

AVON MAITLAND DISTRICT SCHOOL BOARD

BOARD POLICY #12

POLICY MAKING

Legal References: *Education Act: Sections 170-171 Duties and Powers of Boards; Section 283 (2) Chief Executive Officer; Section 286 Duties of Supervisory Officers.*

Related References: *Board Policy No. 10 Committees of the Board*

This policy has been developed to provide broad guidelines for the effective operation of Avon Maitland District School Board and a framework for consistent decision-making by the director of education and staff.

Policy development is a key responsibility of Avon Maitland District School Board. Policies establish directions for the district, assign authority and establish controls that make board governance and management possible. Policies are the means by which the board, director and district employees are accountable to the community as a whole. Adoption of new board policies or revision of existing policies is solely the responsibility of the board.

Avon Maitland District School Board shall be guided in its approach to policy making by ensuring adherence to the requirements necessary to provide effective public education. Board policies will comply with the *Education Act* and provincial legislation. The board recognizes that a number of groups have an interest in and may provide valuable contributions in the development and revision of policies.

The board recognizes that policies, to be effective, must be reviewed regularly and changed in keeping with existing circumstances. This policy provides for review of policies once in every term of the board. Once a policy has been approved or amended by the board, all former policies or board motions that are superseded in whole or in part by the new policy or amendment, shall be considered revoked.

Board policies shall provide an appropriate balance between the responsibility of the board to develop the broad guidelines to guide the district, and the opportunity for the director of education to exercise professional judgement in the administration of the district.

Avon Maitland District School Board believes that clarity, transparency and stakeholder involvement in the development of board policy will result in better policy and in better adherence to policy.

1. Definitions

1.1. Board

The board is the corporate body of trustees acting formally within its mandate under the *Education Act*.

1.2. Policy

Policy is a statement expressing the underlying philosophical basis, the values or core beliefs of the board on an educational or related matter; and may also provide specific direction or rules for carrying out the philosophical intent. Adoption of new board policies or revision of existing policies is solely the responsibility of the board.

1.3. **By-law**

A by-law is a board policy which establishes rules for board governance such as order of business, rules of order, conflict of interest, trustee vacancy, etc. The by-laws of the board are set out in Policy No. 9 Board Governance By-laws.

1.4. **Administrative Procedure**

Administrative procedures may be of two types:

- A directive issued by the director of education which instructs the staff about the implementation of a Ministry or board statute, regulation, policy or other order; or
- A direct instruction to the staff from the director of education about implementation of any matter that furthers the board's Strategic Plan and lies within the director's job description as described in Board Policy No. 3.

1.5. **Guideline**

A guideline is an administrative instruction issued by a member of the board's senior staff which may offer limited choice and/or which provides additional detail about the implementation of an administrative procedure.

1.6. **Handbook**

A handbook is a collection of administrative instructions issued by a member of senior staff, which consolidates implementation for staff and others in a particular field (e.g., Special Education Handbook, Safe Schools Handbook, School Councils Handbook, etc.). A handbook may also be a similar collection issued by a principal for the school staff, students and parents.

1.7. **Protocol**

Protocol is a policy or procedure, which sets out the rules for interaction between the board of trustees or the staff and outside agencies.

2. **Rationale For Policy Development**

- a) To give substance to the Avon Maitland District School Board's Strategic Plan.
- b) To make a public statement by which the board can be held accountable.
- c) To comply with legislative and other legal requirements which require a specific board policy.
- d) To delegate authority to the director of education and set clear parameters within which the director can develop administrative procedures.
- e) To provide the overall direction for budget development and resource allocation.

3. **Principles Underlying Policy Development**

- a) To establish clear and consistent policies and monitor their implementation.
- b) To consult with students, staff, parents and communities openly and authentically when appropriate.
- c) To support the board's Strategic Plan.

