

SUPERVISORY OFFICERS

**Certification, Appointment and
Notice of Suspension / Dismissal**

**A Guide to Legislative Requirements
and Ministry Procedures**

**Ministry of Education
Leadership Development Branch**

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THIS DOCUMENT IS INTENDED AS A GUIDE ONLY. USERS SHOULD RELY ON THEIR LEGAL COUNSEL FOR ADVICE ON ALL QUESTIONS RELATING TO THE SUBJECT-MATTER OF THIS DOCUMENT

I. Introduction

Ontario school boards employ supervisory officers (SOs), including directors of education, superintendents of education and senior business officials to carry out the board's senior management responsibilities.

There is a distinction between what are commonly called "academic SOs" and "business SOs". Academic SOs must have teachers' qualifications and are generally responsible for educational programs in schools. Business SOs generally supervise the board's business functions. They do not require teacher certification and may be drawn from a wider field of professionals.

Sections II and III of this guide discuss the requirements and certification process for academic and business SOs respectively.

Boards are responsible for the recruitment and selection of SOs, however ***prior to appointing a supervisory officer, a board must obtain the Minister's confirmation that the person to be appointed is eligible for the position.*** Section IV of the guide describes the process to obtain the Minister's confirmation of eligibility.

Every district school board must have a director of education who is the chief education officer and chief executive officer of the board. The *Education Act* requires that the director be "a supervisory officer who qualified as such a teacher" – in other words, the director must be an academic SO.

A board must assign the duties in subsection 286 (1) of the Act to its supervisory officer or officers. Boards determine the number of SOs they require and designate their titles and areas of responsibility.

A board may appoint a person who is in the process of completing his or her SO qualifications to an SO position – the Ministry refers to this as a limited appointment. The requirements for the limited appointment of both academic and business SOs are set out in Regulation 309 (*Supervisory Officers*). These requirements and the process for boards to obtain the Minister's approval of a limited appointment are discussed in section V.

A board that suspends or dismisses a supervisory officer, including the director of education, must notify the Minister of the suspension or dismissal and the reasons for the decision. Section VI explains how boards should provide this notice.

II. Certification – Academic SO

The Minister of Education certifies supervisory officers according to the requirements set out in Regulation 309 (*Supervisory Officers*). There are distinct requirements for academic and business SOs.

Academic SOs obtain a Supervisory Officer's Certificate. The qualifications for academic SOs are found in regulations made by the Ontario College of Teachers ("the College") under the *Ontario College of Teachers Act, 1996*. See particularly section 35 of Ontario Regulation 176/10 (*Teachers' Qualifications*).

As part of the qualifications, a candidate must complete a College accredited supervisory officer's qualification program (SOQP), consisting of four instructional modules and a practicum. There are currently three English-language and one French-language SOQP providers. The College of Teachers may consider a candidate's qualifications and experience as equivalent to some or all of the SOQP modules.

Process to Obtain the Supervisory Officer's Certificate

The SOQP provider notifies the College when a person has completed the SOQP. The College then registers the SO qualification on the person's general certification of qualification and confirms to the ministry that the person has met the qualifications of an academic SO. Following this confirmation the Minister will issue a Supervisory Officer's Certificate to the candidate.

A supervisory officer responsible for the development, implementation, operation and supervision of educational programs in schools must hold a Supervisory Officer's Certificate or be qualified for a limited appointment while completing the certification qualifications.

Ontario Regulation 309 (*Supervisory Officers*)

2. The Minister shall issue a Supervisory Officer's Certificate to a person if the person applies for it and the Ontario College of Teachers certifies that the person meets the qualifications of a Supervisory Officer.
3. (1) A supervisory officer responsible for the development, implementation, operation and supervision of educational programs in schools shall,
 - (a) hold a Supervisory Officer's Certificate;
 - (b) be a person who is deemed to hold a Supervisory Officer's Certificate under section 4; or
 - (c) be qualified as a supervisory officer under subsection 1(2.1).

III. Certification – Business SO

Regulation 309 provides a complete code for the certification of business SOs. The Minister will issue a Business Supervisory Officer's Certificate to a person who meets all the qualifications listed in section 2.1 (1) of the regulation.

