



PROCEDURE 109	
Adopted	October 6, 2008
Last Reviewed	February 11, 2014
Review Date	February, 2019

MONITORING AND RESPONDING TO LEGISLATION

1. PURPOSE

Board Policy No. 6 Delegation of Authority requires the director of education to bring any proposed provincial legislation to the corporate Board for initial discussion and determination of decision-making authority. If the Board determines that the proposed legislation relates to its governance role, the director will provide the Board with current information and efficient processes to support the Board in responding to all statutory requirements in a timely and effective way.

In addition to being accountable to the Board, the director is accountable, through statute, to the Minister of Education for the organization and operation of the district. The director must ensure that the district, its staff and programs comply with all legislated requirements.

The director has developed this administrative procedure to describe the role of the director and designates in monitoring and responding to legislation, both on behalf of the corporate Board and on behalf of the district staff and students.

2. MONITORING AND RESPONDING TO LEGISLATION

- 2.1 The director of education and system administrators shall keep informed about proposed and enacted legislation that has implications for the corporate Board and/or for the district staff and students.
- 2.2 When the Ministry of Education announces proposed legislation, the director shall inform the staff and Board promptly of the implications of the legislation and shall monitor activities related to the legislation from the time of announcement through to proclamation.
- 2.3 The director shall designate one system administrator as the lead person for each new initiative that must be monitored.
- 2.4 If the director decides to attempt to influence proposed legislation on behalf of the Board or district, the director, in consultation with the chair of the Board, will inform one or more of the following persons of such action, if appropriate:
 - a) the manager of the regional Ministry office;
 - b) the executive director of the Council of Ontario Directors of Education;
 - c) the executive director of the Ontario Public School Boards' Association;
 - d) the board solicitor;
 - e) local members of provincial parliament;
 - f) the Minister of Education; and/or
 - g) the Premier.

- 2.5 While monitoring proposed legislation, the director of education or designate will:
- 2.5.1 take part in activities related to the Bill as deemed useful;
 - 2.5.2 monitor legislative activities through the Ontario Public Supervisory Officials' Association, the Ontario Public School Boards' Association, other boards or individuals as appropriate;
 - 2.5.3 monitor legislative activities directly for matters critical to Hastings and Prince Edward District School Board;
 - 2.5.4 provide the staff and/or Board, as appropriate, with updates on changes in Bills as they pass through the legislative process; and
 - 2.5.5 advise the staff and Board of the Bill's proclamation.
- 2.6 When legislation is passed, the monitoring individual as designated by the director shall provide the staff and/or Board, as appropriate, with a plan of action to respond to the full implications of the new legislation.
- 2.7 The plan of action may include the development of Board policy and/or an administrative procedure or procedures to direct implementation of the legislation.
- 2.8 The director of education and designates will also respond to any new legislation as appropriate in the annual system planning process.

Legal References:

Education Act, sections 8-17 Powers of the Minister; section 170 Duties of Boards; section 283 Chief Executive Officer; section 286 Duties of Supervisory Officers

District References:

- Board Policy No. 4 - Corporate Board Job Description
- Board Policy No. 5 - Director of Education Job Description
- Board Policy No. 6 - Delegation of Authority
- Board Policy No. 7 - Board Policy Development and Review
- The Achievement in Motion System Plan
- Administrative Procedure 100 - System Planning
- Administrative Procedure 105 - Director's Annual Report
- Administrative Procedure 110 - Board Policy Development and Review
- Administrative Procedure 111 - Administrative Procedures Manual