

Director of Education Performance Appraisal Policy

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Policy Owner:	Office of the Chair
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Resources:	• <i>The Education Act</i>, RSO 1990, c E.2 ◦ Ontario Regulations 83/24

1. Intent

- 1.1. This policy ensures that the annual performance appraisal of the Director of Education is in compliance with the Ontario *Education Act* and Ontario Regulation 83/24.
- 1.2. The performance appraisal process is intended to strengthen the organization, making it more cohesive, viable, accountable, and proactive in serving the needs of students and the broader Board of Trustees community.

2. Definitions

- 2.1. **Director of Education** or **Director** shall refer to the Thames Valley District School Board Director of Education.
- 2.2. **Director's Performance Appraisal Committee** or **DPAC** refers to the three to seven members of The Board of Trustees responsible for evaluating the Director's Performance.

2.3. **The Board** or **The Board of Trustees** shall refer to the Thames Valley District School Board of Trustees.

2.4. **TVDSB** shall refer to Thames Valley District School Board.

3. Objective of Policy

3.1. It is the policy of The Board of Trustees to conduct an annual performance appraisal of the Director of Education in meeting the duties under the following:

3.1.1. *Education Act* and Regulations;

3.1.2. Ontario Human Rights Code;

3.1.3. Occupational Health and Safety Act;

3.1.4. Ministry Directives;

3.1.5. Board of Trustees Policy;

3.1.6. The Board of Trustees' Multi-Year Strategic Plan (MYSP);

3.1.7. Board Improvement and Equity Plan;

3.1.8. Operational Plan;

3.1.9. The duties listed in Section 6 of this policy and

3.1.10. Any other duties assigned by The Board of Trustees.

3.2. The performance appraisal process provides an opportunity for feedback and discussion about:

3.2.1. Professional growth;

3.2.2. Job expectations and priorities;

3.2.3. Evidence of performance and

3.2.4. Identification of areas where performance may be improved.

3.3. The performance appraisal process is to be a mutual learning opportunity to affirm successful practices and to improve areas of identified need, recognizing the overarching goal of benefiting students based on the shared responsibility of the Director of Education and the Trustees for improving student achievement.

4. Roles and Responsibility

4.1. The **Chair of the Director's Performance Appraisal Committee** (DPAC) is responsible for implementing this policy.

4.2. The **Director of Education** shall be responsible for:

4.2.1. Updating the performance plan;

4.2.2. Providing input to the DPAC regarding community partners and interest holders mentioned in 4.4.6 of this policy and

4.2.3. Providing input to the DPAC on any additional appraisal elements.

4.3. All **Trustees** shall be invited to provide input regarding the Director of Education's performance report.

4.4. During a Bi-Annual Feedback year, the following groups shall be invited to provide comments on the Director's performance:

4.4.1. Each member of The Board;

4.4.2. Each member of every statutory, ad hoc, or other committee of The Board;

4.4.3. Each staff member of TVDSB who reports directly to the Director of Education;

4.4.4. Each parent member of the school council at each school of TVDSB;

4.4.5. A representative nominated by each local employee association representing

employees of TVDSB;

4.4.6. A representative sample of community partners and interest holders as determined by the DPAC and

4.4.7. When applicable, the Ontario Minister of Education.

4.5. A consultant with at least five (5) years of experience conducting multi-source executive performance assessments and, as selected by Board motion, shall be responsible for requesting feedback on the Director's performance from the group listed in 4.4 and writing a report summarizing the feedback.

5. Committee Membership

5.1. The DPAC must comprise between three (3) and seven (7) members of The Board.

5.1.1. The Board Chair shall always be a member of the DPAC and will count towards the minimum and maximum listed in 5.1.

6. Role of the Director

6.1. The TVDSB Director of Education is responsible for the following duties:

6.1.1. Develop and maintain an effective organization and the programs required to implement board policies;

6.1.2. Annually review the multi-year plan with The Board of Trustees;

6.1.3. Ensure that the multi-year plan establishes The Board's priorities and identifies specific measures and resources that will be applied in achieving those priorities and in carrying out its duties under the *Education Act*;

6.1.4. Implement and monitor the implementation of the multi-year plan;

6.1.5. Report periodically to The Board on the implementation of the multi-year plan;

6.1.6. Act as Secretary to The Board;

6.1.7. Immediately upon discovery, bring to the attention of The Board any act or omission by The Board that, in the opinion of the Director of Education, may result in or has resulted in a contravention of the *Education Act* or any policy, guideline or regulation made under the *Education Act*; and

6.1.7.1. If a board does not respond in a satisfactory manner to an act or omission brought to its attention, advise the Deputy Minister of the Ministry of the act or omission.

