

Submission to

The Minister of Education

School Board Governance Supports

October 2017



Ontario Catholic School
Trustees' Association



Ontario Catholic School Trustees' Association

Mission Statement

Inspired by the Gospel, the Ontario Catholic School Trustees' Association provides the provincial voice, leadership and service for elected Catholic school trustees to promote and protect publicly funded Catholic education in Ontario.

Vision Statement

Ontario is enriched by a publicly funded Catholic education system, governed by locally elected Catholic school trustees who serve with faith, commitment and compassion.

Introduction

On behalf of the Ontario Catholic School Trustees' Association ("OCSTA") we are pleased to provide you with our submission on "**School Board Governance Supports**". The recommendations contained within this report reflect extensive consultations with our Catholic school boards.

The Ontario Catholic School Trustees' Association was founded in 1930. It represents 237 elected Catholic trustees who serve on the 29 English-language Catholic district school boards. Collectively, these school boards provide excellence in faith filled education to the approximately 545,000 students from junior kindergarten to grade 12. They also serve many tens of thousands adult students through their Continuing Education Programs.

Inspired by the Gospel, the Mission of the Ontario Catholic School Trustees' Association is to provide leadership, service and a provincial voice for elected Catholic school trustees who seek to promote and protect publicly funded Catholic education in Ontario.

Effective School Board Governance for Catholic School Boards

Effective governance for Catholic school boards goes beyond the standard practices of other publicly funded school boards in Ontario. Catholic boards ground their policies in the virtues and beliefs of our Catholic faith together with the principles of democratic governance. For example,

- Develop policies critical to achieving the board's mission and vision as informed by Catholic Church teachings and gospel values
- Ensure that all administrative policies and procedures are based on this vision of Catholic education
- Respond to the needs of the local Catholic community.

For individual Catholic school board trustees, this unique and distinct role means that they see their democratically elected positions as a vocation flowing out of a call to serve.

Overall Context for the School Board Governance Consultation

These five topics below are the scope of areas in the Ministry's consultation on school board governance at this time. OCSTA will group its advice and recommendations following this order outlined below while providing responses to the discussion guide questions.

1. Integrity Commissioner and Trustee Code of Conduct
2. Trustee Honoraria
3. Electronic Participation in Board and Committee Meetings
4. Student Trustee Term of Office and Election Process
5. Broadening the Director of Education Qualifications.

1. Integrity Commissioner and Trustee Code of Conduct

Overview

Catholic school boards in Ontario support the objectives of establishing strong, accountable and transparent school board governance practices so as to realize the Christ centered missions of their school systems and to support the goals of achieving excellence, equity, promoting student well-being and enhancing public confidence. That is why many Catholic boards have established trustee codes of conduct and other processes designed to promote transparency and accountability.

Maintaining the autonomy and flexibility to develop specific policies in respect of trustee codes of conduct that reflect local needs is critical to effective governance.

Minimum Requirements

In terms of minimum requirement of a code of conduct, OCSTA supports the following:

- Maintaining the integrity and dignity of office
- Provide an example and Christian witness to the Catholic Community
- Avoidance of personal benefit
- Compliance with applicable legislation
- Civil behaviour of trustees at all committees, board meetings and events
- Respect for confidentiality and privacy requirements
- Upholding school board decisions.

In addition, OCSTA believes that when trustee codes of conduct are developed they should be done so by each board to meet their local requirements and be approved by the school board as a whole.

Sanctions for Breaches of the Code of Conduct

OCSTA supports the current sanctions contained in section 218.3 of the Education Act involving breaches of a trustee code of conduct. However, an educational approach to compliance with each board's code should be the standard approach to any alleged breach of any trustee code of conduct.

Role of an Integrity Commissioner

In terms of the potential role of an integrity commissioner, OCSTA believes that establishing separate commissioners for Catholic school boards is not necessary. The cost and administrative burden are significant. Individual Catholic boards may determine, however, that establishing a relationship with their local municipal integrity commissioner may be useful in terms of providing education and advice on code of conduct matters.

Enhancing Accountability and Public Confidence

Possible options to enhance accountability and public confidence for boards may include:

- Developing clear board policies, procedures and bylaws that effect the overall mission of the Catholic school board and system
- Updating on a regular basis those same policies, procedures and bylaws to comply with new regulatory requirements
- The *Catholic Trustee Modules: Good Governance for School Boards* is a resource for OCSTA members created by the Ontario Education Services Corporation with content rooted in the Catholic faith perspective. These Modules deliver content to specifically support the work of publicly elected Catholic school trustees.
- Support for additional in-service training for trustees and orientation sessions for newly elected trustees (for example, trustee mentorship programs)
- Support and training in developing multi-year strategic plans
- Clearly defined roles and responsibilities of trustees and those of senior board staff.