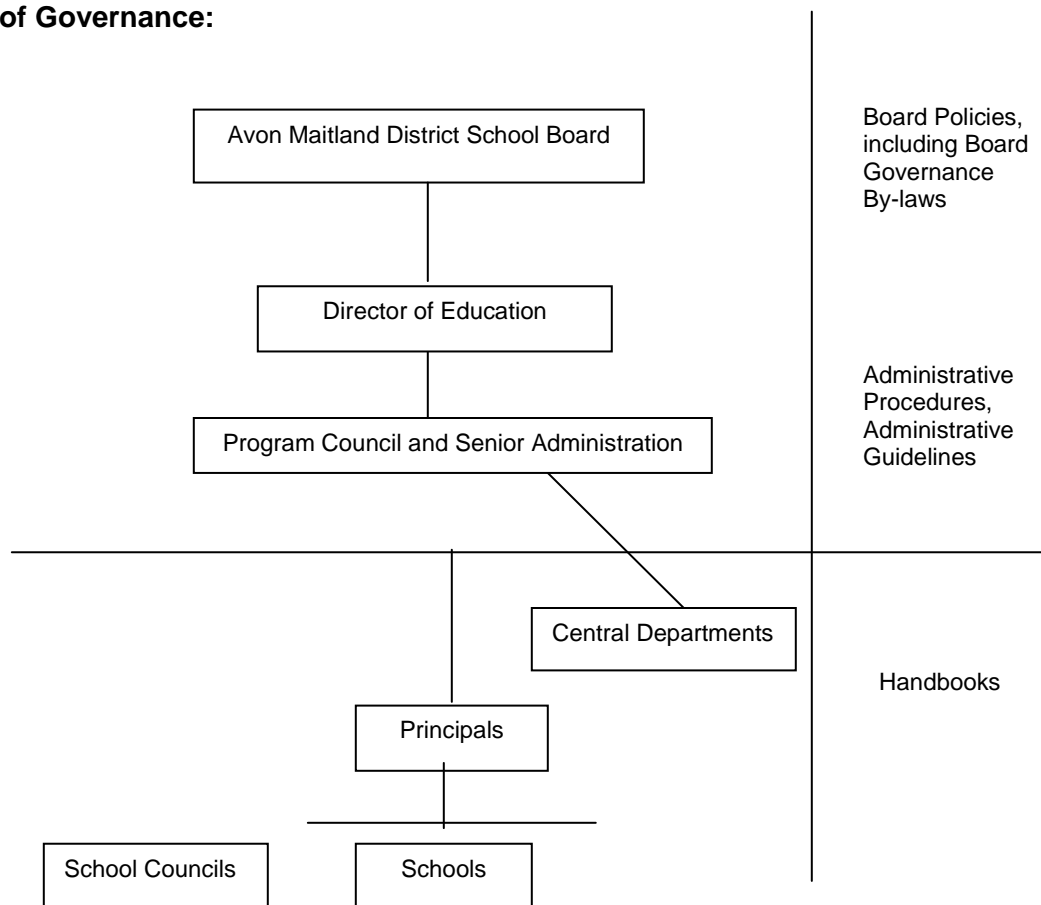
4. **Criteria For Developing Policy**

Board policy will be:

- a) Consistent with the Board's Strategic Plan;
- b) Developed through an appropriate consultation process;
- c) Clearly written, easily understood, and in language that is inclusive;
- d) Readily available and accessible to all on the board web-site;
- e) Current and up to date; and
- f) Successful in achieving the intended purpose.

