

SCHOOL SYSTEM ONTARIO - TORONTO

Structures, Systems, Decision-Making and Influence

THE ONTARIO GOVERNMENT AND THE EDUCATION ACT

Education is a provincial government responsibility in Canada. In Ontario, education is governed principally by the Education Act and its regulations. The Education Act and its regulations set out duties and responsibilities of the Minister of Education and the duties and responsibilities of school boards, school board supervisory officers, principals, teachers, parents and students.

THE MINISTER AND MINISTRY OF EDUCATION

The Minister of Education leads the Ministry of Education, represents the interests of the Ministry at the provincial cabinet and manages the development of education policy. With the assistance of the Ministry of Education, the Minister also administers the laws and regulations that govern education. The Minister allocates funds to school boards in a fair manner using the education funding model. The Minister and the Ministry are also responsible for:

- developing curriculum;
- setting policies and guidelines for school trustees, directors of education, principals and other school board officials;
- setting requirements for student diplomas and certificates; and
- preparing lists of approved textbooks and other learning materials.

SCHOOL BOARDS- DEFINITION

Ontario's school boards operate the province's publicly-funded schools. The boards administer the funding they receive from the province for their schools and implement education policy set by the Ministry. Ontario's 72 District School Boards are made up of 31 English-language public boards, 29 English-language Catholic boards, 4 French-language public boards, and 8 French-language Catholic boards. As well, a small number of Ontario schools are operated by School Authorities. The School Authorities manage special types of schools, such as schools in hospitals and treatment facilities, and schools in remote and sparsely-populated regions.

ONTARIO'S SCHOOL BOARDS - 2010-11		
	Number of Boards	Number of Students
English public boards	31	1,267,875
French public boards	4	20,799
English Catholic boards	29	549,228
French Catholic boards	8	63,334
School authorities	10	1,335
Source: Ministry of Education, Average Daily Enrolment (ADE) projections, 2010-2011. School Authorities figure is 2009 actual enrolment.		

Figure 1. School boards in Ontario. Information valid for 2015-2016.

Ministry regulations and laws make school boards responsible for¹:

- determining the number, size and location of schools;
- building, equipping and furnishing schools;
- providing education programs that meet the needs of the school community, including needs for special education;
- management of the funds allocated by the province to support all board activities, including education programs for elementary and secondary school students, and the building and maintaining of schools;
- preparing an annual budget;
- supervising the operation of schools and their teaching programs;
- developing policy for safe arrival programs for elementary schools;
- establishing a school council at each school;
- hiring teachers and another staff;
- helping teachers improve their teaching practices;
- assessing teacher performance;
- approving schools' textbook and learning materials choices, based on the list of approved materials provided by the Ministry of Education;
- enforcing the student attendance provisions of the Education Act; and
- Ensuring schools abide by the Education Act and its regulations.

SCHOOL BOARDS DUTIES

Governed predominantly by the Education Act, a school board has obligations that it must fulfill (prescriptive duties) and functions that it may do (permissive duties). Failure of a school board to perform any prescriptive duties may result in that board's liability to third parties who are in some way damaged by the board's act or omission. Failure to perform permissive duties does not result in any liability.

- **PRESCRIPTIVE DUTIES**

- Operating schools according to provincial legislation and regulation
- Have a vision statement that reflects the board's philosophy and local needs and priorities
- Setting the board's budget within the provincial grants and accompanying regulation
- Implementing curriculum according to ministry curriculum policy
- Developing and delivering other programs that reflect provincial policies and local priorities
- Hiring teachers and other staff required in their schools
- Maintaining school buildings and property with regard to student safety and in accordance with provincial legislation
- Monitoring their policies and the achievement of their students and, through the director of education, holding the entire system accountable for meeting provincial and board standards

- **PERMISSIVE DUTIES**

- Offer pupil transportation

¹www.edu.gov.on.ca/eng/document/brochure/whosresp.html

- Offer school libraries and resource centres
- Operate school property as a playground, park or public skating facility
- Offer qualified guidance teachers
- Offer continuing education and evening classes
- Operate cafeterias
- Offer professional development courses for teachers
- Offer programming in detention homes
- Operate child care facilities and day nurseries
- Offer benefits and insurance for its employees
- Offer insurance for pupils

PUBLIC & CATHOLIC BOARDS

• **PUBLIC SCHOOL BOARDS**

Ontario's English and French public district school boards provide universally accessible education for all students, regardless of their ethnic, racial, or cultural backgrounds; social or economic status; gender; individual exceptionality; or religious preference. Schools are expected to respect the principle of equal educational opportunity: every student deserves an opportunity to achieve to his or her fullest potential. Public school boards provide high academic standards in their programs and ensure that there are supports and resources to help all students reach those standards. Public school boards also focus on character education to ensure that students develop as caring and responsible members of their community and of Canadian society as a whole. Character education embraces values such as Citizenship, Cooperation, Courage, Empathy, Fairness, Honesty, Humility, Inclusiveness, Initiative, Integrity, Kindness, Optimism, Perseverance, Resilience, Respect, and Responsibility. The English and French public district school boards, in partnership with parents and caregivers, prepare students for success in whatever field they choose.

