

## **Effective Practices Guide for Principal/Vice-Principal Terms and Conditions of Employment**

### **INTRODUCTION**

The goals of the Ontario Leadership Strategy (OLS) launched in October, 2008 are to attract the right people to the principalship and help them develop into the best possible instructional leaders. Along with a number of new initiatives, the Strategy encourages boards to develop succession plans and talent development strategies that will ensure continued leadership as demographic shifts occur in the years ahead.

The development of transparent terms and conditions of employment is an integral component of good succession planning as it may be helpful to attracting potential school leaders. Having the best school leaders will ultimately increase student achievement and well-being.

Under the OLS, a commitment was made to facilitate a discussion among the key parties (principals, superintendents and directors) for the development of a guide which outlines effective practices for terms and conditions of principal/vice-principal employment. This guide is the result of the discussions and agreements of a work group which included representatives from principal associations and supervisory officer associations and directors of education.

### **PURPOSE OF THE GUIDE**

The purpose of this guide is to describe effective practices that boards could use to inform their consultation with principals and vice-principals and to establish or update their policies on principal/vice-principal terms and conditions of employment. Boards are encouraged to take this guide and adapt its contents to their local or specialized contexts (e.g. Catholic, French, urban/rural etc). For specific examples, boards are encouraged to consult with other boards or with the appropriate association.

All practices within the guide are suggested practices only and do not intend to interfere with the employer/employee relationship. The guide does not comment on monetary issues.

Boards employ a variety of methods to confirm the terms and conditions of employment with their principals and vice-principals including group contracts signed by representatives of the local principal/vice-principal association, personal service contracts, board policies, or other forms of documentation. This guide does not recommend what form this confirmation should take but rather provides practices found to be effective in boards for the process of consultation and for the development of the content of terms and conditions protocols.

### **EFFECTIVE PRACTICES FOR TERMS AND CONDITIONS OF EMPLOYMENT**

Recognizing that it is an effective practice for boards to negotiate with the local representatives of principals' associations in good faith, the guide herein is divided into two sections to support this practice. Section A outlines the process that boards are encouraged to use when developing principal/vice-principal terms and conditions. Section B describes actual provisions that could be included as part of the terms and conditions.

## **Effective Practices Guide for Principal/Vice-Principal Terms and Conditions of Employment**

### **A. Consultation and Development Process**

#### **1. Guiding Principles**

- All parties should come to the discussion in good faith
- Discussions should be conducted within a spirit of collaboration, fairness and respect and with the goal of achieving an agreement in the terms and conditions of employment for principals and vice-principals
- Prior to any discussion, parties should first articulate the underlying principles for their discussion so as to establish a positive foundation for moving forward

#### **2. Development and Documentation**

Boards have found that when initially developing the terms and conditions of employment for principals and vice-principals, good faith discussions between the parties has allowed them to arrive at mutually satisfactory outcomes. The discussions may begin with defining the process that will be used (e.g. a common language, rules or formal terms of reference). Many boards and principals/vice-principals have conducted these discussions with local principal association representatives because they have found it to be an effective way at arriving at an agreement. The associations have provided resources, support and training to their local representatives that are beneficial to both the employer and employee.

Effective practices include the following approaches:

- Similar terms and conditions cover both elementary and secondary principals and vice-principals (note – this does not reference salary and benefits issues)
- Principals/vice-principals have the opportunity to choose, on a majority basis, who will represent them exclusively in the consultations
- Upon agreement in principle on the outcome of the consultation of terms and conditions, both a board representative and a principal/vice-principal representative (chosen by them) sign the resulting statement of agreement. This agreement guides the confirmation of terms and agreements for all principals and vice-principals according to board practice
- The final terms and conditions document is made available to principals/vice-principals (an online version of the document could also include links to applicable policies)
- Parties agree to meet annually (or more or less often with mutual agreement) to discuss updates and changes

### **B. Terms and Conditions Provisions**

#### **1. Transfer Provisions**

When a board decides that it is necessary to transfer a principal or vice-principal to another location, there are a number of effective practices to consider:

- Consult with the affected individual(s) prior to confirming the transfer

## **Effective Practices Guide for Principal/Vice-Principal** **Terms and Conditions of Employment**

- Consider the transfer in the context of the ongoing discussion of the individual's growth plan and the needs of the school
- Provide more than one option for the new location, where possible
- Consider the impact on the individual to be transferred with respect to location, demographics, level of responsibility and type of assignment including any accommodations that can be made to facilitate the transfer
- Review, revise transfer protocols following discussions with the principal/vice-principal representatives and communicate protocols on a regular basis

### **2. Redundancy and Reassignment**

Regulation 90/98 (Principals and Vice-principals – Redundancy and Reassignment) governs a situation where a board declares a position of principal or vice-principal to be redundant (see regulation for details of provision).

In the context of this regulation, boards have found it effective to:

- Establish and communicate a clear protocol for how principals and vice-principals will be identified for reassignment and how they may be recalled to positions that subsequently become available
- Provide an opportunity for consultation with the affected individuals regarding any reassignment

### **3. Termination For Cause and Discipline**

Termination for cause or disciplinary action may arise through either performance issues or misconduct. Termination without cause should be avoided. Effective practices include:

#### **Performance Issues**

- Decisions are based on protocols outlined in performance appraisal processes that are clearly communicated to principal and vice-principals. These protocols are outlined in the ministry's *Principal and Vice-Principal Performance Appraisal Guideline*, section 11.2.5, Procedural Requirements Following an Unsatisfactory Rating. Boards not implementing PPA would use comparable protocols that represent procedural fairness
- An opportunity is given to have the case reviewed fairly and without prejudice
- The principal or vice-principal may choose representation

#### **Misconduct Issues**

- Written notice is given of the concern
- An opportunity is given for the individual to respond to the allegations of misconduct
- An opportunity is given to have the case reviewed fairly and without prejudice
- The principal or vice-principal may choose representation
- An opportunity is given to seek help (coach, mentor), where appropriate
- Time to improve is provided, where appropriate
- Progressive discipline procedures are used allowing a range of consequences that are appropriate and reasonable for the circumstances

## **Effective Practices Guide for Principal/Vice-Principal** **Terms and Conditions of Employment**

### **4. Indemnification**

Boards have found it to be an effective practice to provide a legal defence and indemnification for their principals/vice-principals in respect of all claims, including punitive damages claims, made in lawsuits and quasi-judicial proceedings related to disputes that occur due to the actions of principals/vice-principals when carrying out their regular duties.