OCSTA Recommendation on Integrity Commissioner and Trustee Code of Conduct

- OCSTA supports the goal of each school board developing a trustee code of conduct that meets several basic requirements (as outlined on page 2 of our submission) and that the code reflects local requirements;
- Supports the current sanctions as described in section 218.3 of the Education Act; however, every effort should be made to educate trustees about the requirements and take an education approach to compliance;
- OCSTA does believe that establishing a separate Integrity Commissioner for school boards is unnecessary at this time;

2. Trustee Honoraria

Overview

Democratically elected Catholic trustees play a vital role in the governance of Catholic school systems across Ontario. From establishing the vision of Catholic education, communicating with parents and Catholic ratepayers to developing and approving the board's multi-year strategic plans, trustees are integral to ensuring academic excellence and faith formation.

Trustees are compensated through an "Honorarium" policy for a four-year term of office set by outgoing trustees. Section 191 of the *Education Act* and O. Regulation 357/06 spell out the specific formula and requirements of determining how a school board calculates each trustee's honorarium. Currently the formula is:

- Annual **base amount** of a maximum of \$5,900 for each trustee.
- An additional \$5,000 for the Chair of a school board
- An additional \$2,500 for the Vice Chair of a school board
- An **enrollment amount** based on the board's prior year student enrollment numbers. This amount fluctuates with the growth or decline of a board's enrollment. The enrollment amount for a trustee can vary widely—from \$100-\$300 in small boards to over \$20,000 in large boards. Chairs can also receive additional funds from \$500 to \$5,000 annually while Vice Chairs can receive \$250-\$2,500.¹
- **Attendance amount:** limit of \$50 for attending meeting of some board committees.
- **Distance amount:** limit of \$50 applies to geographically large boards for travel exceeding 200km to attend a meeting of the board or certain committees.

It should be noted that trustees have not had any significant adjustments to their compensation formula since 2006. OCSTA believes strongly that these honoraria should remain tax exempt.

Should the formula for calculating the level of trustee honoraria be simplified, or changed?

OCSTA does not believe that the formula needs to be simplified at this time. The basic criteria and components capture the importance and impact of the roles and responsibilities of trustees. It is also important to recognize factors such as attendance and distance to meetings since they reflect the work involved and time commitment when serving as a trustee of the school board.

¹ School Board Governance Supports: Discussion Guide, 2017 p.4-5.

OCSTA Recommendations on Trustee Honoraria

1. The **base amount should be increased immediately** to reflect the complexity and importance of the role of the school board trustee. OCSTA would suggest a modest increase to between \$8,000 and \$10,000 annually.

The **enrollment amount should be adjusted to limit potential inequity** between large and small boards. The complexity of the trustee role is not directly correlated with the size of a school board measured by enrollment. Factors such as geography, student demographics and various socio-economic issues impact the manner in which trustees carry out their responsibilities. For example, northern Catholic boards may have declining enrollment but cover vast and remote parts of the province with a complex set of student needs within challenging socio-economic conditions (poverty, mental health issues, cultural differences).

2. The distance amount should be adjusted to fit current cost issues for traveling long distances to board and other meetings.
3. That the Ministry of Education establish a Steering Committee consisting of representatives of the four Trustee Associations to review practices in other jurisdictions and consider comparators with other elected positions so as to develop a fair and equitable Trustee Honoraria formula.

3. Electronic Participation in Board and Committee Meetings

Overview

Catholic school trustees take their responsibilities very seriously in terms of participating in person at board and committee meetings. Each trustee strives to prepare diligently and where possible attend each meeting in person. In those circumstances where a trustee cannot attend in person, every effort is made to attend by electronic means. Catholic school boards value the flexibility that allows trustees when necessary to participate in board and committee meetings electronically.

Section 208.1 (1) of the *Education Act* and O. Reg. 463/97 proscribe the rules related to the participation of trustees in board and committee meetings using electronic means. At the present time each trustee must attend at least three board meetings in a 12 month period in person. The board chair or his or her designate must attend all meetings of the board in person and at least one additional trustee as well as the director of education or his or her designate.

In terms of committee meetings of the board, the requirement is for the chair of the committee or his or her designate and the director of education to attend the meetings in person.

Impact of Electronic Meeting rules on the Leadership of the Board?

