
THE FOLLOWING IS AN EXCERPT FROM THE EDUCATION ACT AND THE EDUCATION ACT AS AMENDED. THIS DESCRIBES THE DUTIES OF A TEACHER AND THE DUTIES OF A PRINCIPAL. THE TEXT IS REPRODUCED FROM THE MANUAL 'DEFENDING YOUR COLLECTIVE AGREEMENT' PRESENTED AT THE ETFO DURHAM STEWARDS' TRAINING, OCTOBER, 2006.

EDUCATION ACT
PART VI
BOARDS
DUTIES AND POWERS

DUTIES OF A TEACHER

264. (1) It is the duty of a teacher and a temporary teacher,

teach

(a) to teach diligently and faithfully the classes or subjects assigned to the teacher by the principal;

learning

(b) to encourage the pupils in the pursuit of learning;

religion and morals

(c) to inculcate by precept and example respect for religion and the principles of Judaeo-Christian morality and the highest regard for truth, justice, loyalty, love of country, humanity, benevolence, sobriety, industry, frugality, purity, temperance and all other virtues;

co-operation

(d) to assist in developing co-operation and co-ordination of effort among the members of the staff of the school;

discipline

(e) to maintain, under the direction of the principal, proper order and discipline in the teacher's classroom and while on duty in the school and on the school ground;

language of instruction

(f) in instruction and in all communications with the pupils in regard to discipline and the management of the school,

(i) to use the English language, except where it is impractical to do so by reason of the pupil not understanding English, and except in respect of instruction in a language other than English when such other language is being taught as one of the subjects in the course of study, or

(ii) to use the French language in schools or classes in which French is the language of instruction except where it is impractical to do so by reason of the pupil not understanding French, and except in respect of instruction in a language other than French when such other language is being taught as one of the subjects in the course of study;

timetable

(g) to conduct the teacher's class in accordance with a timetable which shall be accessible to pupils and to the principal and supervisory officers;

professional activity days

(h) to participate in professional activity days as designated by the board under the regulations;

absence from school

- (i) to notify such person as is designated by the board if the teacher is to be absent from school and the reason therefor;

school property

- (j) to deliver the register, the school key and other school property in the teacher's possession to the board on demand, or when the teacher's agreement with the board has expired, or when for any reason the teacher's employment has ceased; and

textbooks

- (k) to use and permit to be used as a textbook in a class that he or she teaches in an elementary or a secondary school,
 - (i) in a subject area for which textbooks are approved by the Minister, only textbooks that are approved by the Minister, and
 - (ii) in all subject areas, only textbooks that are approved by the board;

duties assigned

- (l) to perform all duties assigned in accordance with this Act and the regulations. R.S.O. 1990, c. E.2, s. 264 (1); 2003, c. 2, s. 20 (1).

Sign language

[\(1.1\)](#) Despite clause (1) (f), a teacher or temporary teacher may use American Sign Language or Quebec Sign Language in accordance with the regulations. 1993, c. 11, s. 36.

[\(1.2\)](#) Repealed: 2001, c. 14, Sched. A, s. 7.

[\(1.3\)](#) Repealed: 2001, c. 14, Sched. A, s. 7.

Refusal to give up school property

[\(2\)](#) A teacher who refuses, on demand or order of the board that operates the school concerned, to deliver to the board any school property in the teacher's possession forfeits any claim that the teacher may have against the board. R.S.O. 1990, c. E.2, s. 264 (2).

Teachers, conferences

[\(3\)](#) Teachers may organize themselves for the purpose of conducting professional development conferences and seminars. R.S.O. 1990, c. E.2, s. 264 (3).

DUTIES OF A PRINCIPAL

[265. \(1\)](#) It is the duty of a principal of a school, in addition to the principal's duties as a teacher,

discipline

- (a) to maintain proper order and discipline in the school;

co-operation

- (b) to develop co-operation and co-ordination of effort among the members of the staff of the school;

register pupils and record attendance

- (c) to register the pupils and to ensure that the attendance of pupils for every school day is recorded either in the register supplied by the Minister in accordance with the instructions contained therein or in such other manner as is approved by the Minister;

pupil records

(d) in accordance with this Act, the regulations and the guidelines issued by the Minister, to collect information for inclusion in a record in respect of each pupil enrolled in the school and to establish, maintain, retain, transfer and dispose of the record;

timetable

(e) to prepare a timetable, to conduct the school according to such timetable and the school year calendar or calendars applicable thereto, to make the calendar or calendars and the timetable accessible to the pupils, teachers and supervisory officers and to assign classes and subjects to the teachers;

