

AVON MAITLAND DISTRICT SCHOOL BOARD

BOARD POLICY #6

ROLE OF THE TRUSTEE

Legal References: *Education Act: Sections 170-171 Duties and Powers of Boards; Education Act: Section 209 Declaration; Bill 177 Stronger, Fairer Ontario Act*

Related References: *The Road Ahead: A Report on the Role of School Boards and Trustees, The Education Improvement Commission 1997; Educating Together: A Handbook for Trustees, School Boards and Communities, OPSBA 2006*

The *Education Act* refers to members of the board as “board members”, while the Ontario Public School Boards’ Association uses the term “board trustees”. Throughout all board policies the terms “board member” and “board trustee” are used interchangeably.

1. Background Information

The role of the trustee is to contribute to Avon Maitland District School Board as it carries out its mandate to achieve its Strategic Plan. The declaration of office made by each trustee when he or she assumes office binds that person to work diligently and faithfully in the cause of education.

The *Education Act* gives no individual authority to trustees. As members of the corporate board, trustees are accountable to the public for the collective decisions of the board and for the delivery and quality of educational services. A trustee must serve the community as an elected representative, but the trustee’s primary task is to act as a member of a corporate board.

The decisions of the board of trustees in a properly constituted meeting are those of the corporation. A trustee who is given corporate authority to act on behalf of the board by means of written policy or resolution may carry out duties individually, but only as an agent of the board. In such cases, the actions of the trustee are those of the board, which is then responsible for them. A trustee acting individually has only the authority and status of any other citizen of the district.

Trustees bring a range of skills, experience, knowledge, values, beliefs and opinions to their role. Their background does not necessarily include teaching, administration, or any other aspect of education. Their diversity ensures that board processes are truly democratic. It contributes to good decision-making. This diversity also helps trustees provide a balance between the interests of a broader community and the interests of those involved in the delivery of education.

Trustees are responsible for staying informed about developments in education. Trustees have a responsibility to learn about the school system and the many issues that face publicly funded education.

Trustees serve large constituencies, and fulfilling the representational role is challenging. A democratic system entitles everyone to a voice but does not ensure that everyone will always be content with decisions that are made. Effective communication is critically important.

Regular two-way communication will enhance a trustee's ability to represent constituents and help to build understanding and consensus in the community.

Trustees act as education advocates at various levels. At the local level, trustees work on behalf of the community and must consider the unique needs of that community when deciding what position to take on an issue. They encourage constituents to participate in the school system. The trustee's role as an education advocate often extends beyond the boundaries of the district school board. Trustees are education advocates across the province and with the provincial government.

Educating Together: A Handbook for Trustees, School Boards and Communities, OPSBA 2006 (page 35)

2. Responsibilities

- 2.1 Trustees will exercise their power to govern only as trustees of the corporate body, not as individuals.
- 2.2 Trustees will abide by existing legislation, the board's Governance By-Laws, polices established for the board, and declaration of office.
- 2.3 As elected officials, the trustees of Avon Maitland District School Board:
 - a) Develop and monitor policy
 - b) Demonstrate leadership within the community
 - c) Ensure that the board maintains integrity in providing education
 - d) Represent their community

3. Implementation

- 3.1 Trustees become familiar with Avon Maitland District School Board policies, meeting agendas and reports in order to participate effectively in board business.
- 3.2 Trustees refer queries or issues and problems not covered by board policy to the board for corporate discussion and determination of decision-making authority.
- 3.3 Trustees refer queries, issues or problems raised by a parent or community member to the appropriate staff. Board members support the belief that the most efficient way to run an organization is to deal with issues or problems as close as possible to the place where they occurred. (See Communication Guidelines below.)
- 3.4 Trustees provide information about a community's history, traditions and experiences when such information will be helpful for the context for decision-making by the Director of Education or the board.
- 3.5 Trustees participate in and contribute to the decisions of the board in order to provide the best solutions possible for the education of students in Avon Maitland District School Board.
- 3.6 Trustees strive to develop a positive learning and working culture within the board.
- 3.7 Trustees bring to the attention of the board any issues that may affect Avon Maitland District School Board, and interpret the needs of the community to the board.

- 3.8 Trustees uphold decisions of the board and work diligently to ensure that the decisions or policies are implemented and monitored.
- 3.9 Trustees exercise authority within defined limits when delegated such responsibility.
- 3.10 Trustees shall endeavour to participate in development opportunities to enhance their ability to understand and fulfill their obligations.

4. Communication Guidelines for Board Members

Avon Maitland District School Board strives to maintain open and fair communication with all parents, guardians and members of the school community. In so doing, the board endorses and follows a fair and consistent process for the handling of complaints.

- 4.1 Trustees shall be guided by the following philosophy in dealing with concerns or complaints about the schools:
- a) Keep the approach to the problem as low-key as possible
 - b) Refer the complainant to the appropriate staff, and
 - c) Leave the investigation and solution in the hands of the professional staff
- If a trustee receives a concern or complaint concerning a school, the trustee should notify the principal of that school, unless the concern is specifically about a principal, then the trustee should refer the matter to the Superintendent responsible for the school.
 - Resolution of Concerns or Complaints by Staff
 - Step 1** The trustee shall inquire if the complainant has discussed the problem or complaint with the appropriate staff member. If not, the complainant shall be advised that this is the first step to follow.
 - Step 2** If the complainant is not satisfied that the problem was resolved at Step 1, the trustee may refer the complainant to the appropriate principal, supervisor or administrative officer.
 - Step 3** If the complainant is not satisfied that the problem was resolved at Step 2, the trustee may refer the complainant to the appropriate administrator or the administrative officer.
 - Step 4** If the complainant is not satisfied that the problem was resolved at Step 3, the trustee may refer the complainant to the Director of Education. The Director of Education or the Director's designate shall attempt to obtain all the facts and to resolve the complaint.
 - Resolution of Concerns or Complaints by the Board
 - Step 5** If the complainant is not satisfied that the problem was resolved at Step 4 of the informal process, and the complainant wishes to pursue the complaint further, the complainant shall be told by the trustee that the complainant is required to forward the concern in writing to the Secretary of the Board who shall refer the matter to the appropriate committee of the board for a hearing. Any recommendations made by a committee require approval by the board.
 - Step 6** If the complainant is not satisfied with the resolution of the problem at Step 5, the complainant shall be provided the opportunity to refer the complaint to the board. The Secretary shall place the concern on the agenda of the next meeting of the board. Depending on the nature of the complaint, the board shall hear the complaint in

Committee of the Whole in closed session or in Committee of the Whole in open session. The Director shall cause a report related to the concern to be presented at this meeting. The complainant shall be given the opportunity to make a presentation to the board.

- In the interest of fairness, when an employee or a group of employees is named in a formal complaint, the employee or group of employees will be provided with a copy of the complaint and will be given an opportunity to respond to the complaint.
- Any board decision shall be binding on all parties concerned.

4.2 The following additional suggested practices are intended to assist trustees when dealing with concerns or queries raised to them:

- If trustees are unsure how to respond to a concern, they should contact the Chair of the Board for guidance.
- Trustees should indicate to the person with the concern how the trustee will be referring the concern on, and ask the person's permission to use the complainant's name when doing so.
- If a common concern is raised by a number of individuals, trustees may be able to use the process outlined above in 4.1.
- If the concern raised is with respect to Board Policy or is of a more general nature rather than being related to a specific school or individual student, trustees can also indicate that the individual(s) could bring the concern to the board through a delegation, a letter to the Secretary of the Board or trustees could invite the individual(s) to an open session if the topic of concern is being discussed there.