7. Director of Education Performance Appraisal Process

7.1. The performance appraisal process is confidential and will be conducted privately following the *Education Act*, Section 207(2)(b).

7.2. There are three different Director of Education Performance Appraisal processes depending on how long the Director has worked for TVDSB. Interim (Section 8), Full Evaluation (Section 9) and Full Evaluation with Bi-annual Feedback (Section 10). The table below should be followed when determining the type of review required.

Item #	Column 1: Start date of role as Director of Education	Column 2: End date for interim evaluation cycle	Column 3: Start date of first full evaluation cycle
7.2.1	Before March 1, 2024.	None	July 1, 2024.
7.2.2	On or after March 1, 2024 and on or before June 30, 2024.	June 30, 2025.	July 1, 2025.
7.2.3	On or after July 1 in a year and on or before the last day of February in the following year.	The first June 30 following their start date.	The first July 1 following their start date.
7.2.4	On or after March 1 in a year and on or before June 30 in that same year.	June 30 in the following calendar year.	July 1 in the following calendar year.

8. Interim Evaluation Process

8.1. The persons or entities with actions to complete, the actions and completion date for the Director of Education Interim Evaluation Process shall be as follows:

Item #	Column 1: Person or entity	Column 2: Action	Column 3: Completion Date
8.1.1	Committee chair and at least one other member of the committee	Meet with the Director of Education to develop and finalize their performance plan.	The date that is 30 days after the person's first day in the role of the Director of Education for The Board.
8.1.2	Committee chair	Provide a copy of the Director of Education's performance plan to every member of The Board.	The date that is 45 days after the person's first day in the role of the Director of Education for The Board.
8.1.3	Chair of The Board	1. Provide written notice to the Minister containing the following information: i. the date that the person began their role as Director of Education for The Board, and ii. confirmation that the Director of Education's performance plan has been put in place for the current full evaluation cycle. 2. Post a copy of the confirmation on The Board's website.	The date that is 45 days after the person's first day in the role of the Director of Education for The Board.
8.1.4	Committee chair	Request feedback from every member of The Board in respect of the Director of Education's progress toward implementing the actions and	The date that is 20 days before the date

		achieving the goals contained in the performance plan and to discuss other matters relevant to the performance plan.	determined for item 8.1.6.
8.1.5	Each member of The Board	Provide any feedback requested in 8.1.4 to the chair of the committee.	The date that is 10 days before the date determined for item 8.1.6.
8.1.6	Committee chair and at least one other member of the committee,	Meet with the Director of Education to review their progress toward implementing the actions and achieving the goals contained in the performance plan and to discuss other matters relevant to the performance plan.	The closest weekday to a date that is midway between the date on which the action in item 8.1.3 is taken and final day of the interim evaluation period.
8.1.7	Director of Education	Update the performance plan in accordance with Section 12.4.	June 10
8.1.8	Committee chair	Provide a copy of the draft performance appraisal report, prepared in accordance with Section 13.6, in respect of the Director of Education to every member of The Board.	June 20
8.1.9	Each member of The Board	Provide any feedback on the draft performance appraisal report to the committee.	June 30

9. Full Evaluation

9.1. The persons or entities with actions to complete, the actions and completion date for the Director of Education Full Evaluation process shall be as follows:

Item #	Column 1: Person or entity	Column 2: Action	Column 3: Completion Date
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9.1.1	Committee chair and at least one other member of the committee	Meet with the Director of Education to develop and finalize their performance plan.	July 31
9.1.2	Committee chair	Provide a copy of the Director of Education's performance plan to every member of The Board.	August 15
9.1.3	Chair of The Board	1. Provide written notice to the Minister that includes the following information: i. the date that the person began their role as Director of Education for The Board; ii. whether the steps set out in Section 10.1 are required to be taken during the current full evaluation cycle, and iii. confirmation that the Director of Education's performance plan has been put in place for the current full evaluation cycle. 2. Post a copy of the confirmation on The Board's website.	August 15
9.1.4	Minister	If it is a full evaluation cycle in which the steps set out in Section 10.1 are required to be taken, provide written notice to The Board and the Director of Education indicating whether the Minister intends to provide feedback under Section 10.	December 1
9.1.5	Committee chair	Request feedback from every member of The Board in respect of the Director of Education's progress toward implementing the actions	January 11

