



AD-HOC POLICY COMMITTEE
Report No. 24-090

20 June 2024

**APPROVAL OF REVISIONS TO POLICY P.051.GOV EVALUATION OF
DIRECTOR OF EDUCATION AND SECRETARY OF THE BOARD**

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PURPOSE:

1. To seek approval for the proposed revisions to Policy P.051.GOV Evaluation of Director of Education and Secretary of the Board in response to Ontario Regulation 83/24 Director of Education Performance Appraisal.

STRATEGIC LINKS:

2. Effective governance is a key feature within the social responsibility pillar of the 2023-2027 Strategic Plan and the Director's performance appraisal process is a good governance practice.

CONTEXT:

3. In March 2024, [Ontario Regulation 83/24 - Director of Education Performance Appraisal](#) came into effect, which means the annual director of education performance appraisal must now follow this new regulation. This requires revisions to [Policy P.051.GOV Evaluation of Director of Education and Secretary of the Board](#) to comply with the new requirements. Appendix A includes the proposed revised policy.

KEY CONSIDERATIONS:

4. Transitional Period
Both the policy and the newly introduced regulation offer clear directives for evaluating the performance of directors of education. To ensure compliance and alignment with regulatory requirements during this time of transition, the Board should follow its policy for the 2023-2024 evaluation of the Director of Education. Simultaneously, the Board must transition to the requirements outlined in the regulation for the 2024-2025 evaluation cycle. This strategic approach ensures a

seamless transition while upholding the integrity and effectiveness of the evaluation process.

5. Timelines

One of the most significant differences between *Regulation 83/24* and the policy is the timeline for the work of the Performance Appraisal Committee and its associated communication. The regulation sets out very specific dates for required action and although it contemplates key deliverables during July and August it is conceivable that with an efficient and coordinated approach, the Committee could complete its objectives by the end of June so as to avoid meetings over the summer months.

The following table summarizes important deadlines and associated actions shared in the regulation:

Date	Action
May 15	Appoint a committee.
July 31	Committee chair and at least one other member of the committee meet with the director of education to develop and finalize the performance plan.
August 15	Committee chair provides a copy of the director of education’s performance plan to every member of the board. Chair of the board: <ul style="list-style-type: none"> ● Provides written notice to the Minister; ● Posts a copy of the confirmation on the board’s website.
December 1	The Minister provides written notice to the Coard and the Director of Education indicating whether they intend to provide feedback in accordance with section 8.
January 11	Committee chair requests feedback from every member of the board regarding the director of education’s progress toward implementing the actions and achieving the goals in the performance plan.
January 21	Each member of the Board provides any feedback to the chair of the committee.
January 31	Committee chair and at least one other member of the Committee meet with the Director of Education to review

	progress and discuss relevant matters regarding the performance plan.
April 30	External executive management and leadership firm performs an assessment and compiles feedback received from a variety of stakeholders including trustees, student trustees, all members of statutory, ad hoc, or other committees of the board, members of the Director's Executive Council, the parent members all school councils, representatives or all local employee associations and a sampling of community partners and stakeholders, as identified by the committee with input from the Director of Education.
May 15	External executive management and leadership firm provides the report to the Committee and the Director of Education.
June 10	Director of Education updates the performance plan in accordance with subsection 9 (4).
June 20	Committee chair provides a copy of the draft performance appraisal report with respect to the Director of Education to every member of the Board.
June 30	Each member of the Board provides any feedback on the draft performance appraisal report to the Committee.
Once the draft report is complete the following steps need to be resolved:	
July 7	Committee chair provides the draft performance appraisal report for the interim or full evaluation cycle to the Director of Education.
July 31	Committee chair and at least one other member of the Committee meet with the Director of Education to: <ul style="list-style-type: none"> ● Review the actions implemented by the Director of Education to achieve the goals outlined in the performance plan and discuss other relevant matters. ● Review and update the Director of Education's performance plan for the following evaluation cycle, if necessary. ● Review and discuss the Committee's draft performance appraisal report. ● Provide the Director of Education an opportunity

	to respond to the Committee's evaluation, performance rating, and explanation for the rating.
August 10	Committee finalizes the performance appraisal report, considering feedback from the Board members, the Director of Education, the report from the external executive management and leadership firm (during the biannual evaluation) and survey information. Committee provides the final performance appraisal report to the Board and the Director of Education.
August 15	Board: <ul style="list-style-type: none"> ● Provides written confirmation to the Minister that the performance appraisal has been conducted and that the final performance appraisal report has been adopted by the board. ● If it is a full evaluation cycle requiring the report compiled by the external executive management and leadership firm to be provided to the Minister with a list of community partners and stakeholders from whom feedback was requested. ● Post a copy of the confirmation and, if applicable, the list of community partners and stakeholders on the Board's website.

6. Performance Appraisal Committee

One of the requirements of the regulation is the establishment of a committee which is responsible for conducting the performance appraisal of the Director of Education. The District, through its established Ad Hoc Committee for Board Self-Evaluation and Director Performance Evaluation Processes, met on 9 May 2024 to discuss implications of the new regulation and recommend to the Board a revised terms of reference for the Committee to align with the regulation. The Board formally recognized the Director and Board Performance Appraisal Committee on 28 May 2024. This Committee will meet to further develop, refine and finalize the Director's performance plan.

7. Performance Plan

The policy includes a comprehensive performance plan which outlines the key responsibilities and expectations for the Director of Education. The OCDSB plan is robust and has many similarities to the plan as contemplated in the regulation. Staff have created a draft performance plan template for consideration by the Director Performance Appraisal Committee. Confirmation of the performance plan for the 2024-2025 full evaluation cycle must be finalized, shared with the Ministry and posted on the District website by 15 August 2024.

RESOURCE IMPLICATIONS:

- 8. The Board will need to allocate funding to hire an external executive management and leadership firm according to the regulatory requirements. It is anticipated that the cost of this work could approach \$25,000.00. Staff will ensure an appropriate amount is committed within the 2024-2025 budget.

COMMUNICATION/CONSULTATION ISSUES:

- 9. As the proposed revisions are in response to the new *Regulation 83/24*, consultation is not required by [Policy P.110.GOV Consultation By The Board, Schools and School Councils With Constituent Groups And The Wider Community](#). Section 4.7 of P.110.GOV states that:

“The Board recognizes that formal consultation will not always be appropriate or possible. Should a consulting body conclude that formal consultation is not appropriate or possible, this decision and the rationale shall be clearly communicated to all those potentially affected by the decision. Examples of reasons for not undertaking a formal consultation may include: a) the decision is required by a higher authority (e.g. building code, ministerial directive; municipal, provincial or federal act or regulation) and there is insufficient latitude for discretion to undertake a consultation on options;”

RECOMMENDATION

THAT Policy P.051.GOV Evaluation of Director of Education and Secretary of the Board, attached as Appendix A to Report 24-090, be approved.

Michèle Giroux
Executive Officer (Board Services)

Pino Buffone
Director of Education and
Secretary of the Board

APPENDICES

- Appendix A - Draft revised Policy P.051.GOV Evaluation of Director of Education and Secretary of the Board
- Appendix B - Standing Policy Policy P.051.GOV Evaluation of Director of Education and Secretary of the Board