

Filling in for the Absent Principal - Advice to Members

Filling in for the Absent Principal

Teachers are frequently asked to fill in for the absent principal. The purpose of this volume of PRS Matters is to identify some of the difficulties associated with this role, and to provide some general advice.

Members are advised to consult any local collective agreement language. Such language may assign a different title to the role, such as Teacher in Charge (TIC), Principal Designate or Designated Teacher. The language may also outline parameters, compensation, and occasional teacher coverage. The collective agreement may also determine whether such a role is voluntary.

Members must exercise diligence around the limited scope of the role. Remember that the administrator remains the site supervisor, even when they are elsewhere. Agreeing to this responsibility can place a teacher in a potentially vulnerable position and can raise a number of significant professional risks. Acting beyond the scope of this role can increase those risks.

A teacher taking on this role should be familiar with all applicable board policies including, for example, the procedures to follow in the event of an emergency or any other potential situations. If a teacher is not properly trained to take on roles delegated by the principal, or does not feel competent for any other reason, that teacher should not volunteer, or should decline the request if possible. Concerns as to whether a teacher has the training necessary to take on such a role can be raised with principals as well as local union representatives.

Professional Risks

There are a number of potential risks faced by teachers who are filling in for principals. In general, current collective agreement language provides little protection against these risks. Of particular concern is exposure to potential lawsuits if a human rights complaint or other legal action were to be filed against a teacher for conduct which occurred while acting in this role. Currently, teachers are not protected by school boards' insurance in those circumstances. This is a significant risk that should be carefully considered before agreeing to act in this role.

Teachers perceived to have acted unprofessionally in this role may also be referred to the College of Teachers. In certain circumstances a lack of training may be a mitigating factor to explain the conduct at issue, however it may not be a full or effective defense.

Teachers who fill in for their principal often do so with no occasional teacher coverage provided. This can prove difficult if the teacher is also directly responsible for the supervision of students when an issue arises elsewhere in the school. Teachers must remember their responsibility to provide supervision for students at all times.

Vulnerable Positions

A. Suspension or Expulsion of Students

Decisions with respect to suspending students cannot be delegated to a teacher, nor can a teacher be delegated the authority to recommend an expulsion. Both the *Education Act* and the Regulations limit the ability to delegate disciplinary authority to a teacher filling in for a principal. Section 300.1(1) and (2) permit the delegation of certain aspects of a Principal's authority to discipline a student under Part XIII of the *Act*.

In addition, a teacher filling in for a principal is limited to receiving reports about student conduct which may form the basis for subsequent discipline (harassment or violence for example). This teacher may be delegated authority to contact parents of a student who has harmed or been harmed as a result of conduct that could lead to a suspension or expulsion. However, this teacher may provide only information limited to the nature of the harm. (For additional information with respect to the delegation of a principal's authority to discipline see PRS Matters Vol. 51 Bill 157: *Keeping Our Kids Safe at School Act – Advice to Members*).

The authority to evaluate is also governed by the *Education Act* and the Regulations. A teacher filling in for a principal remains a teacher within the bargaining unit, and as such should have no involvement in the appraisals of other teachers.

B. Adverse Reports

An adverse report is a negative report made about a member to an individual in a supervisory position who may discipline or recommend discipline against that member. Section 18 (1) (b) of the Regulations under the *Teaching Profession Act* requires a member of the Ontario Teachers' Federation to advise another member, in writing, within three days, if they have made an adverse report with respect to that member.

While acting in this role, teachers remain members of the bargaining unit and therefore subject to the requirements of section 18 (1) (b). Accordingly, if they make an adverse report with respect to another teacher to the administrator, they are required to advise that teacher within three days of having made the report.

Health and Safety Considerations

Teachers should consider carefully the potential health and safety obligations which arise in the context of agreeing to take on this role. The teacher may be required to address any number of possible health and safety concerns, including emergencies. It is important that, prior to agreeing to act in this capacity, teachers have received adequate health and safety training. They must clearly know their role and responsibilities in the event of an emergency, and their role is that of a teacher, not of a site supervisor under the Ontario Occupational Health and Safety Act.

Summary

Absent language in the collective agreement to the contrary, the decision to agree to fill in for the principal is the teacher's to make. However, prior to agreeing to do so, it is important to consider the extent of the authority being delegated as well as the potential implications of agreeing to taking on this responsibility. There are strict limits on what authority may be delegated.

A teacher may or may not be compensated for assuming this role and may be subject to potential human rights/harassment complaints, allegations, discipline, or litigation. Accordingly, agreeing to act in this role may place a teacher at significant professional risk without providing substantial benefits to the teacher. Such requests should therefore be approached with caution, and only after careful consideration.

General Advice

1. The scope of this role is limited: you remain a teacher and member of ETFO in all situations.
2. Exercise caution in viewing this as a leadership opportunity: expanding this role could put you at risk.
3. Be aware of your collective agreement language.
4. Always have contact information for the principal, vice-principal, and school superintendent at your fingertips.
5. Contact your local office or ETFO PRS with any concerns or questions.

You can also refer to ETFO's [Policy Statement 85.0](#), *Volunteers in the Work Site*, for additional information.

For more information, contact Professional Relations Staff at 416-962-3836 or 1-888-838-3836 at the provincial office. Also see ETFO's website - Advice for Members.

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