



Comments on the Governance Review of School Boards

submitted to the

Governance Review Committee Ministry of Education

February 28, 2009

By the
**Canadian Federation of University Women
Ontario Council**

Submitted by

Myra Willis
President, Ontario Council
Canadian Federation of University Women
cfuwontario@yahoo.com
www.cfuwontcouncil.ca

Researched and written by Wendy Taylor and Elizabeth Haynes
With the assistance of the Standing Committee on Education, CFUW
Ontario Council

This PDF contains 15 pages including this cover

Rick Johnson and Madeleine Chevalier, Co-Chairs
Governance Review Committee
Ministry of Education
c/o Labour Relations and Governance Branch
Mowat Block, 15th Floor
900 Bay Street
Toronto ON M7A 1L2
Rick.Johnson@ontario.ca
Madeleine.Chevalier@ontario.ca

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Re: Comments on the Governance Review of School Boards

The Ontario Council of the Canadian Federation of University Women (CFUW) is pleased to have this opportunity to respond to the Governance Review Committee.

CFUW Ontario Council is composed of 57 clubs comprised of graduates living in urban and rural areas across Ontario. We are non-partisan, non-sectarian and we are totally member funded. CFUW Ontario Council is part of the Canadian Federation of University Women and has links to the International Federation of University Women.

Our policies are voted on by a one club/one vote system so that all areas of Ontario, from northern communities to large cities to rural areas, have an equal voice. This results in well-balanced policies that may be embraced by most Ontarians.

Our members put their education and diverse skills at the service of their communities and are active in:

- o . public affairs
- o . public education, justice, health and environmental issues
- o . improving the status of women in Ontario, and
- o . ensuring human rights in the province.

Among our purposes is the goal of assisting in developing a sound concept of educational values and in maintaining high standards of public education in Canada.

Members of the CFUW have watched closely the changing education climate over the last 14 years. We were pleased to have the opportunity to respond to the Education Equality Task Force in 2001 and to the Post-Secondary Review in 2004. CFUW policies on education reflect our goal to insure that all students in Canada have the opportunity to acquire the skills and knowledge needed to reach their fullest potential. We encourage the government of Ontario to:

- To provide high quality public education in Ontario, with funding to meet the individual intellectual, emotional, psychological and physical learning needs of each student in Ontario (CFUW OC policy 2002)
- [To provide funding for] training and professional development for teachers to ensure proper development, preparation and implementation of curriculum and

programs that require critical thinking skills and include a balance between the humanities and hard sciences. (CFUW OC policy 1999)

We believe that, like ongoing teacher training and professional development (pd), appropriate administrator and trustee training and pd can only serve to promote sound decision making and improve the quality of education provided in Ontario schools. However, we become concerned when policies and direction in education appears adversarial or punitive. We also worry about adding new layers of bureaucracies when existing structures or mechanisms are in place to fulfill the identified needs.

School board associations and directors' associations in the province already provide ongoing training and support. Since 1991, the Council of Ontario Directors of Education has held monthly meetings with the Deputy Minister of Education. The Institute of Governance offers training in good governance. School Board Association des conseilleres et des conseillers des ecoles publique de l'Ontario (ACEPO), Association franco-ontarienne des conseils scolaires catholiques (AFOCSC), Ontario Catholic School Trustees' Association (OCSTA), and the Ontario Public School Boards Association (OPSBA) provide professional development in good governance as well as best practices for school boards.

Trustees are responsible to their constituencies. Therefore, it is unlikely that a board would intentionally fail to meet the standards set forth by the Ministry of Education. More likely, if a board failed to meet the standards, that failure would be an indication that the board did not have sufficient resources or time to meet the specific needs of the community. In such a case all efforts to improve student outcomes should focus on support, fairness, inclusivity and finding solutions. Actions taken should not appear punitive.

The members of CFUW Ontario Council commend the Minister of Education for offering this opportunity to respond to the Governance Review. We are pleased that the Government of Ontario is striving towards continuous improvement of education through evaluation of current practices and consideration of best practices for the 21st century.