		and achieving the goals contained in the performance plan.	
9.1.6	Each member of The Board	Provide any feedback requested in 9.1.5 to the chair of the committee.	January 21
9.1.7	Committee chair and at least one other member of the committee	Meet with the Director of Education to review their progress toward implementing the actions and achieving the goals contained in the performance plan and to discuss other matters relevant to the performance plan.	January 31
9.1.8	Entity described in Section 4.5	If it is a full evaluation cycle in which the steps set out in Section 10 are required to be taken, perform the step described in Section 10.1.1.1	April 30
9.1.9	Entity described in Section 4.5	If it is a full evaluation cycle in which an assessment is required to be performed under Section 10, provide the report described in 10.1.1.2 to the DPAC.	May 15
9.1.10	Director of Education	Update the performance plan in accordance with Section 12.4.	June 10
9.1.11	Committee chair	Provide a copy of the draft performance appraisal report, prepared in accordance with Section 13.6, in respect of the Director of Education to every member of The Board.	June 20
9.1.12	Each member of The Board	Provide any feedback on the draft performance appraisal report to the committee.	June 30

10. Bi-Annual Feedback

10.1. In addition to the actions listed in the table for Section 9.1, if the Director of Education has not received their first Full Evaluation or it has been two years since a Full Evaluation included Bi-Annual Feedback, the following will occur:

10.1.1. The Board shall ensure that an entity that has at least five years of experience conducting multi-source executive performance assessments takes the following steps:

10.1.1.1. Request feedback from the persons listed in 10.1.2 of this policy regarding the Director of Education's performance and

10.1.1.2. Prepare a written report summarizing and analyzing the feedback.

10.1.2. The persons to be contacted for feedback are:

10.1.2.1. Each member of The Board;

10.1.2.2. Each student trustee of The Board;

10.1.2.3. Each member of every statutory, ad hoc, or other committee of The Board;

10.1.2.4. Each staff member of TVDSB who reports directly to the Director of Education;

10.1.2.5. Each parent member of the school council at each school of TVDSB;

10.1.2.6. A representative nominated by each local employee association representing employees of TVDSB;

10.1.2.7. A representative sample of community partners and stakeholders, as identified by the committee with input from the Director of Education and

10.1.2.8. If notice has been provided in accordance with 9.1.4, the Minister.

10.1.3. In preparing a report under 10.1.1.2, the entity shall remove any words or names that would identify a parent or student, if a request is made to do so by the parent or student.

11. Actions to be Taken After an Evaluation Cycle

11.1. Immediately following the completion of Section 8 or 9, the persons or entities with actions to complete, the actions and completion date shall be as follows:

Item	Column 1 Person or entity	Column 2 Action	Column 3 Completion Date
11.2.1	Committee chair	Provide the draft performance appraisal report for the interim or full evaluation cycle to the Director of Education	July 7
11.2.2	Committee chair and at least one other member of the committee	Meet with the Director of Education to: i. review the actions implemented by the Director of Education to achieve the goals contained in the performance plan and discuss other matters relevant to the performance plan; ii. review and update the Director of Education's performance plan for the following evaluation cycle, if necessary; iii. review and discuss the committee's draft performance appraisal report, and iv. provide the Director of Education an opportunity to respond to the committee's evaluation, performance rating and explanation for the rating.	July 31
11.2.3	Committee	1. Finalize the performance appraisal report, taking into consideration, among other things: i. the feedback from the members of The Board and the Director of Education; ii. the feedback set out in the report required by Section 10.1.1.2, if applicable, and iii. the survey information mentioned in 13.5.3.2. 2. Provide the final performance appraisal report to The Board and the Director of Education.	August 10
11.2.4	Board	1. Provide written confirmation to the Minister that the performance appraisal for the interim or full evaluation cycle, as applicable, has been conducted and that the final	August 15

		performance appraisal report has been adopted by board resolution. 2. If it is a full evaluation cycle in which the steps set out in Section 10 are required to be taken, provide to the Minister a list of the community partners and interest holders identified in Section 10.1.2.7. 3. Post a copy of the confirmation and, if applicable, the list of community partners and stakeholders on The Board's website.	
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11.1.1.

