sup> resigns, or is removed by the BoT.<sup>6</sup>

Supervisory Officers report to the Director, and are accountable to the BoT through the Director.<sup>7</sup>

The *Act* states that Trustees will “*entrust the day to day management of the Board to its staff through the Board’s Director of Education*”.<sup>8</sup>

The *Act* therefore provides that the BoT is responsible for governing, and the Director is responsible for implementing the governing direction of the Board.

### 3. DIRECTOR RESPONSIBILITIES

As the system leader, responsible to the BoT for the effective operation of the Board, the Director has a broad range of duties, which include the expectations described in the sections that follow.

#### Multi-Year Plan

The Director is responsible for ensuring that the BoT develops a Multi-Year Plan (“MYP”) which establishes the Board’s priorities. The *Act* requires that the MYP must identify how the BoT is going to meet its responsibility for student achievement.<sup>9</sup>

The Director will implement and monitor the MYP, and report periodically to the Board of Trustees<sup>10,11</sup>

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<sup>1</sup> SO 1996, c32 Sch

<sup>2</sup> S.58.1

<sup>3</sup> S.283(1.1)

<sup>4</sup> S.169.1(1)(g) and (h)

<sup>5</sup> S.278 and S.283(1)

<sup>6</sup> S.287(1)

<sup>7</sup> S.199

<sup>8</sup> S.218.1

<sup>9</sup> S.283.1(1)(b)

<sup>10</sup> S.283.1(1)(a)

<sup>11</sup> S.283.1(1)(c) and (d)

### **Director's Annual Report**

At the first meeting in December of each year, the Director will submit a report to the BoT, in a format approved by the Minister, outlining the actions they have taken during the preceding twelve months to develop and maintain an effective organization, and the programs, procedures and practices required to implement the policies established by the BoT.

By no later than the following January 31, the Director will submit the final copy of the annual report to the BoT and the Minister.<sup>12</sup>

### **School Climate Surveys**

The Director will ensure that at least once every two years the Board undertakes a climate survey to collect information from pupils, staff, and parents and guardians of pupils. The results of each climate survey will be provided to the BoT, to assist the BoT with its duty to monitor and evaluate the effectiveness of its policies in promoting a positive school environment and the prevention of bullying.<sup>13</sup>

### **Policies and Procedures**

The Director will provide leadership in the planning, development, implementation, review, and evaluation of all policies and administrative procedures.

The policies and procedures that relate to BoT responsibilities are described as "governance". Governance procedures may be recommended by the Director, designate or third party, and must be approved by the BoT.

Operational procedures are identified as "administrative" and are under the purview of staff. Administrative procedures and any material amendments thereto must be approved by the Director in consultation with the senior administrative team, and provided to the BoT for information.

The Director will ensure the most recent versions of all policies and procedures are posted on the Board's website in a manner that is easy to access.

### **Director and Board of Trustee Relationship**

The Director will establish and maintain a positive working relationship with the BoT, and will support the BoT in meeting its roles and responsibilities as defined under the *Education Act*.

The Director will keep the BoT apprised of local and provincial initiatives in education, as well as significant events and developments within the Board.

All matters requiring the approval of the BoT will be brought before the BoT in a timely manner. Agenda items requiring a BoT resolution will be accompanied by sufficient information so that each Trustee can meaningfully participate in the discussion and make an informed decision.

The BoT will provide direction to the Director in the form of resolutions approved by the BoT, as recorded in the minutes. The Director will not be bound by the comments, instructions or requests of individual Trustees, made at or outside of BoT meetings.

The Director's compliance with BoTs' resolutions, policies and procedures will be monitored by the BoT, as the BoT may determine from time to time.

All direction from the BoT will be to the Director, who may at their discretion delegate implementation of the BoTs' resolutions to Supervisory Officers, other staff members, or third parties. Under no circumstances may an individual Trustee or the BoT attempt to instruct or direct the activities of any staff person other than the Director.

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<sup>12</sup> S.283(3)

<sup>13</sup> S.169.1(2.1)

The Director will immediately inform the BoT of any act or omission that in the opinion of the Director may result in or has resulted in a contravention of the *Education Act* or any policy, guideline or regulation made thereunder.<sup>14</sup>

The Director has a duty to advise the Deputy Minister if a BoT does not respond in a satisfactory manner to an act or omission brought to its attention.<sup>15</sup>

### **Community Leadership**

The Director or designate will act as the public spokesperson for the Board and will participate where practical in community affairs which promote public education and enhance public confidence in the Board.

The Director will model open, transparent, and respectful communications with the community, and maintain positive relationships with Board stakeholders.

The Director will ensure that the public has easy access to information regarding BoT meetings, including time and place, the public session agenda and accompanying background materials. The public will be kept informed about key Board events, student and system successes / challenges, and opportunities for public engagement.