Yours truly,



Myra Willis
President, Ontario Council
Canadian Federation of University Women
www.cfuwontcouncil.ca
cfuwontario@yahoo.com

Discussion Guide 1: Modernizing the *Education Act*

Key considerations:

- Legislation is outdated in regard to the duties and powers of school boards and does not address expectations for educational outcomes.
- There is a lack of clarity with regard to the roles of school boards, chairs, individual board members, and directors of education.
- While the legislation identifies and gives powers to a school board as one entity, some individual board members deal directly with supervisory officers and/or other staff members.
- A number of other provinces and boards have recently modernized the governance of their elementary/secondary sector.
 - British Columbia, for example, requires boards to submit an achievement contract annually to the Minister of Education.
 - In Québec, school boards must adopt and make public a strategic plan that includes ways of assessing the achievement of objectives.
- The Director of Education has a significant impact on a board's performance. However, conflicts may arise for a Director from differences between the policy objectives of the board and directives from the Ministry.
- Some have suggested that Directors of Education should have a dual accountability—to the board and to the Minister, as was the case in the past in Ontario.

Discussion guide 1:

- 1) For what should school boards be accountable?

The Ontario Public School Boards Association has defined board accountability and trustee accountability in their document [OPSBA on Good Governance: A Resource Guide](#) (pp7-8 and p10) based on information from the Office of the Auditor General of Canada, The Report of the Education Equality Task Force and good governance practices. We support the accountability framework as defined in [OPSBA on Good Governance](#).

2) What are the appropriate roles and responsibilities of:

a) the board?

- Establishing vision and strategic direction;
- Goal-setting and policy development;
- Setting the budget;
- Staffing;
- Student achievement;
- Student supports;
- Demonstrating accountability and performance appraisal;
- Designating a chief executive;
- Quasi-judicial hearings; and
- Communication including consultation with parents and the wider school community.

b) the Chair?

OPSBA on Good Governance defines the role of a chair as two-fold. First, the chair is responsible for providing leadership and conducting meetings in accordance with Board By-Laws and parliamentary procedure. Second the chair is a spokesperson for the Board. The chair does not have any more power than the board as a whole chooses to give to the chair.

c) individual trustees?

Trustees have a shared duty to insure that the board fulfills its obligations as a whole. Of particular importance is their responsibility of communication. Trustees are also responsible to their electorate. They need to be accessible to the electorate and to promote two way communication to insure that the community they serve understands the educational expectations and requirements of the Ministry of Education and good practice as well as to have a clear understanding of the local community needs and goals.

d) the Director of Education?

The Council of Ontario Directors of Education (CODE), the Association des gestionnaires en éducation franco-ontarienne (AGEFO), the Ontario Catholic Supervisory Officers' Association (OCSOA), the Ontario Public Supervisory Officials' Association (OPSOA) are well placed to clarify the specific role of Directors. More generally, their role is to insure that the direction of the Board, the requirements of the Ministry of Education (e.g. curriculum) and the Education Act are

implemented appropriately in the schools under the Boards jurisdiction.

- 3) Should Directors of Education have a dual reporting relationship - to the board and to the Minister as was the case not long ago in Ontario? If so, how should any conflicts between the mandates from the Minister and a school board be resolved?

Dual reporting roles can lead to confusion. Directors of Education should be responsible to their boards. They should report to the Minister of Education through their boards. Directors have an ethical and legal responsibility to insure that Ministry of Education initiatives and the Education Act are implemented appropriately. If a conflict should arise between Board expectations and the Ministry of Education or the Education Act, Directors should have an independent body, such as CODE, to which they can appeal.

Discussion Guide 2:

Identifying Effective Governance Practices

Key considerations:

- Effective governance is essential for school boards as public bodies responsible to their communities and to government.
- A number of boards have made significant changes in their governance models and practices in recent years, but there remains a need for sector wide discussion about what constitutes effective governance and relevant indicators of effectiveness.
- Transparency, accountability and public confidence are enhanced by some boards through clear public communication (such as posting board meeting minutes on their websites in a timely fashion, communicating procedures and opportunities for public presentations, and communicating effectively with the broader community).
- Many jurisdictions have focussed on the need for an enforceable Code of Ethics and/or Code of Conduct for school board members.
 - Boards in Québec, for example, are required under legislation to establish a Code of Ethics and to designate persons who will enforce the code. Legislation also requires boards to publish their code of ethics policy in their annual report, state the number of cases dealt with, the breaches of the policy and the penalties imposed.
 - Nova Scotia has recently passed legislation that will require boards to adopt a standardized, enforceable code of ethics as well as procedural by-laws for the conduct of meetings. In August 2008, the Halifax Regional School Board released a discussion paper entitled “Good Governance” in order to gather public input and inform the next elected board about public expectations in this regard.
 - Legislation in Newfoundland & Labrador, Saskatchewan, and Alberta includes provisions for the removal of individual board members for specified conduct or breaches of duty.
- A number of education experts propose that in order to be effective and function well, school boards must focus on student achievement and have few distractions from that primary focus.