12. Performance Plan

12.1. A performance plan required to be developed and finalized under Section 8 or 9 in respect of an evaluation cycle shall include the following elements:

12.1.1. A list of the actions that the Director of Education will implement during the evaluation cycle to achieve each of the following goals:

12.1.1.1. Advance the provincial priorities in education in the area of student achievement set out in Ontario Regulation 224/23 (Provincial Priorities in Education - Student Achievement);

12.1.1.2. Manage human, capital and fiscal resources to achieve the goals identified in The Board's multi-year plan developed under clause 169.1 (1) (f) of the *Education Act*;

12.1.1.3. Promote a healthy and inclusive workplace with effective systems for staff selection and oversight;

12.1.1.4. Create and maintain respectful and collaborative relationships with students, parents, staff, school board communities, community partners and stakeholders, Ministry staff and the Minister;

12.1.1.5. Demonstrate leadership that maintains or improves the reputation of and public confidence in The Board and

- 12.1.1.6. Ensure compliance with applicable laws, Ministry policies and guidelines, and board mandates.
- 12.1.2. Identification of leadership competencies and practices needed to achieve the goals set out in Section 12.1.1 and actions that the Director of Education shall implement during the evaluation cycle to improve at least one of those competencies or practices.
- 12.1.3. One or more methods of:
 - 12.1.3.1. Determining whether the Director of Education successfully implemented the actions set out in the performance plan during the evaluation cycle, and
 - 12.1.3.2. Measuring, qualitatively or quantitatively, the degree to which the actions achieved the goals set out in Section 12.1.1.
- 12.1.4. Any additional appraisal elements determined by the DPAC with input from the Director of Education and, if the additional appraisal elements include additional goals, a list of the actions that the Director of Education will implement during the evaluation cycle to achieve those goals.
- 12.2. The actions listed under Section 12.1.1 shall include professional development activities that the Director of Education will undertake during the evaluation cycle.
- 12.3. The leadership competencies and practices identified in Section 12.1.2 shall be described in accordance with any guideline issued by the Minister under subsection 287.6 (1) of the *Education Act*.
- 12.4. A performance plan update required under Section 8 or 9 shall include:
 - 12.4.1. A confirmation of which of the actions listed for Sections 12.1.1, 12.1.2, and 12.1.4 have been implemented by the Director of Education during the evaluation cycle;
 - 12.4.2. A description of how each action that was implemented assisted in achieving the goals set out in Sections 12.1.1 and 12.1.4, as applicable; and

12.4.3. For each action that the Director of Education did not implement, a rationale for why the action was not implemented.

12.5. The Director of Education and the Chair of the DPCA shall each sign the performance plan, and each of them shall retain a copy for at least six years.

13. Performance Appraisals and Ratings

13.1. The committee shall conduct a performance appraisal of the Director of Education for The Board by:

13.1.1. In respect of a full evaluation cycle, holding each meeting mentioned in 9.1.1 and 9.1.7 and the meeting mentioned in item 11.2.2;

13.1.2. In respect of an interim evaluation cycle, holding each meeting mentioned in 8.1.1, 8.1.6, 11.2.2 and

13.1.3. Evaluating the Director of Education's success in implementing the actions and achieving the goals set out in the performance plan developed for the interim or full evaluation cycle.

13.2. Despite 12.1, the performance of a Director of Education shall not be evaluated in respect of the following periods:

13.2.1. A period when the Director of Education is on an extended leave that has been approved by The Board and

13.2.2. A period when the Director of Education is on secondment to a position other than that of Director of Education.

13.3. The performance appraisal shall be conducted in accordance with Ontario Regulation 88/24 and with such guidelines as the Minister may issue.

13.4. Based on the results of the performance appraisal, the committee shall assign one of the following performance ratings to the Director of Education:

- 13.4.1. Meets all expectations;
- 13.4.2. Meets most expectations;
- 13.4.3. Meets some expectations and
- 13.4.4. Does not meet expectations.

13.5. When determining which performance rating to assign to the Director of Education for The Board, the committee shall consider the following factors:

- 13.5.1. The extent to which the Director of Education worked diligently and consistently toward the implementation of the actions identified in the performance plan;
- 13.5.2. The efforts made by the Director of Education to engage board staff, community partners and stakeholders, and others in the development of the goals and implementation of the actions identified in the performance plan;
- 13.5.3. The degree of success the Director of Education had in achieving the goals set out in the performance plan, as informed by data available to The Board including:
 - 13.5.3.1. The feedback set out in the report required by Section 10, if applicable;
 - 13.5.3.2. The information collected by the surveys required by subsection 169.1 (2.1) of the *Education Act* in respect of the evaluation cycle, if applicable;
- 13.5.4. The rationale provided by the Director of Education for the actions that were not implemented and the goals that were not achieved;
- 13.5.5. The effectiveness of efforts made to overcome challenges faced by the Director of Education in implementing the actions identified in the performance plan and
- 13.5.6. The demonstrated ability and willingness of the Director of Education to

address, in the future, the actions that were not implemented and goals that were not achieved.

- 13.6. The committee shall prepare a draft performance appraisal report summarizing the committee's evaluation, setting out the performance rating and providing an explanation for the rating.