Regulation 309 (*Supervisory Officers*)

Section 2.1 (1) Business SO Qualifications

1. The person has at least seven years of successful experience in business administration, including at least three years in a managerial role relevant to the role of business supervisory officer.
2. The person holds an acceptable post-secondary degree.
3. The person,
 - i. holds a master's degree that is an acceptable post-secondary degree, or
 - ii. is qualified to practise as an architect, certified general accountant, certified management accountant, chartered accountant, lawyer, professional engineer or professional planner, or is qualified to practise in another professional capacity that, in the opinion of the Minister, provides experience appropriate for the position of business supervisory officer.
4. The person has successfully completed a program in school board management.
5. The person has successfully completed the business supervisory officer's qualifications program described in section 2.2 within five years after starting the program.

Of note, in August 2011 the Minister approved "Certified Human Resources Professional" as an acceptable professional qualification for the role of business supervisory officer in accordance with the Minister's power to recognize additional professions under paragraph 3 of the above qualifications.

Business SOQP

With the exception of the practical workplace experience module, the business SOQP (paragraph 5 of the qualifications) is substantially the same as the SOQP for academic SOs and is delivered by the same providers.

Program in School Board Management

A program in school board management (paragraph 4 of the qualifications) consists of two compulsory graduate courses – one in school board finance and one in school board administration – plus four optional graduate courses. These are Minister-approved courses offered by certain Ontario faculties of education.

There are three ways in which a person may be deemed to have met some or all of the program requirements:

- A person, who holds a master's degree and has completed a graduate course in school board finance and school board administration, as part of or in addition to the master's degree, is deemed to have completed a program in school board management.
- A person who has a post-secondary degree and who is a certified general accountant, a certified management accountant or a chartered accountant is deemed to have completed the four optional course requirements.
- The Minister may also determine that a candidate has other post-secondary education and experience relevant to the role of a business SO and equivalent to the program in school board management.

How to Establish Equivalency to a Program in School Board Management

The ministry has developed an attestation form – see Appendix “A” – to be completed by the candidate's managing SO or director of education and submitted to the candidate's business SOQP provider.

By signing the attestation, the managing SO or director confirms his or her opinion that: 1) the candidate has at least seven years of school board administration experience relevant to the role of a business SO, and 2) the candidate's combination of post-secondary education and experience is equivalent to the compulsory graduate courses in school board administration.

Process to Obtain the Business Supervisory Officer's Certificate

The business SOQP provider will advise the ministry when a candidate has completed the business SOQP. Following the ministry's confirmation that the candidate meets the qualifications for business SO, a certificate will be issued by the Minister and sent directly to the candidate.

The board's senior business official as well as business officials in specific roles must hold or be deemed to hold a Business Supervisory Officer's Certificate.

Ontario Regulation 309 (*Supervisory Officers*)

- 3.(2)** A senior business official who,
- (a) reports to a director of education;
 - (b) reports to an assistant director of education or associate director of education; or
 - (c) is employed by a board that has an enrolment of more than 600 pupils and that does not employ a director of education,
- shall, subject to subsections (4) and (5), be a person who holds, or who under this Regulation is deemed to hold, a Business Supervisory Officer's Certificate.
- 3.(3)** A business official who,
- (a) is assigned one or more of the duties of a supervisory officer;
 - (b) reports to a senior business official referred to in subsection (2); and
 - (c) has been appointed to a position designated by a board as superintendent, assistant superintendent, comptroller, assistant comptroller, business administrator or assistant business administrator or to a position that the board considers equivalent thereto and that has been approved by the Minister,
- shall, subject to subsection (4), be a person who holds, or who under this Regulation is deemed to hold, a Business Supervisory Officer's Certificate.

Deemed Certification

Although they would be of rare application, grandparenting provisions continue to exist in Regulation 309 that deem certain individuals to hold a Supervisory Officer's Certificate or a Business Supervisory Officer's Certificate.

IV. Appointments and Confirmation of Eligibility

Boards are required to notify the Minister, in writing, of any proposed SO appointment and the candidate's proposed area of responsibility. **A board may not appoint a person to a SO position until the Minister has confirmed that the person is eligible for the position.**

The confirmation requirement applies to all SO appointments, including limited appointments, the extension of a limited appointment, the appointment of a director, the transfer to a new position or different area of responsibility within a board, and the re-hiring of a retired SO.

Boards should ensure their hiring process allows sufficient time to obtain the Minister's confirmation of eligibility, which generally takes 15 – 20 business days.