Discussion guide 2:

- 1) What is effective governance by elected school boards?

The Institute of Governance and the [Educating Together: Handbook for Trustees, School Boards and Communities](#), a joint effort of the various school boards associations in Ontario, provide overviews of effective governance.

- 2) What would enhance the ability of boards to address local needs within the context of provincially mandated priorities?
- 3) What governance practices have you seen that work well?
- 4) What practices and policies support effective governance?

- 5) Should there be a provincial code of conduct/ethics for school board members or should such a code be developed locally? How should codes of conduct/ethics be enforced?

Codes of Conduct should be developed locally based on models of good governance and local community needs. They should be enforced locally.

- 6) Should boards be required to establish and implement specific policies and procedures to enhance good governance? What would these be?

Discussion Guide 3:

Supporting School Board Leaders

Key considerations:

- In *Energizing Ontario Education*, the government committed to ensuring that board members have the supports they need to make sound decisions to further student achievement, reduce gaps in achievement, and increase confidence in publicly funded education.
- Although trustee organizations and some individual school boards provide professional development for trustees, participation is generally voluntary. Some board members or chairs report that they feel ill-equipped to act effectively and are unclear about their roles and responsibilities.
- While supports are available to help board members develop their capacities there is no consistent, long-term graduated approach to board capacity-building.
- A number of U.S. states have mandatory training programs for school trustees (e.g. Kentucky, South Carolina, and New York). Other public sectors have modernized board capacity building; The Ontario Hospitals Association, for example, has established a Governance Centre of Excellence and offers certificate courses to board members appropriate to their level of experience.

Discussion guide 3:

1) What type of training might be offered to school board members?

School Board members are already being offered training through existing School Board Associations. Trustees and School Board Associations should be encouraged to insure broad based participation in the available training.

2) Should training be mandatory?

3) What type of ongoing support can be offered to enable board members and Chairs to continue to build the capacity of elected boards? How could this support be delivered?

Ongoing board member support already exists. The existing programs could be enhanced to insure broader participation. The use of new technologies including webinars could promote broader participation and improve access to training.

- 4) What supports should be offered to Directors of Education to assist them in providing effective leadership for governance functions?

The Council of Ontario Directors of Education (CODE), the Association des gestionnaires en éducation franco-ontarienne (AGEFO), the Ontario Catholic Supervisory Officers' Association (OCSSOA), the Ontario Public Supervisory Officials' Association (OPSSOA) offer professional development and best practice sharing. Further CODE is working to enhance access to ongoing training and support through webbased and on-line learning opportunities.

Discussion Guide 4:

Strengthening School Board Accountability

Key considerations:

- The current legislative framework is not specific about school boards' mandate in relation to the government's three key priorities:
 - improving student outcomes,
 - closing gaps in achievement, and
 - increasing confidence in our publicly funded education system.
- While the government has goals concerning student achievement, the "standards" to which boards should be held accountable have not been discussed. Legislation (Section 11.1 of the Act) provides the government with the ability to set standards by regulation, and the Minister with authority to intervene if there is evidence that those standards are not being achieved. As yet, no regulations have been made regarding what those standards would be, what circumstances would trigger government intervention or in what stages.

Discussion guide 4:

- 1) To what standards should boards be held accountable in the areas of literacy and numeracy, and graduation rates?

Boards should be held accountable to standards that are normalized across the province. Norms provide a reasonable expectation of group outcomes, where outcomes fall either significantly below or significantly above the norms, it would be reasonable to investigate practices within the board.

- 2) What other student outcomes and implementation measures should be specified in regulation in order to ensure quality of education?
- 3) How should school boards demonstrate accountability for student outcomes?
- 4) Should the Minister intervene if a board is systematically underperforming and failing to meet a provincial standard? At what points and in what manner should intervention occur? What stages should be involved and what supports should be made available to a board in such a situation?

