



# Advisory

*The Council of Ontario Directors of Education (CODE) is an advisory and consultative organization composed of the CEOs of each of the 72 District School Boards in Ontario; Public, Catholic and French Language.*

A significant amount of information in this advisory was obtained from the Centre for Governance Excellence publication, “Good Governance for School Boards” which is available through the Ontario Education Services Corporation (OESC).



## Trustee/Director Relationship

### Why is it important to understand the trustee/director relationship?

A good working relationship between the members of the board and the director of education is essential in ensuring that school boards continue to make a deep and direct contribution to the priority goals of the Ontario Ministry of Education:

- improved levels of student achievement;
- reduced gaps in student achievement; and
- increased public confidence in, and support for, public education.

A corporate board's most influential governance relationship is the relationship it has with the director. The director is the sole employee who reports directly to the board. A trusting, respectful, collaborative and cooperative relationship between the board and the director leads to a mutual understanding of their distinct roles and fosters effective policy implementation. When a positive relationship between the director and the trustees is evident and nurtured, a board becomes a dynamic environment that encourages confidence and competency while increasing:

- student and staff performance and system morale;
- trust within the organization;
- growth and leadership of the director; and
- a system focus on teaching and learning.

Every board is unique. Boards balance the needs, expectations and challenges of their communities and culture within the requirements of the legislation and the provincial context. All boards are recognized as having additional responsibilities to their communities.

### What does the Ministry of Education say about the trustee/director relationship?

There are many references to the role of boards, members of boards, and directors in the *Education Act*. Of particular importance to the trustee/director relationship are sections 169.1, 170, 171 [board duties and powers]; 198 [duties of officers of the board]; 207 [open and closed meetings]; 208, 208.1, 209 [board meetings]; 218.1-218.4 [duties of board members/code of conduct]; 219 [qualifications]; Part VIII [compliance with obligations]; and Part XI [supervisory officers]. Primarily boards are required to promote student achievement and well-being, deliver effective and appropriate education, develop and maintain policies and structures, monitor and evaluate the effectiveness of such policies, develop and monitor a multi-year plan, monitor the director's performance, and allocate resources toward prescribed outcomes.

## School Board Governance: A Focus on Achievement

In April 2009, the report “School Board Governance: A Focus on Achievement” was submitted by the Governance Review Committee to the Minister of Education.

In this document, which was influenced by consultation with representatives of 70 school boards, including 137 trustees, 54 directors and 71 parent representatives, the following comments are noteworthy:

*“School boards should be accountable for creating a caring, compassionate school system that reflects the local culture, managing the board’s resources effectively and ensuring that all students are prepared to have a successful life.”*

...school board member

The report stressed that an excellent working relationship between the chair and the director was widely felt to be an essential element of effective governance, since the chair often acts as the liaison between the board and the director. The Chair was unanimously recognized as the public spokesperson for the board on public policy issues.

*“The Chair holds a position of influence and has the opportunity to positively influence relationships with both members of the board and stakeholders in order to further the interests of public education in the community.”*

...school board member

Many of a board’s powers and duties coincide with the responsibilities of the director. Together, the director and the corporate board have a shared responsibility to establish and sustain a relationship and engage in a process that contributes to the continuous improvement of board governance, student achievement, and public confidence within the context of financial and legislative requirements.

The director is the chief education officer, chief executive officer and secretary to the board and is required to develop and maintain an effective organization and programs and to implement board policies.

The Ministry of Education does not have a process to assist either the board or the director should a serious breakdown occur in the trustee/director relationship. The Ministry of Education, however, does stipulate requirements under the *Education Act* and provides a leadership framework which outlines key competencies for supervisory officers. The Ministry also provides training and support for trustees through OESC funds.

### ***In broad terms, the corporate board is expected to:***

- govern in a manner that is responsive to its entire community and is in the interests of all learners; and
- promote confidence in publicly-funded education through its communications about the goals and achievements of the board.

The board must also demonstrate a genuine desire to work collaboratively with the director; support the director in the director’s efforts to ensure effective and timely implementation of board policies, recognize the challenges of the position, and provide honest and supportive feedback. The trustee/director relationship, while not specifically defined within the *Education Act*, provides the underpinnings of a trusting, respectful, dynamic and progressive system. The way in which the board and director work together sets an example for the entire school system and community, and influences the culture and values of the schools, staff, students and parents.

One of the key elements of building strong partnerships is role clarity. Both the corporate board and individual trustees should refrain from interfering in the day-to-day operations of the system. However, trustees should expect that the director will encourage their appropriate involvement, their support, and their perspective when making decisions and carrying out the policy directions of the corporate board. It is essential to note that role clarity and adherence to defined roles is essential to the effective operation of the system and schools.

### ***The director is expected to support the trustee/director relationship by:***

- providing advice and leadership to the board in setting goals for student achievement and in promoting the value that all children can learn;
- establishing and maintaining positive working relations with the board;
- supporting the board in performing its role and facilitating the implementation of its role as outlined in board policy;
- communicating effectively with the corporate board and individual trustees;
- demonstrating effective organizational skills that result in compliance with all legal, Ministerial, and board mandates and timelines;
- bringing to the attention of the board any act or omission by the board 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 under the *Act*; and if the board does not respond in a satisfactory manner to an act or omission brought to its attention, advising the Deputy Minister of the act or omission;

- providing leadership for the development of the board's multi-year plan and annual review of the multi-year plan;
- ensuring that the multi-year plan establishes board priorities, and identifying specific actions that will be taken to achieve those priorities, specifically with regard to the board's responsibility for student achievement;
- ensuring appropriate involvement of the board (approval of process and timelines, establishment of board strategic priorities, key results and final board approval);
- reporting regularly on implementation and results achieved in relation to the board's multi-year strategic plan and board improvement plan; and
- providing leadership in the planning, development, implementation and evaluation of board policies.