The Board website will include Board program and policy information, Trustee contact information, and a description of how a community member may participate in a school council, the Board's Parent Involvement Committee, a Board committee, delegate to the BoT, or file an appeal to the BoT.

The Director, through the school Principal or delegate, will solicit the advice of school councils, and will facilitate the BoTs' consideration of any recommendations submitted by a school council, as required by Regulation 612/00,<sup>16</sup> and will advise a school council of any action taken in response to the advice or recommendation received.

The Director or delegate will participate as a member of the Parent Involvement Committee ("PIC"), and will report to the BoT on the committee's activities and advice. The BoT may solicit and take into consideration the advice of its PIC with regard to matters that relate to improving student achievement and well-being, and will inform the PIC of the BoTs' response to any advice provided.<sup>17</sup>

### **Student Achievement and Well-Being**

The Director will promote a safe and inclusive learning and working environment for students and staff.

The Director's leadership and advice to the BoT will focus on providing learning and wellness opportunities for students to meet the standards established by the Ministry, and reach individual learning goals.

Student success will be celebrated wherever possible, taking into account student and parental rights and preferences with respect to privacy.

### **System Leadership and Planning**

The Director will develop a culture of learning, support and continuous improvement in pursuit of the Board's MYP.

The Director is also responsible for ensuring the development of an annual Operational Plan, Board Improvement Plan for Student Achievement, Special Education Plan, Capital Plan and Budget for approval by the BoT.

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<sup>14</sup> S.283.1(1)(f)

<sup>15</sup> S.283.1(1)(g)

<sup>16</sup> S.19 and 20

<sup>17</sup> Reg. 612/00, S.47(1) and (2)

The Director will ensure system compliance with these documents, and will facilitate the identification, development and implementation of strategies to achieve the goals outlined therein, and will provide regular updates to the BoT.

### **Fiscal Responsibility**

The Director will supervise the fiscal management of the Board in accordance with legislative requirements, the Ministry's funding model, and the annual Budget and Capital Plan approved by the BoT.

The Director will submit to the BoT the risk management strategies, financial reporting and controls recommended by the Board's Audit Committee and the auditor's annual report.

The Director will annually recommend a balanced budget that aligns with MYP goals and system priorities approved by the BoT.

Any expenditures in excess of executive limitations, which were not included in the annual budget, must be approved by the BoT. <sup>18</sup>

### **Human Resource Management**

The Director will ensure the Board has effective procedures for staff selection, supervision, professional development, performance review, retention, and succession planning, which comply with the [Labour Relations Act](#), [Occupational Health and Safety Act](#), the [Human Rights Code](#), and all applicable employment contracts and collective agreements.

### **Duties as Secretary to the Board of Trustees**

The Director serves as Secretary to the BoT, and as such must ensure:

- a full and correct record of the proceedings of every BoT meeting is kept in a minute book, and that upon confirmation of the contents by the BoT, the minutes are signed by the Chair or presiding member;<sup>19</sup>
- the BoT receive proper notice of all regular and special meetings of the BoT, in accordance with the BoT' By-Laws;<sup>20</sup>
- a special meeting of the BoT is called, if requested by a majority of Trustees currently in office;<sup>21</sup>
- any reports requested or required by the Ministry are provided;<sup>22</sup>
- such other duties as may be required by the *Act*, the regulations, or the BoT are fulfilled.<sup>23</sup>

## **4. PERFORMANCE REVIEW**

The BoT is responsible for monitoring and evaluating the performance of the Director in meeting their duties under the *Act* and as required by the Ministry, and other responsibilities assigned by the BoT. <sup>24</sup>

The BoT will undertake an annual Director's performance appraisal in accordance with its *Director of Education Annual Performance Review Governance Procedure*.

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<sup>19</sup> S.198(1)(a)

<sup>20</sup> S.198(1)(c)

<sup>21</sup> S.198(1)(d)

<sup>22</sup> S.198(1)(b)

<sup>23</sup> S.198(1)(e)

<sup>24</sup> S.169.1(1)(h)

**RELATED BOARD POLICIES AND PROCEDURES**

Director of Education – Roles, Responsibilities, and Annual Performance Review Policy

Director’s Performance Review Governance Procedure

Policy and Procedure Framework Policy

Procurement Administrative Procedure

Board By-Laws

Trustee Code of Conduct Policy

Multi-Year Plan

**STATUTES AND REGULATIONS**

*Education Act*

Regulations made under the *Education Act*

**RELATED EXTERNAL DOCUMENTS**

Good Governance: A Guide for Trustees, School Boards, Directors of Education and Communities, 2014

Multi-Year Strategic Planning Supports for School Boards