Education Act

285. (1) A board with a supervisory officer,

(a) shall, subject to the regulations, designate the title and area of responsibility of the supervisory officer; and

(b) may assign to the supervisory officer such administrative duties, in addition to those prescribed in section 286 and the regulations, as the board considers expedient.

(2) No person shall be appointed as a supervisory officer by a board until notice in writing of the proposed appointment and the area of responsibility to be assigned has been given to the Minister and the Minister has confirmed that the person to be appointed is eligible for the position.

How to Request Confirmation of Eligibility

The ministry requires that boards send to the Minister, in care of the Regional Office, a written request to confirm the SO candidate's eligibility. The letter must include:

- * The title and specific position to which the individual is being appointed;
- * A general description of intended area(s) of responsibility;
- * The proposed effective date of the appointment;
- * The full legal name of the supervisory officer being appointed;
- * Where the appointment is for an academic SO, the individual's Ontario College of Teachers registration number.

The Regional Office Manager verifies that the information is complete and forwards the request to the Minister, or his or her delegate. Once the candidate's SO qualifications are confirmed, a letter will be issued to the board, with a copy to the Regional Office Manager.

Previously the ministry required a copy of the board resolution regarding the proposed appointment. Bill 177, the *Student Achievement and School Board Governance Act, 2009* clarified the director's responsibility for the day to day management of the board and consequently a board resolution is no longer required. If the position in question is that of director of education, then the request for confirmation may be submitted by the chair of the board of trustees to the Minister, in care of the Regional Officer Manager. Alternatively, the request may be submitted by the outgoing director of education.

V. Limited Appointments

Under Regulation 309, a person may be appointed to a SO position while he or she is in the process of completing his or her SO qualifications. This limited appointment may be for an initial period of no more than two years. A board may continue the person's employment for up to an additional two years provided the person continues to make progress towards obtaining his or her SO qualifications.

The board must obtain the Minister's prior confirmation that the individual is eligible for a limited appointment and for any extension. If a person completes the SO qualifications while employed on a limited appointment, the board must obtain the Minister's approval before appointing the person to a permanent position.

Limited Academic SO Appointment Requirements

A candidate for a limited academic SO appointment must meet the requirements in section 2.0.1 (1) of Regulation 309:

1. The person holds a general certificate of qualification and registration issued under the *Ontario College of Teachers Act, 1996*.
2. The person has at least five school years of successful classroom teaching experience in any jurisdiction in a school providing elementary or secondary education.
3. The person holds an acceptable post-secondary degree.
4. The person holds a master's degree for which he or she was required to complete at least 30 graduate post-secondary credits or their equivalent, as described in subsection (3), or a doctorate, where the master's degree or doctorate was granted by an institution identified in clause (a) or (b) of the definition of 'acceptable post-secondary degree' in subsection 1(1).
5. The person meets one or more of the criteria listed in paragraph 5 of section 35(3) of Ontario Regulation 176/10 (*Teachers' Qualifications*) made under the *Ontario College of Teachers Act, 1996*.
6. The person has stated, in a written agreement with the board, that he or she will do everything that is reasonably necessary to meet the qualifications listed in section 35 of Ontario Regulation 176/10 for obtaining an additional qualification as a supervisory officer before the end of his or her term.

Limited Business SO Appointment Requirements

Under section 3(4) of Regulation 309, a board may seek to appoint a person as a senior business official or business official on a limited basis if the person:

- (a) holds an acceptable post-secondary degree or is qualified to practise as an architect, certified general accountant, certified management accountant, chartered accountant, lawyer, professional engineer or professional planner, or in another professional capacity that, in the opinion of the Minister, provides experience appropriate for the position of business supervisory officer; and
- (b) has entered into an agreement in writing with the Board that sets out that the person will endeavour to obtain a Business Supervisory Officer's Certificate within the term of the appointment.

How to Request Confirmation of a Limited Appointment

The Ministry requires that boards send to the Minister, in care of the regional office, a written request for the limited appointment of an SO. The letter must include:

- * The full legal name of the supervisory officer being appointed;
- * The proposed effective date of the appointment;
- * The title and specific position to which the individual is being appointed;
- * A general description of intended area(s) of responsibility;
- * For a limited academic SO appointment, the candidate's Ontario College of Teachers registration number as well as documentation which establishes that the candidate has met the requirements in section 2.0.1 (1) of Regulation 309; and
- * For a limited business SO appointment, documentation that the candidate has met the requirements in section 3 (4) of Regulation 309.