## What are some important practices for effectiveness?

In any good partnership, both parties add value to the relationship and each party appreciates and values the appropriate contributions and support of its partner.

### Using the “ICE” acronym to define levels of involvement

- **Inform:** Provide the partner with information with no expectation of involvement beyond information sharing.
- **Consult:** Provide the partner with information and options, requesting input and/or direction.
- **Engage:** Fully involve the partner in discussion, and in process and solution development.

### Determining and agreeing upon levels of involvement

Another important practice is for both the director and the board to determine the appropriate level of their involvement in any initiative. While the director may have responsibility for determining the level of involvement of trustees in the operation of the system, the board may also determine the level of the director's involvement with respect to direction-setting for the system. In boards where there is a positive, supportive and effective trustee/director relationship, it is clear that both the trustees and director have discussed and arrived at an understanding of individual and collective roles and responsibilities.

### Delegating responsibility

Boards and directors should delegate effectively, while continuing to monitor performance. One of the keys to successful management for both the board and director is to allow staff members to undertake their assigned responsibilities and to hold them accountable for their performance through the director of education. It is wise to develop a board policy that describes the responsibilities and powers that the corporate board is delegating to the director – for example, authorization for the director to appoint staff within the staff complements and salary ranges approved in collective agreements and the annual board budget, and authorization for the director to develop administrative procedures to direct the staff.

### Taking direction from the corporate board

Building board support and providing factual, concise and unbiased information is essential to an effective trustee/ director relationship. A director should ensure that direction is taken from the corporate board and not from individual trustees. Trustees should be aware that individual requests related to board policies and issues should emerge from board discussions and with the consent of the corporate board. Directors are impartial and do not align their recommendations and reports with individuals or small groups of trustees. It is essential that all the information be provided to all trustees.

In the section, “Practices that Support Good Governance”, it states that a “shared understanding of roles, responsibilities and accountability is essential, as is a commitment to build an effective working relationship between the board and senior administration and among board members. The importance of mutual trust and the quality of the relationship between a board and its director was consistently highlighted in the consultation and submissions. Transparency and maintaining an effective and appropriate flow of information between the board, the administration, parents and the community are also essential. Effective information sharing and reporting to the board appear to be skills that are learned and cultivated by directors of education. The effective board is one that learns to make clear decisions to guide senior administration.”

**“While trustees should be interested and engaged, they should not be doing the work of principals, board staff or senior board administration.”**

...stakeholder organization

## Links to additional information about roles

<http://www.oesc-cseo.org>

<http://www.edu.gov.on.ca/eng/policyfunding/leadership/SOLeadershipFramework.pdf>

<http://www.edu.gov.on.ca/eng/policyfunding/leadership/SOandDirectorreport.pdf>



### *Achieving significant goals*

Trustees and directors need to share a commitment to ensuring a positive, nurturing learning environment for all students and to building strong community relations. It is important that directors maintain a degree of professional separation, while cultivating good relations with trustees. Directors should welcome trustee involvement in activities that build a bond of mutual trust and foster a positive relationship. When trustees and the director view their respective roles in a professional and focused manner, significant goals are easier to achieve. Mutual confidence is achieved through mutual professional respect.

### *High levels of accountability for the director*

As the system leader, the director must demonstrate high levels of political acuity and set an example for the entire district. In difficult and controversial situations, directors who lead boards to focus on “students first” and avoid polarized positions are usually more successful. A general rule of “taking the high road” serves both the director and trustees well.

## How do I know that a positive and supportive trustee/director relationship is being developed?

During the director’s performance appraisal process, it is important to openly discuss the relationship between the trustees and the director. The chair of the board has a responsibility to inform the director of any concerns, and to discuss and share with the director positive solutions and strategies to ensure an effective and positive trustee/director relationship. The relationship between the director and the chair of the board is vital and both parties should work diligently at developing and maintaining a forthright and productive rapport. Directors and board chairs who attempt to understand the challenges of both positions and the demands of both roles are usually better equipped to develop trust and confidence.

There are, however, a number of indicators of a good working relationship among the trustees and with the director. They include:

- Board meetings have clear objectives, and are conducted in an efficient and effective manner.
- The board regularly supports the director’s recommendations.
- All members of the board participate in debate and decision-making.
- All trustees use board-approved problem-solving and communications protocols.
- Board members work with the senior team in a collegial way to promote board goals.
- A high level of trust exists among board members, the director and senior team.
- The board chair and vice-chair have the confidence of their trustee colleagues.

## If as a director, I have concerns and need assistance, what should I do?

When a situation arises that does not allow both parties to develop an effective relationship, it is important to consider enlisting the support of a professional organization such as the Council of Ontario Directors of Education (CODE). It is certainly better to take proactive action at the beginning of a breakdown in communication than to try to resolve the problem when it has reached a critical stage. Other considerations:

- Review concerns with your senior leadership team and with the board chair.
- Consider planning a facilitated trustee/senior administration retreat.
- Speak with knowledgeable colleagues who have significant experience in the role of director.