



POLICY SECTION: Trustees

SUB-SECTION:

POLICY NAME: Governance

POLICY NO: T.20

Date Approved: June 11 th , 2015	Date of Next Review: 2019	Dates of Amendments:
Cross References: T. 04 Trustees Code of Conduct M. 01 Meta-Policy Good Governance: A Guide for Trustees, School Boards, Directors of Education and Communities, (O.E.S.C. 2014) (O.E.S.C. 2018) The Education Act R.S.O. 1990, c.E.2		

Purpose

In order for the Toronto Catholic District School Board to achieve its stated mission to be an inclusive learning community rooted in the love of Christ, educating students to grow in grace and knowledge so as to lead lives of faith, hope and charity, it is necessary for the Board to have policies and practices which are faithful to that mission and which represent good governance. Governance provides a framework and a process for the allocation of decision making powers.

Scope and Responsibility

This policy extends specifically to Trustees and the Director of Education, but has implications for how all decisions of the TCDSB are made. The Director of Education is responsible for this policy.



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Alignment with MYSP

Achieving Excellence in Governance
 Strengthening **Enhancing** Public Confidence
 Living Our **Catholic** Values
Fostering Student Achievement and Well-Being
Providing Stewardship of Resources
Inspiring and Motivating Employees

Financial Impact

One of the more crucial tasks that the Board of Trustees undertake is the process of budget development. The decisions made must reflect the available funds and reflect the Board's vision. The most significant requirement set out in the *Education Act* is that the Board must submit a balanced budget.

Legal Impact

The *Education Act* sets out ~~denominational rights~~ the duties and powers of Catholic school boards. There is potential liability if the Board intentionally or inadvertently acts beyond the scope of its legal authority. To reduce the risk of liability, school boards need clear and accessible policies. It is also notable that the Director of Education has a statutory obligation to bring attention to the Board of Trustees any act or omission by the Board of Trustees that may result in or has resulted in a contravention of the *Education Act*, regulation, guideline or Board policy.

Policy

The school board is a distinct corporate entity. The TCDSB Board of Trustees will act upon powers provided to them through the *Education Act*. Specifically, the Board of Trustees is responsible for the governance of the Board, while the Director of Education carries out the operational function. The Board of Trustees may only exercise its authority as a group at a formal meeting, as legislation gives no authority



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to individual trustees. In sum, the Board of Trustees is responsible for the development of policy and the Director of Education is responsible for the implementation of policy. In their role as governors of the TCDSB, Trustees will abide faithfully by the teachings of the magisterium and uphold the teachings of the Catholic Church in our schools.

Regulations

1. The Toronto Catholic District School Board has a corporate responsibility to set policy. Therefore, the Board of Trustees will develop, revise, approve and implement policies guided by the mission, vision and values of the TCDSB.

The Board of Trustees responsibilities and authority is prescribed in the *Education Act*.

2. The Board Policies, Procedures and Supporting Documents should support the strategic priorities of the Multi-Year Strategic Plan by ensuring that all Board policies are aligned with Board priorities.
3. All Board policies and procedures shall be accessible to all members of the community.
4. The Board of Trustees may recommend policies for review to the appropriate committee.
5. The Board of Trustees has a clearly stated mission that includes high expectations for student achievement.
6. The Board of Trustees shall allocate its resources in support of the goals it has set, by establishing a budget consistent with the priorities set out in the vision and policies.
7. The Board of Trustees shall monitor its own performance and take action to continually improve its governance processes.



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8. Consistent with Section 218.1 (e) of *The Education Act*, duties of board members, a member shall uphold the implementation of any board resolution after it is passed by the board.
9. Consistent with Section 207 (3) TCDSB policy on Trustee Code of Conduct, T. 04, the Chair may expel or exclude from any meeting any person who has been guilty of improper conduct at a meeting, by refusing to comply with the rules of the Board, using offensive language, disobeying the decisions of the Chair of the Board on points of order, or by making any disorderly noise or disturbance.
10. The Board of Trustees may engage with constituents when developing policy, as ultimately policy work is complex, and it requires a broad perspective, with a recognition that policies shall apply to the whole board.
11. The Board of Trustees has ~~Statutory R~~esponsibilities as outlined in **Section 169.1 of *The Education Act*** (~~Section 169.1~~):
 - a. Promote student achievement and well-being;
 - a.1 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;**
 - a.2 Promote the prevention of bullying;**
 - b. Ensure effective stewardship of the ~~b~~Board's resources;
 - c. Deliver effective and appropriate educational programs to its pupils;
 - d. Develop and maintain policies and organization structures that, promote the goals referred to above and encourage pupils to pursue their education goals;



