



BOARD GOVERNANCE PROCEDURE

Adopted	November 7, 2018
Review Date	<i>As required</i> <i>(NEW) M18-0210 November 7, 2018</i>

OPERATIONAL LEADERSHIP GOVERNANCE PROCEDURE

1. POLICY

This Governance Procedure is made pursuant to the Board of Trustees' Operational Leadership Policy.

2. PURPOSE

This Governance Procedure provides the Board of Trustees and the Director of Education with direction on the operational leadership of the Halton District School Board ("the board").

3. LEGAL FRAMEWORK

The office of Trustee is created under the *Education Act*. The governance responsibilities of the Board of Trustees 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*,¹ and the *Education Act*.²

The *Education Act* provides that the Director of Education is the Chief Executive Officer, Chief Educational Officer, and Secretary to the Board of Trustees.³

Upon appointment, the Director of Education is accountable to the Board of Trustees,⁴ and holds office unless the Director of Education ceases to be eligible,⁵ resigns, or is removed by the Board of Trustees.⁶

Supervisory Officers report to the Director, and are accountable to the Board of Trustees through the Director.⁷

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*".⁸

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

4. DIRECTOR RESPONSIBILITIES

As system leader, responsible to the Board of Trustees for the effective operation of the Halton District School Board, the Director of Education 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 board develops a multi-year plan which establishes the board's priorities and identifies the specific measures and resources that will be

¹ SO 1996, c32 Sch

² S.58.1

³ S.283(1.1)

⁴ S.169.1(1)(g) and (h)

⁵ S.278 and S.283(1)

⁶ S.287(1)

⁷ S.199

⁸ S.218.1

applied to achieve the goals identified. The *Act* requires that in particular the multi-year plan must identify how the Board of Trustees is going to meet its responsibility for student achievement.⁹

The Director shall monitor the implementation of the multi-year plan, annually reviewing the plan with the Board of Trustees,¹⁰ and periodically reporting to the Board of Trustees on the results.¹¹

Director's Annual Report

The *Education Act* requires that at the first meeting in December of each year the Director will submit a report to the Board of Trustees, 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 required to implement the policies established by the Board of Trustees.

By no later than the following January 31, the Director shall also submit a copy of the annual report to the Minister of Education.¹²

Duties as Secretary to the Board of Trustees

The Director serves as Secretary to the Board of Trustees, and as such must ensure that:

- a full and correct record of the proceedings of every Board of Trustees meeting is kept in a minute book, and that upon confirmation of the contents by the Board of Trustees, the minutes are signed by the chair or presiding member;¹³
- the Board of Trustees receive proper notice of all regular and special meetings of the Board of Trustees, in accordance with the Board of Trustees' By-law;¹⁴
- a special meeting of the Board of Trustees is called, if requested by a majority of Trustees currently in office;¹⁵
- any reports requested or required by the Ministry are provided;¹⁶
- such other duties as may be required by the *Act*, the regulations, or the Board of Trustees are fulfilled.¹⁷

Climate Surveys

The Director shall 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 shall be provided to the Board of Trustees, to assist the Board of Trustees with its duty to monitor and evaluate the effectiveness of its policies in promoting a positive school environment and the prevention of bullying.¹⁸

Performance Review

The Board of Trustees is responsible for monitoring and evaluating the performance of the Director of Education in meeting their duties under the *Act* and as required by the Minister of Education, including duties relating to the multi-year plan, and other responsibilities assigned by the Board of Trustees.¹⁹

⁹ S.283.1(1)(b)

¹⁰ S.283.1(1)(a)

¹¹ S.283.1(1)(c) and (d)

¹² S.283(3)

¹³ S.198(1)(a)

¹⁴ S.198(1)(c)

¹⁵ S.198(1)(d)

¹⁶ S.198(1)(b)

¹⁷ S.198(1)(e)

¹⁸ S.169.1(2.1)

¹⁹ S.169.1(1)(h)

The Board of Trustees shall undertake an annual Director performance appraisal in accordance with its *Director of Education Annual Performance Review Policy*.

Development of Policies and Procedures

The Director of Education shall provide leadership in the planning, development, implementation, review, and evaluation of Board of Trustees' policies and procedures.