examinations and reports

(f) to hold, subject to the approval of the appropriate supervisory officer, such examinations as the principal considers necessary for the promotion of pupils or for any other purpose and report as required by the board the progress of the pupil to his or her parent or guardian where the pupil is a minor and otherwise to the pupil;

promote pupils

(g) subject to revision by the appropriate supervisory officer, to promote such pupils as the principal considers proper and to issue to each such pupil a statement thereof;

textbooks

(h) to ensure that all textbooks used by pupils are those approved by the board and, in the case of subject areas for which the Minister approves textbooks, those approved by the Minister;

reports

(i) to furnish to the Ministry and to the appropriate supervisory officer any information that it may be in the principal's power to give respecting the condition of the school premises, the discipline of the school, the progress of the pupils and any other matter affecting the interests of the school, and to prepare such reports for the board as are required by the board;

care of pupils and property

(j) to give assiduous attention to the health and comfort of the pupils, to the cleanliness, temperature and ventilation of the school, to the care of all teaching materials and other school property, and to the condition and appearance of the school buildings and grounds;

report to M.O.H.

(k) to report promptly to the board and to the medical officer of health when the principal has reason to suspect the existence of any communicable disease in the school, and of the unsanitary condition of any part of the school building or the school grounds;

persons with communicable diseases

(l) to refuse admission to the school of any person who the principal believes is infected with or exposed to communicable diseases requiring an order under section 22 of the *Health Protection and Promotion Act* until furnished with a certificate of a medical officer of health or of a legally qualified medical practitioner approved by the medical officer of health that all danger from exposure to contact with such person has passed;

access to school or class

(m) subject to an appeal to the board, to refuse to admit to the school or classroom a person whose presence in the school or classroom would in the principal's judgment be detrimental to the physical or mental well-being of the pupils; and

visitor's book

(n) to maintain a visitor's book in the school when so determined by the board.
R.S.O. 1990, c. E.2, s. 265; 1991, c. 10, s. 6.

Co-instructional activities

(2) In addition, it is the duty of a principal, in accordance with the board plan to provide for co-instructional activities under subsection 170 (1), to develop and implement a school plan providing for co-instructional activities. 2001, c. 14, Sched. A, s. 8.

School council

(3) The principal shall consult the school council at least once in each school year respecting the school plan providing for co-instructional activities. 2001, c. 14, Sched. A, s. 8.

(4) Repealed: 2001, c. 14, Sched. A, s. 8.

Education Act
R.R.O. 1990 Regulations 298
Amended to O. Reg. 132/05

DUTIES OF TEACHERS

20. In addition to the duties assigned to the teacher under the Act and by the board, a teacher shall,

(a) be responsible for effective instruction, training and evaluation of the progress of pupils in the subjects assigned to the teacher and for the management of the class or classes, and report to the principal on the progress of pupils on request;

(b) carry out the supervisory duties and instructional program assigned to the teacher by the principal and supply such information related thereto as the principal may require;

(c) where the board has appointed teachers under section 14 or 17, co-operate fully with such teachers and with the principal in all matters related to the instruction of pupils;

(d) unless otherwise assigned by the principal, be present in the classroom or teaching area and ensure that the classroom or teaching area is ready for the reception of pupils at least fifteen minutes before the commencement of classes in the school in the morning and, where applicable, five minutes before the commencement of classes in the school in the afternoon;

(e) assist the principal in maintaining close co-operation with the community;

(f) prepare for use in the teacher's class or classes such teaching plans and outlines as are required by the principal and the appropriate supervisory officer and submit the plans and outlines to the principal or the appropriate supervisory officer, as the case may be, on request;

(g) ensure that all reasonable safety procedures are carried out in courses and activities for which the teacher is responsible;

(h) co-operate with the principal and other teachers to establish and maintain consistent disciplinary practices in the school;

(i) ensure that report cards are fully and properly completed and processed in accordance with the guides known in English as Guide to the Provincial Report Card, Grades 1-8 and Guide to the Provincial Report Card, Grades 9-12, and in French as Guide d'utilisation du bulletin scolaire de l'Ontario de la 1^{ère} à la 8^e année and Guide du bulletin scolaire de l'Ontario de la 9^e à la 12^e année, as the case may be, both available electronically through a link in the document known in English as Ontario School Record (OSR) Guideline, 2000 and in French as Dossier scolaire de l'Ontario: Guide, 2000, online at

www.edu.gov.on.ca/eng/document/curricul/osr/osr.html or
www.edu.gov.on.ca/fre/document/curricul/osr/osrf.html;

(j) co-operate and assist in the administration of tests under the *Education Quality and Accountability Office Act, 1996*;

(k) participate in regular meetings with pupils' parents or guardians;

(l) perform duties as assigned by the principal in relation to co-operative placements of pupils; and

(m) perform duties normally associated with the graduation of pupils. R.R.O. 1990, Reg. 298, s. 20; O. Reg. 95/96, s. 2; O. Reg. 209/03, s. 1.

