



ONTARIO PUBLIC
SCHOOL BOARDS'
ASSOCIATION

Leading Education's Advocates

Ontario Public School Boards' Association
439 University Avenue, 18th Floor
Toronto, ON M5G 1Y8
Tel: (416) 340-2540
Fax: (416) 340-7571
webmaster@opsba.org
www.opsba.org

Laurie French
President

W.R.(Rusty) Hick
Executive Director

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Ann Hoggarth,
MPP (Barrie) and Chair, Standing Committee on Finance and Economic Affairs

Eric Rennie
Clerk, Standing Committee on Finance and Economic Affairs

Via email: comm-financeaffairs@ola.org

Dear Ms. Hoggarth and Mr. Rennie,

Re: Proposed Amendments to the Education Act – Bill 31, Schedule 9

The Ontario Public School Boards' Association (OPSBA) appreciates the opportunity to respond to the proposed amendments to the *Education Act* regarding education service and reverse education service agreements, and the creation of a new approach, termed the Reciprocal Education Approach.

Our Association believes that through education we will move towards a Canada where the relationship between Indigenous and non-Indigenous Canadians is founded on mutual respect, and we support the Calls to Action of the Final Report of the Truth and Reconciliation Commission. We therefore support any actions that enhance educational opportunities for First Nations and other Indigenous students and that help these students and their families. In this spirit members of the OPSBA Indigenous Trustees' Council and OPSBA staff participated in the Minister's Working Group that examined current Education Service Agreements legislation and practice and made recommendations to the Ministry and the Minister regarding this new approach.

While we are pleased to support the intent of the proposed amendments, we would like to note the following:

- OPSBA believes that legislative changes of this significance should not be included in an omnibus Bill. In the future, we would request that changes to the *Education Act* and other pieces of legislation that affect students be considered in a separate piece of legislation in order to provide for thoughtful and measured input that is specific to such changes.
- The proposed legislative changes and potential regulations may create new and unanticipated funding pressures on our member Boards, and this needs to be recognized in the funding that school Boards receive. We are particularly concerned, in this regard, by the language in the proposed amendments that enables the regulations to apply to "a period before the regulation is made". We request that the regulations recognize that any additional costs borne by Boards for prescribed students to attend prescribed schools be covered through additional funding dedicated to the paying of these fees.

- In the spirit of reconciliation, and in recognition of past injustices, we support the ability of First Nations and First Nations parents to choose the schools that best meet the needs of their children. We believe that this is appropriate only under this unique circumstance, and for this group of students. We support the identification of these schools in the Regulations. We also recognize and respect the jurisdiction of First Nations around their schools. To that end, we understand and support the right of First Nations to require their on-territory members to attend school in their home communities rather than off-territory, provided the program is the same and the receiving school board would charge tuition fees.
- During the conversations about this proposed legislation, no-one has been able to predict how many First Nations students who are currently resident pupils of a Board will choose to attend prescribed schools. However, it may be that even a relatively small number of students leaving schools in our small northern communities may compromise the viability of low-enrollment community schools to the extent that they might become candidates for closure. It will not be helpful to the spirit of reconciliation in these communities should this happen. It would be appropriate for the Ministry to commit to funding for any school that might face closure due to the enactment of this legislation and its subsequent Regulations.
- We know that many of our member Boards have entered into productive and positive Education and Reverse Education Service Agreements with their local First Nations communities. Where these relationships are strong and have led to good agreements there may be a desire on the part of all parties to continue these as an expression of commitment to First Nation student well-being and achievement. With the exception of the section of the Regulation that will set the fees, we do not think that this legislation and its Regulations should supersede existing agreements. In all other respects they should be operational until their expiry dates.

We will continue to participate on the Minister's Working Group to provide further input into the development of the Regulations that will accompany this legislation should it be enacted.

Sincerely,



Laurie French
President, OPSBA

The Ontario Public School Boards' Association (OPSBA) represents public district school boards and public school authorities across Ontario. Together our members serve the educational needs of nearly 70% of Ontario's elementary and secondary students. The Association advocates on behalf of the best interests and needs of the public school system in Ontario. OPSBA believes that the role of public education is to provide universally accessible education opportunities for all students regardless of the ethnic, racial or cultural backgrounds, social or economic status, individual exceptionality, or religious affiliation.

The OPSBA Indigenous Trustees' Council is composed of First Nations trustees appointed to school boards by their communities, as well as Indigenous trustees who were elected in school board elections. The Council represents the interests of Indigenous students in working within OPSBA, and in its dealings with the provincial government.