5. Application of Governance Responsibilities

Levels of Governance:



- 5.1 The chart demonstrates that all parts of the board's organization are interdependent and that communication flows both ways between the various parts. The chart demonstrates the authority of the board in deciding its policies and by-laws, and shows that, in legislating them, it relies on discussion of trustees at board meetings.
- 5.2 The chart also demonstrates that the board receives advice about staff issues through the director of education. The director, once a policy is passed, issues appropriate administrative instructions to staff as required (administrative procedures, guidelines and handbooks) to ensure that the spirit and the letter of policy are implemented.
- 5.3 The Program Council and the senior administration team are created by the director and serve as the forums for senior staff discussion. These groups have input into policy development and develop administrative procedures. The director and members of the senior staff, acting on behalf of the director, provide instruction to the central departments (e.g., Human Resources, Finance, Special Education, and Program) and to the principals. The principals, in turn, may issue instructions to their staffs. Principals are also expected to both inform and to receive advice from their school councils.

6. Establishing Priorities and Developing Policy

- 6.1 Issues that could result in policy development or review may be identified by the board, a board committee, a trustee through notice of motion, by direct presentation from the community, or through the director of education from students and staff members.

- 6.2 Priorities for developing policy will be identified by the Board and/or the director of education as necessary.
- 6.3 The priorities for policy making will be determined by addressing the questions:
- a) Is a policy required by an act or regulation?
 - b) Is the development of a policy the appropriate response to an issue or circumstance?
 - c) Is there a governance issue?
 - d) Is the proposed policy consistent with the governance role of the corporate board as described in Board Policy No. 2 Board of Trustees Job Description?
 - e) Is there a community issue?
 - f) Are there financial implications?
 - g) Is there urgency?
 - h) What are the implications of continuing with the status quo?
 - i) What is the practicality or feasibility of developing a particular policy?
 - j) Is there an existing policy that should be revised to address the need?
- 6.4 Responsibility for the writing of policy according to board direction is undertaken by the director of education or designate.
- 6.5 The proposed policy is presented by the director of education or designate to the Board for consideration and approval.

7. Consultation Process

- 7.1 When consultation on a policy is required, the consultation should involve all parties who can contribute to and/or are affected by the proposed policy.
- 7.2 Consultation should be characterized by openness, trust, integrity and mutual respect for the points of view of all participants.
- 7.3 The time lines for consultation should be clear so that participants can plan their involvement.
- 7.4 Strategies for consultation may include one or more of public meetings, focus groups, referral to standing or ad hoc advisory or liaison committees, written or oral delegations, research review, polling, workshops and distribution of position papers.

8. Process For Policy Implementation

- 8.1 Following board approval of a policy, the board assumes responsibility for the successful implementation of the policy.
- 8.2 The director of education may issue administrative procedures to assist in implementing policies. One example would be administrative procedures to implement Board Policy No. 1 Strategic Plan.

9. Process For Policy Review

- 9.1 Board policies shall be reviewed once in every term of the board to ensure:
- a) That they are still relevant;
 - b) That they still conform to the criteria for exemplary policy; and
 - c) That they have been implemented effectively.

- 9.2 The board, with the assistance of the director of education, is responsible for developing a review process that includes:
- a) A review of roles and responsibilities;
 - b) A consultation process, if needed;
 - c) A study of resources required;
 - d) An evaluation strategy; and
 - e) A process for revising the policy, if needed.
- 9.3 The director of education is responsible for making the policy revisions and ensuring that changes are announced and posted on the board web site.

10. Summary of Powers and Duties

- 10.1 The board is responsible for the implementation of policies governing its own processes. The board and director of education share the responsibility for implementation of policies relating to the board/director relationship. The board has delegated to the director the authority to develop administrative procedures to address all other issues, and the director is responsible for the implementation of these procedures.
- 10.2 The board may request the director to change an administrative procedure to a draft board policy, and will provide the rationale for this change.
- 10.3 The board may also delete a policy and subsequently delegate the director authority over this area. The director may choose to develop an administrative procedure relative to this matter.
- 10.4 The director shall develop administrative procedures as specified in Board Policy No. 4 Delegation of Authority and may develop such other procedures as deemed necessary for the effective operation of the district.
- 10.5 All administrative procedures must be entirely consistent with board policies.