OCSTA supports the current requirement to have the chair or his or her designate attend board meetings in person except in exceptional circumstances outlined below. We also support the current rules for committee meeting chairs. OCSTA believes it is important to have the chair or his or her designate physically present at meetings to ensure the optimal functioning of the board and/or committee meetings. Members of the community and other trustees legitimately expect the chair or designate to be present for meetings outside of exceptional circumstances. Chairs that are also physically present may be more successful in managing the ever increasing complexity of agendas and time requirements facing school boards today.

What are the appropriate circumstances for a board or committee chair to participate electronically?

As noted in the Discussion Guide, many trustees have to travel long distances to attend board and or committee meetings in remote, rural and northern jurisdictions of the province. This presents significant challenges to boards especially in winter months where travel is difficult, costly and at times dangerous. In those circumstances, electronic participation should be an option for a board or committee chair and boards should have the flexibility to establish a policy in this regard. In addition, boards should be free to determine other exceptional circumstances so that the board chair or chair of a committee can participate electronically.

What practices and resources could facilitate effective meetings where the chair or other members participate electronically?

In cases where the chair of the board or committee must participate electronically, facilitating video-conferencing would be ideal. This would enable the chair to see participants and interact with other trustees and presenters at the meeting. In addition, early notice of the meeting where the chair is to participate electronically and preparation with the vice chair and director of education would assist in ensuring meeting agenda are managed appropriately. Funding to support the installation of the necessary equipment should be provided through the Administrative and Governance Grant.

OCSTA Recommendations on Electronic Participation in Board and Committee Meetings

OCSTA supports the current requirement to have the chair or his or her designate attend board meetings in person except in exceptional circumstances;

Boards should have the autonomy and flexibility to determine a policy framework for exceptional circumstances that fits their needs in respect of electronic meetings and the role of the Chair/Vice Chair.

Using video conferencing and early notice of a chair's participation by electronic means are practices that should be encouraged;

4. Student Trustee Term of Office and Election Process

Overview

Catholic student trustees are an invaluable resource to the governance process of Catholic school boards. They share the interests and priorities of their fellow students. Their perspectives assist significantly with the policy development. Although they do not have binding or determining votes on a school board, their contributions are welcome and ensure student interests are reflected in board decisions.

Section 55.1 of the *Education Act* and O. Reg 7/07 Student Trustees details the regulatory framework for electing student trustees. Currently, school boards are required to provide for the election of 1-3 student trustees for a one year term beginning on August 1 of the election year and ending on July 31 of the following year. Students are elected either directly by students of the board or indirectly by student representative bodies such as student councils.

OCSTA Recommendations re: Student Trustee Term of Office and Election Process:

At the discretion of local school Boards, the OCSTA supports extending the term of student trustees to up to a two-year term. This would enable student trustees to better understand their roles and responsibilities. It would also facilitate a deeper understanding of the complex issues involved in school board governance.

In order to support student trustees, Catholic boards should be free to develop training programs that reflect their needs at the local level. OCSTA has specific background documents that will assist Catholic student trustees in developing their capacity to serve from a Catholic perspective².

In terms of the election process, OCSTA supports the current regulatory requirements. Catholic boards strive to ensure that well-qualified students run for the position of student trustee and that election outcomes don't simply reflect the popularity of a particular student.

OCSTA does not support any significant change to the regulatory structure that would promote more consistency between school boards. Boards need the flexibility to respond to local circumstances. For example, geographically dispersed boards may have to spend more time developing electronic voting procedures than urban boards to ensure voting adequacy. Small boards may have to spend more time qualifying student trustee candidates to ensure they can represent student interests adequately.

To support greater awareness of student trustee positions within the larger student body, OCSTA suggests Catholic boards work with their current student trustees and their association to develop promotional strategies and supporting communications materials. This could be an on-going exercise and not directly tied to the timing of student trustee elections.

² Embracing our Future: Catholic Pupil Representatives on Catholic School Boards, 2000. The document outlines training, mentorship programs, orientation sessions and the commissioning of the student trustee as part of the faith component of Catholic education.

5. Broadening the Director of Education Qualifications

Overview

In the 2015 TDSB Governance Panel Report chaired by Barbara Hall (“the Hall report”), recommendation 14 states:

That the qualifications for the director of education be broadened to permit candidates who have equivalent academic qualifications from other jurisdictions to be eligible for the position, and that qualifications also include experience in areas of business management, finance and governance.