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- e. Monitor and evaluate the effectiveness of policies developed by the **bBoard** in achieving the **bBoards'** goals and the efficiency of the implementation of those policies;
 - f. Develop a multi-year plan aimed at achieving the goals of the board;
 - g. Annually review the plan with the board's Director of Education
 - h. Monitor and evaluate the performance of the board's Director of Education in meeting the director's duties under the *eEducation Act*, policy guideline or regulations made under the *Education Act*;
 - i. Other duties assigned by the **bBoard** that reside within the realm of policy;
 - j. Creation of a multi-year plan. This plan includes measures respecting the allocation of resources to improve student outcomes that fall below the outcomes specified in regulations.
12. The Chair of the Board has the following additional duties, as outlined **in Section 218.4 of The Education Act** (~~Section 218.4~~):
- a. Preside over meetings of the Board;
 - b. Conduct meetings in accordance with the **bBoards'** procedures and practices for the conduct of board meetings;
 - c. Establish agendas for board meetings **in consultation** with the **bBoard's** **dDirector of eEducation** or the supervisory officer who is acting on behalf of the director;
 - d. Ensure members of the **bBoard** have the information they need for an informed discussion;
 - e. Act as a spokesperson to the public on behalf of the **bBoard**; **, unless otherwise determined by the Board**;
 - f. Convey the decisions of the **bBoard** to the **bBoard's** **dDirector of eEducation** or supervisory officer acting on behalf of the **dDirector**; ;
 - g. **Provide leadership to the Board in maintaining the Board's focus on the multi-year plan**;
 - h. **Provide leadership to the Board in maintaining the Board's focus on the Board's mission and vision; and**



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i. Assume such other responsibilities as may be specified by the Board.

13. The Director of Education is responsible for implementing and operationalizing all Board policies. The senior team and designated staff, along with trustees, are jointly responsible for the content and implementation of Board policies and procedures. The Director of Education also has a statutory obligation to bring to the attention of the Board of Trustees any act or omission by the board of Trustees that may result in or has resulted in a contravention of the Education Act, regulation, guideline or board policy.
14. The Director of Education is the Chief Education Officer and the Chief Executive Officer and Secretary of the Board by which he or she is employed. At the first meeting in December of each year, the Director shall submit to the Board a report on the action undertaken during the preceding 12 months, and a copy of the Director's Report must be submitted to the Minister on or before the 31st of January.
15. The Director of Education is responsible for the implementation of policy and is accorded the latitude within the policies and budget, as established, to select the personnel and the means required to fulfill that legal responsibility and accountability.
16. In addition to his/her duties under the Act, the Director of Education is required to:
 - a. Annually review with the ~~b~~Board the multi-year plan ~~developed under section 169.1;~~
 - b. Ensure that the multi-year plan developed establishes the board's priorities and identifies specific measures and resources that will be applied in achieving priorities, particularly as it applies to student achievement;
 - c. Implement and monitor the implementation of the multi-year plan;



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- d. Report periodically to the Board on the implementation of the multi-year plan.
- e. **Act as secretary to the Board;**
- f. **Immediately upon discovery bring to the attention of the Board 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 this Act or any policy, guideline or regulation made under this Act; and**
- g. **If a Board does not respond in a satisfactory manner to an act or omission brought to its attention under clause (f), advise the Deputy Minister of the Ministry of the act of omission.**

17. The Governance and Policy Committee or designated standing committee is responsible for:

- a. Ensuring that governance structures, policies, protocols, processes and performance metrics:
 - i. Advance the vision of the TCDSB, rooted in Catholic values and teachings
 - ii. Support the achievement of our Multi-Year Plan
 - iii. Conform to best practices
 - iv. Provide strategic cohesion and consistency
 - v. Comply with the Education Act and other pertinent legislation.
- b. Providing a meta-policy framework to ensure all policy formation, monitoring and evaluation follow a standard process that reflects exemplary practices in policy development.
- c. Carrying out a continuous review of the roster of existing policy to ensure conformity and advancement of (A) above.
- d. Identifying the supports (e.g., capacity training) needed to implement the governance framework.
- e. Ensuring ongoing governance reviews of the Board.
- f. Ensuring that the TCDSB by-laws and the Trustee Code of Conduct reflect the vision and mission of the Board and adhere to good governance practices, the Education Act and other pertinent legislation.



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Definitions:

Governance:

Provides a framework and a process for the allocation of decision making powers

Policy:

Board policies are belief statements of the Toronto Catholic District School Board that support student learning, achievement and well-being. A policy is primarily a principle or rule that guides decisions that will achieve the organizations goals.

Procedure:

Board procedures are operational documents for Board staff implementation. Procedures and protocols spell out how policies will be implemented. Procedures outline specific actions that must be taken by staff at various levels of the organization. Procedures may also include specific responsibilities of stakeholders such as trustees, staff, students and parents.

Supporting documents:

Supporting documents are aligned with board policies and/or procedures and provide additional information about the implementation of policies and/or procedures. Supporting documents include, but are not limited to: external resource documents, forms, guidelines, presentations, protocols, samples, and system communications.

Metrics

~~The Director of Education has a statutory obligation to bring to the attention of the Board of Trustees any act or direction that would have the effect of contravening the Education Act, regulation, guideline or board policy. If the matter is not satisfactorily resolved, the Director of Education has a further statutory obligation to advise the Deputy Minister of Education.~~



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1. The Board of Trustees shall monitor its own performance and take action to continually improve its governance processes.