DUTIES OF PRINCIPALS

11. (1) The principal of a school, subject to the authority of the appropriate supervisory officer, is in charge of,

- (a) the instruction and the discipline of pupils in the school; and
- (b) the organization and management of the school. R.R.O. 1990, Reg. 298, s. 11 (1).

(2) Where two or more schools operated by a board jointly occupy or use in common a school building or school grounds, the board shall designate which principal has authority over those parts of the building or grounds that the schools occupy or use in common. R.R.O. 1990, Reg. 298, s. 11 (2).

(3) In addition to the duties under the Act and those assigned by the board, the principal of a school shall, except where the principal has arranged otherwise under subsection 26 (3),

- (a) supervise the instruction in the school and advise and assist any teacher in co-operation with the teacher in charge of an organizational unit or program;
- (b) assign duties to vice-principals and to teachers in charge of organizational units or programs;
- (c) retain on file up-to-date copies of outlines of all courses of study that are taught in the school;
- (d) upon request, make outlines of courses of study available for examination to a resident pupil of the board and to the parent of the pupil, where the pupil is a minor;
- (e) provide for the supervision of pupils during the period of time during each school day when the school buildings and playgrounds are open to pupils;
- (f) provide for the supervision of and the conducting of any school activity authorized by the board;
- (g) where performance appraisals of members of the teaching staff are required under a collective agreement or a policy of the board, despite anything to the contrary in such collective agreement or board policy, conduct performance appraisals of members of the teaching staff;
- (h) subject to the provisions of the policy of the board or the provisions of a collective agreement, as the case may be, in respect of reporting requirements for performance appraisals, report thereon in writing to the board or to the supervisory officer on request and give to each teacher so appraised a copy of the performance appraisal of the teacher;
- (i) where the performance appraisals of members of the teaching staff are not required by board policy or under a collective agreement, report to the board or to the supervisory officer in writing on request on the effectiveness of members of the teaching staff and give to a teacher referred to in any such report a copy of the portion of the report that refers to the teacher;
- (j) make recommendations to the board with respect to,
 - (i) the appointment and promotion of teachers, and

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- (ii) the demotion or dismissal of teachers whose work or attitude is unsatisfactory;
 - (k) provide for instruction of pupils in the care of the school premises;
 - (l) inspect the school premises at least weekly and report forthwith to the board,
 - (i) any repairs to the school that are required, in the opinion of the principal,
 - (ii) any lack of attention on the part of the building maintenance staff of the school, and
 - (iii) where a parent of a pupil has been requested to compensate the board for damage to or destruction, loss or misappropriation of school property by the pupil and the parent has not done so, that the parent of the pupil has not compensated the board;
 - (m) where it is proposed to administer a test of intelligence or personality to a pupil, inform the pupil and the parent of the pupil of the test and obtain the prior written permission for the test from the pupil or from the parent of the pupil, where the pupil is a minor;
 - (n) report promptly any neglect of duty or infraction of the school rules by a pupil to the parent or guardian of the pupil;
 - (o) promote and maintain close co-operation with residents, industry, business and other groups and agencies of the community;
 - (p) provide to the Minister or to a person designated by the Minister any information that may be required concerning the instructional program, operation or administration of the school and inform the appropriate supervisory officer of the request;
 - (q) assign suitable quarters for pupils to eat lunch. R.R.O. 1990, Reg. 298, s. 11 (3).

(4) A principal shall only make a recommendation to the board under subclause (3) (j) (ii) after warning the teacher in writing, giving the teacher assistance and allowing the teacher a reasonable time to improve. R.R.O. 1990, Reg. 298, s. 11 (4).

(5) A principal of a school,

- (a) in which there is a French-language instructional unit as defined in subsection 1 (1) of the Act, who does not hold qualifications to teach in the French language as required by subsection 19 (12) or is qualified to teach in such unit only under subsection 19 (13); or
- (b) in which pupils receive instruction in the English language under subsection 290 (5) or 291 (4) of the Act, who does not hold qualifications to teach in the English language as required by subsection 19 (11) or is qualified to teach in each unit only under subsection 19 (13),

shall notify the appropriate supervisory officer in writing of the impracticability of the duty placed on the principal, having regard to the qualifications of the principal, to supervise the instruction, to conduct performance appraisals and to assist and advise the teachers referred to in the notice. R.R.O. 1990, Reg. 298, s. 11 (5); O. Reg. 191/04, s. 5.