The regulatory framework for the appointment of a director of education is government under the *Education Act* and O.Reg. 309/90 Supervisory Officers. The director of education under the Act is both the secretary of the board and Chief Executive Officer of the board. As such the director of education reports to the Chair of the board and works closely with the board of trustees to:

- develop and implement the multi-year strategic plan
- set strategic priorities
- produce annual budgets
- assist in the development of the school board’s vision and mission statements
- implement the board’s vision and mission statements
- ensure trustees have sufficient information for decision making
- hold staff accountable for student achievement and well-being
- Implement Ministry of Education policies and programs.

In Ontario, to qualify for an appointment as director of education, the following credentials are required:

- Supervisory officer designation, under the Supervisory Officer’s Qualification Program³
- Certified teacher with five years of teaching experience
- Master’s Degree from an acceptable institution and program
- Principal’s qualifications or two years of experience in education administration.

For candidates outside of Ontario, including individuals in similar positions in other jurisdictions, applicants must complete a prior learning assessment and recognition process.⁴

Catholic directors of education must embody Gospel values, provide Christian witness and promote faith formation in students and staff while promoting the Catholic identity of the school system.

³ Ontario is the only province in Canada that requires a special credential for supervisory officers and directors (see Discussion Guide p.8).

⁴ See Discussion Guide p. 8.

OCSTA Recommendations on Qualifications for Catholic Directors of Education

OCSTA generally supports the objective of broadening the qualifications for directors of education that would enable the recruitment of qualified candidates from outside of Ontario with a broad range of experience. However, the education mission is critical to the role of director of education so any loosening of the teaching qualifications must ensure equivalent teaching experience from those other potential jurisdictions. In the Catholic context this requires that potential directors have teaching experience within a Catholic school context and Supervisory Officer qualifications through a Catholic vision.

OCSTA believes it is important for prospective directors and other senior administrators to have educational and background experience in both school board finance and education administration. This is critical to the role of developing, monitoring and evaluating the key policies and procedures of a board and advising school board trustees on these issues. OCSTA also believes that the current requirement to complete specific education administration and school board finance programs as part of the process for qualifying for a Supervisory Officer designation is very important (O.Reg, 309/90 s.1 (4) (5)).⁵ But the regulation could allow for flexibility in recognizing equivalent credentials (and work experience) from international post-secondary institutions on general school board finance, education administration and related areas of study.

Director Skills

In term of the necessary competencies for directors of education, the professional educational leadership literature identifies the following key competencies and practices of effective leadership:

- Create and Sustain a Board-wide Focus on Student Learning and Wellbeing
- Implement Rich Curricula and Engaging Forms of Instruction for All Students
- Require School and Board Staffs to use Systematically-collected Evidence-based decision making
- Build and Maintain Productive Working Relationships with all Members of the Local Community
- Encourage Reciprocal Working Relationships with the Ministry of Education
- Invest in the Development and Maintenance of High-quality Leadership Among Educators within the Board (principals, vice principals etc.)
- Adopt Targeted and Phased Approaches to Board-wide and School-level Improvement
- Realign the Board's Infrastructure as Directions, Priorities and Challenges change.⁶

⁵ This would include those with acceptable degrees and a designation such as a certified general accountant, a certified management accountant as listed in O. Reg 309/90 at (5).

⁶ See "Leading the Future: Final Report Ontario Educational Leadership Institute, K. Leithwood, et. al., 2010 p.12-14.

OCSTA supports these general requirements. In the Catholic context, OCSTA believes it is critically important for directors to live and demonstrate “servant leadership”, a distinct feature of leadership within the Catholic school system. Beyond the skills and practices listed above, it requires directors of education to “visibly live out [their] commitment to justice and service”. Catholic directors of education must “be equally adept and comfortable with the need to infuse and integrate Gospel values and a Catholic worldview into all our policies, processes, initiatives and routines”.⁷

Role Preparation

To prepare for the role of director of Catholic Education, OCSTA believes that is important for current Supervisory Officers pursuing this option to participate in various mentorship programs and board level succession planning activities. For example, the Ministry of Education 2008-2009 Mentoring Program for Newly Appointed Directors of Education and Supervisory Officers and Ontario Catholic Supervisory Officer’s Association “Mentor-Coaching for Professional Growth” for newly appointed Supervisory Officers.