• **CATHOLIC SCHOOL BOARDS**

English Catholic and French Catholic district school boards have the same obligations, duties, rights, and privileges under the Education Act as do the public district school boards. In addition, however, Catholic boards strive to create a faith community where religious instruction, religious practice, value formation, and faith development are integral to every area of the curriculum. Catholic schools exist to offer a system of education chosen by Catholic parents. In a Catholic education, the school, the home, and the Church work together to develop within students a way of living that embodies the life of Jesus Christ. Catholic education fosters cognitive development and teaches skills and knowledge. In addition, it is concerned with the formation of the whole person of the student through the personal integration of faith and life. Roman Catholic schools seek to provide a learning experience that allows students to develop their particular skills and individual talents, and to realize their uniqueness as children of God, and as brothers and sisters to every man and woman in the world. Catholic district school boards provide Catholic education by:

- ensuring support and guidance to develop each school as a Catholic Christian community in all its academic and non-academic activities;
- providing teachers, principals, vice-principals, supervisory officers, and other personnel who are committed to building the school system as a Catholic Christian community; and

- preparing, upgrading, and putting to use academic curricula, including formal religious instruction, in which Catholic faith and life are integrated.

TRUSTEES

School Board Trustees are locally elected representatives of the public and they are the community's advocate for public education. A Trustee's job is to participate in making decisions that benefit the whole board while representing the interests of his or her constituents, and also to communicate the views and decisions of the school board back to the constituents. A Trustee is responsible for identifying the needs and priorities of their community and for turning them into practical educational opportunities for students. Among the many, often sensitive issues Trustees deal with are budgets and finance issues, property issues, suspensions and expulsions of students and communications with the community. In some boards, Trustees participate in the labour negotiations process as well. Trustees are responsible for establishing policy direction. Policies set out the expectations about how services are to be provided within the School Board. However, Trustees are not responsible for implementing a board's policies – that is the job of the administration and board staff. As members of the board, Trustees are accountable to the province through the Ministry of Education, for the proper conduct of their duties and powers, including the implementation of provincial policy and the use of provincially allocated funds. Trustees are accountable to their electorate through the local elections process. Balancing the demands of the community with the duties required by the Ministry of Education can be challenging, and takes dedicated leadership coupled with a willingness to seek innovative ideas and the courage to implement them.²

Trustees are accountable for:

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| <ul style="list-style-type: none"> - Promoting a high quality public education system - Advocating for improved student achievement - Ensuring equitable programming and efficient delivery of education - Focusing on accountability to ensure results - Determining critical priorities and focusing energies and resources - Working collaboratively with administration to support changes required to reach higher levels of performance from staff and students - Responding to local needs and priorities | <ul style="list-style-type: none"> - Enhancing the level of accountability to the public on educational issues - Representing the community - Providing a communication link between community and school board - Building collaborative relationships with political and business leaders - Forging links with education partners, agencies and municipal councils - Establishing board policies and budgets - Monitoring implementation of policies and budget - Helping to create a vision and structure for the school system - Improving local board performance |
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²Good Governance - <http://www.opsba.org/files/GoodGovernance.pdf>

STUDENT TRUSTEES

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

DIRECTORS OF EDUCATION

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

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

All school board staff report either directly or indirectly to the director of education. The director of education reports to the board, usually through the chair or his or her delegate. As well, the director serves as the secretary of the board.

SUPERVISORY OFFICERS (SUPERINTENDENTS)

Supervisory officers, often called superintendents, are accountable to the director of education for the implementation, operation, and supervision of educational programs in their schools. Boards must notify the Minister in writing when a supervisory officer is appointed. Supervisory officers lead and supervise schools and programs, working with principals and staff to ensure that schools operate according to ministry and board policy, and ensuring that performance appraisals are conducted. Supervisory officers are responsible for ensuring that school buildings are maintained according to Ministry and Board policy. They must also report to the medical officer of health any case in which a school building or school property is found to be an unsanitary condition. As supervisory officers of the board, superintendents hold the schools accountable for student achievement. Reports to the board related to the responsibilities of the superintendent are provided through the director of education.