The Regional Office Manager checks that the information is complete and forwards the request to the Minister, or his or her delegate. Once the candidate's eligibility for the position is confirmed, a letter will be issued to the board, with a copy to the Regional Office Manager.

A board seeking to extend a limited SO appointment must write to the Minister in care of the Regional Office Manager to request a further confirmation of eligibility. The letter should provide the status of the candidate's efforts to complete the certification requirements.

VI. Notice of Suspension or Dismissal

A board which suspends or dismisses a supervisory officer, including the director of education, must notify the Minister of the suspension or dismissal and the reasons for the decision. The ministry requires that the board send a letter to the Minister in care of the Regional Office Manager and include:

- * The supervisory officer's full legal name, title and position;
- * The reasons for the suspension or dismissal;
- * The period of the suspension or the effective date of the dismissal; and
- * A signed copy of the board resolution suspending or dismissing the person from his/her current position.

Education Act

287. (2) Where a board suspends or dismisses a supervisory officer, the board shall forthwith notify in writing the supervisory officer and the Minister of the suspension or dismissal and the reasons therefore.

INSTRUCTIONS

This attestation form should only be completed when the Assistant Deputy Minister of the Instruction and Leadership Development Division (as the delegate of the Minister of Education) is being asked to consider post-secondary education and experience relevant to the role of a business supervisory officer and equivalent to the program in school board management under s.1(4)(b) of Ontario Regulation 309 under the *Education Act*.

The managing supervisory officer or the director of education must sign and date the form and indicate if, in his/her opinion, the applicant (herein referred to as "candidate") has relevant experience and education which is equivalent to the school board management program.

Upon completion, this attestation form must be submitted along with appropriate documentation to the Supervisory Officer Qualification Program (SOQP) provider. The SOQP provider will submit a request on behalf of the candidate to the Ministry of Education for review of the relevant education and experience to be deemed equivalent to having completed the program in school board management under s.1(4)(b) of Ontario Regulation 309 under the *Education Act*.

Section 1: Candidate Information

State the candidate's full legal name and current business experience in school board administration.

First Name	Middle Name	Last Name
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Job Title	School Board
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Years of experience in school board administration relevant to the role of a business supervisory officer

Section 2: Declaration

Indicate whether, in the opinion of the signatory, the candidate has post-secondary education and experience that is relevant to the role of a business supervisory officer and equivalent to the program in school board management.

You are asked to confirm that in your opinion:

- The candidate has a minimum of seven years of school board administration experience relevant to the role of a business supervisory officer.
- The candidate's combination of post-secondary education and experience is equivalent to the compulsory graduate courses in school board administration and/or school board finance.

NOTES:

1. Please refer to Appendix A for the definition of the program in school board management and descriptions of the elements of the compulsory graduate courses in school board administration and school board finance.
2. You must be able to provide the documentation or evidence on which you base this opinion, if asked to do so by the ministry.

In my opinion the candidate named above has (check all that apply):

- A minimum of seven years of school board administration experience relevant to the role of a business supervisory officer; **and**
 A combination of post-secondary education and experience equivalent to the school board management graduate courses (described in Appendix A) in,
- School Board Administration; and/or
 - School Board Finance

Managing Supervisory Officer **OR** Director of Education

Name	Signature	Date
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FOR MINISTRY USE ONLY

The candidate is hereby deemed equivalent to having completed the following courses that comprise the program in school board management under s.1(4)(b) of Ontario Regulation 309 under the *Education Act*.

- School Board Administration; and/or
- School Board Finance

Signature of Minister of Education or Delegate	Date
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Appendix A: Definition and Mandatory Courses Descriptors

The program in school board management is defined in Ontario Regulation 309 under the *Education Act* as:
"two compulsory graduate courses approved by the Minister that are offered by an institution that grants acceptable post-secondary degrees, one of which is a course in school board finance and the other in school board administration, and four optional graduate courses approved by the Minister that are offered by an institution that grants acceptable post-secondary degrees in education, public administration or political science."