Qualifications and Recruitment Process for Directors from other jurisdictions

To increase the number of qualified candidates for director of education positions without undermining the current regulatory process for ensuring excellence is challenging. So much of what a director must develop, monitor and evaluate, is predicated on Ontario specific legislation, policies and programs to say nothing of the formal and informal relationships within a Catholic school community. This is why OCSTA believes the current regulatory framework is successful. However, we also would support exploring the feasibility of a revised school board finance and educational administration program as part of revised Supervisory Officer training program for qualified persons from other jurisdictions. This would establish a streamlined program in Ontario based school finance and education administration that would allow candidates from other jurisdictions to enter the system without undermining the due diligence in training candidates for these positions.

⁷ Michael Paulter, 2013: “First Century Lessons for Twenty-First Century Leadership. OCSOA Mentor-Coaching Program Institute for Catholic Education.

SUMMARY OF OCSTA RECOMMENDATIONS

Integrity Commissioner and Trustee Code of Conduct

- OCSTA supports the goal of each school board developing a trustee code of conduct that meets several basic requirements (as outlined on page 2 of our submission) and that the code reflects local requirements;
- Supports the current sanctions as described in section 218.3 of the Education Act; however, every effort should be made to educate trustees about the requirements and take an education approach to compliance;
- OCSTA does believe that establishing a separate Integrity Commissioner for school boards is unnecessary at this time;

Trustee Honoraria

1. The **base amount should be increased immediately** to reflect the complexity and importance of the role of the school board trustee. OCSTA would suggest a modest increase to between \$8,000 and \$10,000 annually.

The **enrollment amount should be adjusted to limit potential inequity** between large and small boards. The complexity of the trustee role is not directly correlated with the size of a school board measured by enrollment. Factors such as geography, student demographics and various socio-economic issues impact the manner in which trustees carry out their responsibilities. For example, northern Catholic boards may have declining enrollment but cover vast and remote parts of the province with a complex set of student needs within challenging socio-economic conditions (poverty, mental health issues, cultural differences).

2. The distance amount should be adjusted to fit current cost issues for traveling long distances to board and other meetings.
3. That the Ministry of Education establish a Steering Committee consisting of representatives of the four Trustee Associations to review practices in other jurisdictions and consider comparators with other elected positions so as to develop a fair and equitable Trustee Honoraria formula.

Electronic Participation in Board and Committee Meetings

- OCSTA supports the current requirement to have the chair or his or her designate attend board meetings in person except in exceptional circumstances;
- Boards should have the autonomy and flexibility to determine a policy framework for exceptional circumstances that fits their needs in respect of electronic meetings and the role of the Chair/Vice Chair.

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- Using video conferencing and early notice of a chair's participation by electronic means are practices that should be encouraged;

Student Trustee Term of Office and Election Process

- Subject to the discretion of local boards the OCSTA supports extending the term of student trustees from a one year to a two year term.
- Catholic boards should have the flexibility and autonomy to develop student trustee training and mentoring programs that meet their local needs;
- Catholic boards should have the flexibility to establish election procedures;
- OCSTA does not believe any significant changes to the regulatory structure are required that would promote greater consistency between school boards;
- Promotional strategies should be developed collaboratively with student trustees and Associations.

Qualifications for Catholic Directors of Education

- OCSTA generally supports the objective of broadening the qualifications for directors of education only insofar as the teaching qualifications reflect equivalent experience from other jurisdictions;
- OCSTA supports the current training requirements for Ontario based Supervisory Officers but suggests a more flexible and streamlined approach for training internationally qualified candidates;
- Catholic directors should reflect the competencies associated with “servant leadership” and provide Christian witness to the School Systems they serve;
- Prospective Directors should also be required to undertake mentoring programs.

Ontario Catholic School Trustees' Association
BOARD OF DIRECTORS
2017-18

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Beverley Eckensweiler, Vice President, Bruce-Grey CDSB
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Region 2	Kenora CDSB Northwest CDSB Superior North CDSB Thunder Bay CDSB	Paul Landry <i>Kenora CDSB</i>	2019
Region 3 (at large)	Northern Regions No. 1 & 2	Michael Bellmore <i>Sudbury CDSB</i>	2019
Region 4	Bruce-Grey CDSB Huron-Perth CDSB Waterloo CDSB Wellington CDSB	Marino Gazzola <i>Wellington CDSB</i>	2019
Region 5	London DCSB St. Clair CDSB Windsor-Essex CDSB	Linda Ward <i>St. Clair CDSB</i>	2019
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Region 11	Brant Haldimand Norfolk CDSB Halton CDSB Hamilton-Wentworth CDSB Niagara CDSB	Clifford Casey <i>Brant Haldimand Norfolk CDSB</i> Arlene Iantomasi, <i>Halton CDSB</i>	2019
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