SCHOOL COUNCILS

School Councils advise principals and, where appropriate, school boards on issues affecting the education programs and the operation of individual schools. Their membership reflects both the school and the community, and must include parents and guardians of students, the principal, a teacher, a student representative (secondary school councils), a non-teaching school staff member, as well as members from the community at large. Parents and guardians must make up the majority of council members.

School Councils may advise the principal or the school board on:

- school year calendars;
- codes of student behaviour;
- curriculum priorities;
- programs and strategies to improve school performance on provincial and school boards tests;
- safe arrival programs (elementary schools);
- communications to parents and communications to the community;
- community use of the school, and community programs and services provided at the school through school-community partnerships;
- school board policies that will affect the school; and
- selection of principals.

BOARD COMMITTEES

The Education Act permits boards to establish committees of board members to deal with the broad areas of “education, finance, personnel and property”. Boards may also establish other committees and sub-committees that include non-trustees. Committees that have members who are not trustees cannot deal with matters in the areas of education, finance, personnel, or property. There are three kinds of board committees:

STANDING OR PERMANENT COMMITTEES generally deal with ongoing or recurring matters, such as those specified in the legislation, and are an integral part of the board structure. Although a standing committee is composed of trustees – and only trustee members can vote - a staff person is also assigned as a resource person to provide expertise, fulfill administrative requirements, and provide necessary information.

AD HOC COMMITTEES, like task forces or work groups, investigate a specific issue and report to the board within a stated time frame.

ADVISORY COMMITTEES, established on either a short- or long-term basis, provide input into policy development or other areas where the board would benefit from the experience and expertise of other participants. Non-trustee members might include teachers, students, community or local business-people and, in the case of Catholic boards, members of the clergy. Many boards now turn to advisory committees as part of their consultation process.

Most boards have a structure for their committees that contribute to efficient and effective board meetings. Committees can ensure that the board has the necessary information to make decisions. They

can do fact finding, involve members of the community, and hear delegations from the public without using limited board time. Committee meetings generally follow the same parliamentary procedure adopted by the board, and follow the terms of reference set by the board. The chair of the committee and the director of education or their designates must be physically present at every committee meeting. Committees are required to record the minutes of their meetings, and to report and make recommendations to the board. Only the board itself, however, has the legal authority to make decisions binding on the school system.

Trustees are appointed to committees by the Board, usually once a year, and are expected to attend all board meeting and all meeting of board committee of which they are members. Trustees who miss three consecutive meetings (without authorization) vacate their seat on the board.

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

HOW SCHOOL BOARDS ACTUALLY WORK

- **TRUSTEES**

Trustees are, by law, paid very little and as a result generally need another job to make ends meet. That means they have a limited amount of time to review materials, conduct any independent research or discuss issues with each other or other people. As a result, they are very dependent on staff for information and advice. Trustees tend to accept staff recommendations unless there is strong and widespread public pressure to do the opposite. Trustees have difficulty keeping up with the demands from their constituents in the limited time they have available, so lobbying trustees can be demanding and time consuming. Some have difficulty returning phone calls and email in a timely way so expect some real lag time in reaching out to them.

Since taking on a new issue will be time consuming and will likely bring them into conflict with the Board staff they depend on, Trustees may be reticent to take on an issue, and will need a compelling reason to add it to their priorities.

- **DIRECTORS**

The Director of Education is the head of the staff, and shares with Board staff a tendency to want to make the system run smoothly and a reticence to make big or sudden changes. The Director is accountable to the Board, who hires and fires the Director and reviews the Directors performance. But the Director is also, by law, accountable to the Minister of Education. The Director must meet the rules and objectives set out by the Ministry. Serving two bosses means the Director needs to be careful when looking at any issue to ensure that it meets the objectives of the Trustees but at the same time won't create a problem with the Province. Again, big changes create more risks here. The Director manages all the staff, from whom the Trustees get most of their advice and information, so the Director will have a significant influence on the Board. The Director also allocates resources and manages staffing issues, so Trustees who need something to happen in their constituency depend on the Director to solve those problems.

- **ELECTIONS**

Trustees tend not to be prominent in elections. Mayors and Councillors are elected at the same time and are more visible, making it hard for Trustee candidates to get noticed. As a result, incumbents, and people with a lot of name recognition tend to get elected easily over challengers. Parents tend to be the most motivated to vote in Trustee elections and Trustees often campaign in small networks of parents connected to particular schools, so they often have strong connections to those networks.