(6) Where arrangements are made under subsection 26 (3), the principal is relieved from compliance with clauses (3) (a), (g), (h) and (i) to the extent that such duties are performed by another qualified person or persons. R.R.O. 1990, Reg. 298, s. 11 (6).

(7) The other qualified person or persons who perform the duties shall be responsible to the board for the performance of such duties. R.R.O. 1990, Reg. 298, s. 11 (7).

(8) The outlines of the courses of study mentioned in clause (3) (c) shall be written and provided,

(a) in the French language in the case of courses of study provided in a French-language instructional unit operated under Part XII of the Act; and

(b) in both the English and French languages in the case of a course of study in a program established in the school under paragraph 25 of subsection 8 (1) of the Act. R.R.O. 1990, Reg. 298, s. 11 (8).

(9) Where, after reasonable notice by the principal, a pupil who is an adult, or the parent of a pupil who is a minor, fails to provide the supplies required by the pupil for a course of study, the principal shall promptly notify the board. R.R.O. 1990, Reg. 298, s. 11 (9).

(10) A principal shall transmit reports and recommendations to the board through the appropriate supervisory officer. R.R.O. 1990, Reg. 298, s. 11 (10).

(11) A principal, subject to the approval of the appropriate supervisory officer, may arrange for home instruction to be provided for a pupil where,

(a) medical evidence that the pupil cannot attend school is provided to the principal; and

(b) the principal is satisfied that home instruction is required. R.R.O. 1990, Reg. 298, s. 11 (11).

(12) The principal of a school shall provide for the prompt distribution to each member of the school council of any materials received by the principal from the Ministry that are identified by the Ministry as being for distribution to the members of school councils. O. Reg. 613/00, s. 1 (1).

(12.1) The principal shall post any materials distributed to members of the school council under subsection (12) in the school in a location that is accessible to parents. O. Reg. 613/00, s. 1 (1).

(13) In each school year, the principal of a school shall make the names of the members of the school council known to the parents of the pupils enrolled in the school, by publishing those names in a school newsletter or by such other means as is likely to bring the names to the attention of the parents. O. Reg. 425/98, s. 1.

(14) The principal shall meet the requirements of subsection (13) in each school year not later than 30 days following the election of parent members of the school council. O. Reg. 613/00, s. 1 (2).

(15) The principal of a school shall promptly provide the names of the members of the school council to a supporter of the board that governs the school or to a parent of a pupil enrolled in the school, on the request of the supporter or the parent. O. Reg. 425/98, s. 1.

(16) The principal of a school shall attend every meeting of the school council, unless he or she is unable to do so by reason of illness or other cause beyond his or her control. O. Reg. 613/00, s. 1 (3).

(17) The principal of a school shall act as a resource person to the school council and shall assist the council in obtaining information relevant to the functions of the council, including information relating to relevant legislation, regulations and policies. O. Reg. 613/00, s. 1 (3).

(18) The principal of a school shall consider each recommendation made to the principal by the school council and shall advise the council of the action taken in response to the recommendation. O. Reg. 613/00, s. 1 (3).

[\(19\)](#) In addition to his or her other obligations to solicit the views of the school council under the Act and the regulations, the principal of a school shall solicit the views of the school council with respect to the following matters:

1. The establishment or amendment of school policies and guidelines that relate to pupil achievement or to the accountability of the education system to parents, including,

i. a local code of conduct established under subsection 303 (1) or (2) of the Act governing the behaviour of all persons in the school, and

ii. school policies or guidelines related to policies and guidelines established by the board under subsection 302 (5) of the Act respecting appropriate dress for pupils in schools within the board's jurisdiction.

2. The development of implementation plans for new education initiatives that relate to pupil achievement or to the accountability of the education system to parents, including,

i. implementation plans for a local code of conduct established under subsection 303 (1) or (2) of the Act governing the behaviour of all persons in the school, and

ii. implementation plans for school policies or guidelines related to policies and guidelines established by the board under subsection 302 (5) of the Act respecting appropriate dress for pupils in schools within the board's jurisdiction.

3. School action plans for improvement, based on the Education Quality and Accountability Office's reports on the results of tests of pupils, and the communication of those plans to the public. O. Reg. 613/00, s. 1 (3).

[\(20\)](#) Subsection (19) does not limit the matters on which the principal of a school may solicit the views of the school council. O. Reg. 613/00, s. 1 (3).