The Board of Trustees' policies shall be drafted so as to include a broad statement of intent which describes what the Board of Trustees' policy goals are, and why such goals have been adopted. The Board of Trustees' policies provide the framework within which the board's procedures are developed.

The board's procedures shall provide a detailed description of the processes, including how, when and by whom, the Board of Trustees' policies shall be implemented.

Operational policies and procedures are identified as "administrative". The policies and procedures that relate to Board of Trustee responsibilities are described as "governance".

Policies shall be developed and amended as required in consultation with Supervisory Officers, the public as may be required by statute, regulation, or resolution of the Board of Trustees, and the Board of Trustees, and must be approved by the Board of Trustees.

Administrative procedures and any material amendments thereto must be approved by the Director in consultation with the senior administrative team, and provided to the Board of Trustees for information.

Governance procedures may be recommended by the Director, designate or third party, and must be approved by the Board of Trustees.

The Director shall ensure that all policies and procedures are posted on the board's website in their current form.

Director and Board of Trustee Relationship

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

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

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

The Board of Trustees shall provide direction to the Director of Education in the form of resolutions approved by the Board of Trustees, 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 Board of Trustees meetings.

The Director's compliance with Board of Trustees' resolutions, policies and procedures shall be monitored by the Board of Trustees, as the Board of Trustees may determine from time to time.

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

The Director shall immediately inform the Board of Trustees 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.²⁰

The Director has a duty to advise the Deputy Minister of the Ministry if a Board of Trustees does not respond in a satisfactory manner to an act or omission brought to its attention.²¹

Community Leadership

The Director or designate will act as the public spokesperson for the Halton District School Board and shall participate where practicable 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 ready access to information regarding Board of Trustee meetings, including time and place, the public session agenda and accompanying background materials. The public shall be kept informed about key HDSB events, and student and system success, and opportunities for public engagement.

In particular, the board website will include Trustee contact information, and a description of how a community member may participate in a school council, the board's Parent Engagement Committee, a Board of Trustees' committee, delegate to the Board of Trustees, or file an appeal to the Board of Trustees.

The Director shall solicit the advice of school councils, and shall facilitate the Board of Trustees' consideration of any recommendations submitted by a school council, as required by Regulation 612/00,²² and shall advise a school council of any action taken in response to the advice or recommendation received.

The Director or delegate shall participate as a member of the board's Parent Involvement Committee, and shall report to the Board of Trustees on the Committee's activities and advice. The Board of Trustees may solicit and take into consideration the advice of its Parent Involvement Committee with regard to matters that relate to improving student achievement and well-being, and shall inform the Parent Involvement Committee of the Board of Trustees' response to any advice provided.²³

Student Achievement and Well-Being

The Director of Education shall promote a safe and inclusive learning and working environment for students and staff.

The Director's leadership and advice to the Board of Trustees shall focus on providing learning opportunities for students to meet the standards of achievement established by the Ministry of Education, and reach individual learning goals.

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

System Leadership and Planning

The Director shall develop a culture of continuous improvement in pursuit of the board's mission, vision, and values.

In addition to the board's multi-year plan, the Director is 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 Board of Trustees.

²⁰ S.283.1(1)(f)

²¹ S.283.1(1)(g)

²² S.19 and 20

²³ Reg. 612/00, S.47(1) and (2)

The Director shall ensure system compliance with these documents, and shall facilitate the identification, development and implementation of strategies to achieve the goals outlined therein.

Fiscal Responsibility

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

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

The Director shall annually recommend a balanced budget that aligns with multi-year plan goals and system priorities approved by the Board of Trustees.

Any one-time expenditures in an amount in excess of \$50,000, which were not included in the annual budget, must be approved by the Board of Trustees.

Human Resource Management

The Director shall ensure that the board has effective procedures for staff selection, supervision, professional development, performance review, 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.

RELATED BOARD POLICIES AND PROCEDURES

Operational Leadership Governance Procedure

Director's Performance Review Policy

Governance Process Policy

Halton District School Board Multi-Year Plan

Board By-Law

Trustee Code of Conduct

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