If it appears that a board is underperforming or failing to meet a provincial

standard investigation should be undertaken to discover the causes for the underperformance. Where necessary the Minister should offer the necessary supports that might be identified in the investigation, keeping fairness and inclusivity in the forefront. Care must be taken to insure that response to perceived underperformance is not punitive, as it is likely that failure to meet provincial standards of education would result in a board looking for all possible means of improving the delivery of education and improving student outcomes.

- 5) Are there mitigating factors that should be considered in contexts where standards are not met?

Demographics or overly ambitious timelines could explain contexts where standards are not met. For example, a community/student population with higher than average English as a Second Language needs or lower than average Socio Economic Status might have more difficulty meeting the standards. In this case it would be necessary for the Ministry of Education to provide additional resources to the board. Likewise where students exhibit substantial deficiencies longer than average timelines might be needed to bring the students up to the desired standard.

Appendix A

Canadian Federation of University Women ONTARIO COUNCIL

Policy relating to the

Governance Review of School Boards

Note: CFUW Ontario Council policy integrates that of CFUW Ontario Council with that of CFUW and IFUW.

Education: Public Funding of Public Education

October, 2002

RESOLVED: that the Canadian Federation of University Women Ontario Council re-affirm its stated purpose to assist:

In achieving and maintaining high standards of public education;
Supporting publicly funded public education with equal access for all; AND

RESOLVED: that the Canadian Federation of University Women Ontario Council encourage local CFUW Clubs to continue their efforts to monitor policy and funding of public education;

RESOLVED: that the Canadian Federation of University Women Ontario Council urge the provincial government

- o To provide high quality public education in Ontario, with funding to meet the individual intellectual, emotional, psychological and physical learning needs of each student in Ontario; and
- o Affirm Public Education as a key priority

Education - Corporate Partnerships and Advertising in Education

October, 1999

RESOLVED: That the Canadian Federation of University Women/Ontario Council urge the Ontario government to ensure the annual budget includes sufficient funding to provide high quality public education, taking into account the costs of:

- o resources - including textbooks and learning materials, libraries and library staffing;
- o special education programs and staffing for both gifted and challenged education students;
- o training and professional development for teachers to ensure proper development, preparation and implementation of curriculum
- o provision of programs that require critical thinking skills and include a balance between the humanities and hard sciences.

RESOLVED: That the Canadian Federation of University Women/Ontario Council urge the

Ministry of Education and local school boards to develop guidelines for corporate involvement in education in Ontario. Guidelines are necessary to regulate the presence of corporate advertising within the schools, as well as for mentorships, co-operative studies programs, lectures and programs that supplement the regular curriculum, health and safety checks and donations of money, equipment or services to individual schools and school boards.

RESOLVED: That the Canadian Federation of University Women/Ontario Council and local Clubs embark on a policy of pro-active involvement in public education to alert the public to any intrusions of corporate advertising in the classrooms.

Educational Policy based on Research

October, 1996

RESOLVED: That the Canadian Federation of University Women/Ontario Council strongly urge the Ontario Ministry of Education and Training to establish educational policy and direction based upon balanced, thorough and in-depth research.

Appendix B

Canadian Federation of University Women ONTARIO COUNCIL Club Locations

Ajax – Pickering	Kingston	Oshawa & District
Aurora - Newmarket	Kitchener - Waterloo	Ottawa
Barrie & District	Leaside - East York	Owen Sound & Area
Belleville & District	London	Perth
Brampton	Markham- Unionville	Peterborough
Brantford	Milton & District	Renfrew & District
Burlington	Mississauga	Sarnia Lambton
Cambridge	Muskoka	Saugeen
Chatham -Kent	Nepean	Scarborough
Cornwall & District	Niagara Falls	Southport
Etobicoke	Norfolk	St. Catharines
Georgetown	North Bay	St. Thomas
Georgian Triangle	North Toronto	Stratford
Grimsby	North York	Sudbury
Guelph	Northumberland	Thunder Bay
Haliburton Highlands	Oakville	Toronto
Hamilton	Orangeville & District	Vaughan
Kanata	Orillia	Welland & District
Kincardine	Orleans	Windsor