SCHOOL BOARD ADMINISTRATION

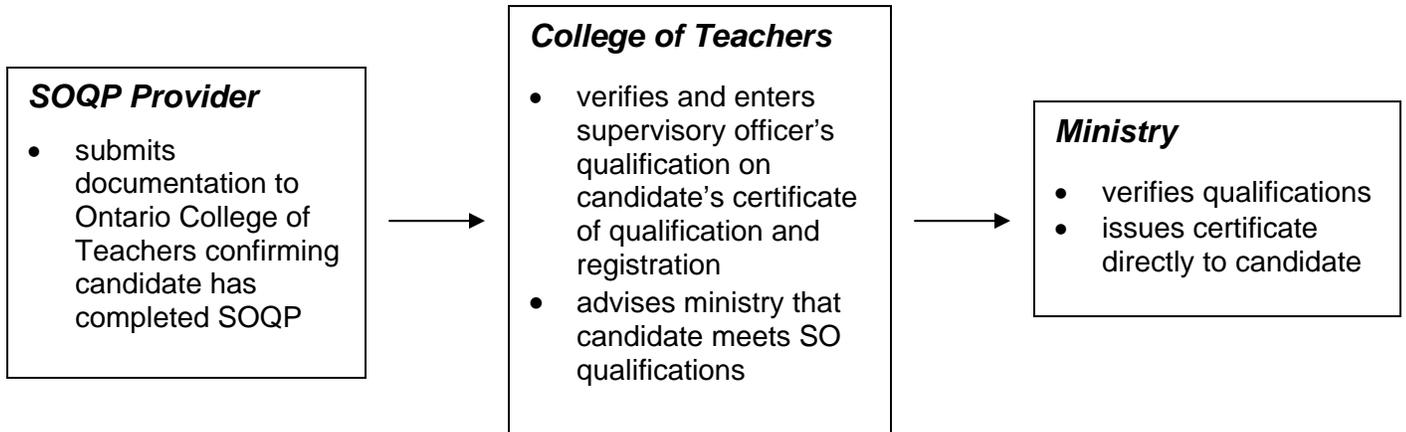
- **Educational Politics and Policy:** Strong understanding of the role of government and bureaucratic controls in education, and the intended and unintended impact of policies.
- **Educational Leadership:** Experience in leadership roles within the educational context. Has understanding of interpersonal relationships and behaviour in educational settings, including staff development, team building and motivation.
- **Social Context:** Knowledge of social impacts and roles within school setting and larger community. Demonstrated experience with diversity of schools including differing objectives, philosophies, and values; multiculturalism and social justice, equity, race, class, gender and language; parental influence, stakeholder management, school reform, etc.
- **Organizational and Change Theory:** Strong understanding of the organizational components within the Ontario education system. Specifically management of school board human resources, structure, culture, roles and outcomes, change issues related to school reform and building capacity for personal and organizational change.
- **Personnel Management:** Experience with evaluation and supervision of personnel and implications for policy and practice in educational organizations. Includes performance evaluation policies and procedures, legal context, political dimensions, and recruitment, selection and retention of personnel.

SCHOOL BOARD FINANCE

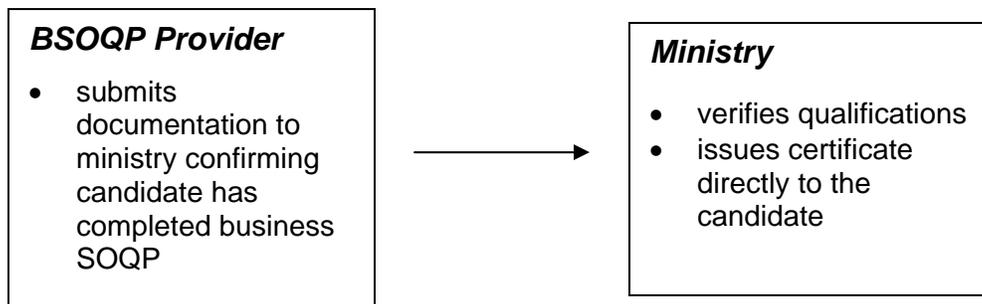
- **Finance Theory:** Demonstrated knowledge of the implications of educational finance for elementary and secondary schools. Understanding of critical issues may include equity, accountability, efficiency, and adequacy of educational revenues and expenditures.
- **Education Funding:** Strong understanding of the provincial grant systems within context of political governance and economics of education. Has experience dealing with how resources are raised, allocated, budgeted for, economically justified and accounted for.

Appendix “B” – Procedures Overview

Academic SO Certification



Business SO Certification



Appointments and Confirmation Process

