



**ONTARIO PUBLIC  
SCHOOL BOARDS'  
ASSOCIATION**

**Leading Education's Advocates**

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Cathy Abraham  
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Monday, July 20, 2020

The Honourable Stephen Lecce  
Minister of Education

Dear Minister:

The Ontario Public School Boards' Association (OPSBA) would like to take this opportunity to provide our comments and feedback regarding the government's Bill 197, COVID-19 Economic Recovery Act, 2020. This omnibus bill has moved quickly through the legislative process and includes proposed amendments to the *Education Act*, the *Ontario Educational Communications Authority Act*, and the *Ontario French-Language Educational Communications Authority Act*. In providing this submission, we note that many of the proposed changes include future consultative work through regulation development and policies. We respectfully ask to be invited to participate in these next steps given the direct impact on our member boards, and the students of Ontario.

OPSBA recently convened its two consultation trustee work teams, the Education Program and Policy Development Work Teams to discuss this legislation. Our comments are provided below for each proposed area of change.

### Reciprocal Education Approach (REA)

One of OPSBA's five multi-year priorities is Advancing Reconciliation – First Nations, Métis and Inuit Education and we support the Calls to Action of the Final Report of the Truth and Reconciliation Commission. The issue of Indigenous education is of the utmost importance to us and we have a separate group of trustees who comprise our Indigenous Trustees Council. The groups regularly provide us with key insights and direction for our shared advocacy work. OPSBA members support any actions that enhance the educational opportunities and equity of outcomes for Indigenous students and help these students, their families and their communities.

Furthermore, we recognize and respect the jurisdiction of Indigenous communities around their schools. As such any proposed changes that impact Indigenous education, students, their families and/or communities require an inclusive consultation process in order to develop any new or amended regulations.

With regard to this proposed amendment, OPSBA supports any opportunity where potential barriers are removed for First Nation children to allow them to attend school, including authority of guardianship that removes barriers for attendance in public schools, and encourages greater participation of First Nations in their children's education.

We strongly encourage the ministry to directly consult with Indigenous stakeholders about any regulation that will specifically address who can provide written notice on behalf of these students.

### Demonstration Schools

We note that there are currently three demonstration schools in Ontario for English-speaking pupils with severe learning disabilities and the Centre Jules-Léger in Ottawa provides services in Ontario for French-speaking pupils. Our trustees were supportive of any assistance in providing enhanced learning opportunities for students with significant learning needs. Trustees also noted that there might be a future discussion about the equity of opportunity and access to these unique schools, in that there are only a small number of them in the province. We would also ask that local school boards be part of any future policy/regulation discussion about supports and the transitions between home schools and demonstration schools.

### Director of Education Qualifications

The board of trustees has the governance responsibility to hire a Director of Education with the skills and experiences who best meets the needs of their school board. The proposed expansion of candidate qualifications must not change this responsibility and should still allow for school boards to consider candidates who possess an Ontario College of Teachers certificate and Supervisory Officer credentials as requirements. There is support to expand the qualifications as long as it remains the purview of a school board to make the final decision.

When seeking a Director of Education, trustees develop a detailed description of skills, characteristics and attributes for a new director as well as the status of strategic goals and organizational needs that are reflective of advancing the strategic plan specific to their particular board. Community and staff consultation are used to inform the selection process. The Board uses this information to determine the best fit, which is reflective of the boards' needs and their communities.

The lack of movement with executive compensation has directly impacted a school board's ability to recruit and retain senior board staff. OPSBA has been part of the discussions with the Treasury Board Secretariat and broader public sector organizations. It's important to note that executive compensation models were implemented in 2018, but school boards were directed by the government to put the models on pause. The work to develop the models involved all four school board/trustee associations and Mercer (Canada), an independent consulting firm that specializes in executive compensation. We again request that the Ministry of Education continue to dialogue with the sector about recruitment challenges and proceed with final changes to Ontario Regulation 406/18: Compensation Framework.

OPSBA supports changes that would allow for a wider pool of candidates that reflect local school communities and affords the opportunity to increase the diversity of candidates, but still recognizes that trustees are mandated to determine any final criteria. When regulation consultation begins, we ask that OPSBA and CODE be part of a stakeholder advisory group.

### Suspensions

Schools are to be safe, welcoming learning environments for all children and also safe working spaces for our teachers and education workers. OPSBA supports the removal of suspensions for our youngest learners, but recognizes that unsafe or violent behaviours need to be addressed in a manner that supports the safety of teachers, education workers and student peers.

Any regulation that is developed should reflect the continued use of a progressive discipline model, involvement of parents/guardians and in-school review processes to gather and implement alternate strategies and supports to assist the student and the classroom teacher. Individual Education Plans, behavioural plans and violent incident reports should be used as appropriate.

OPSBA requests that education stakeholders be part of any future consultation on a new disciplinary policy framework for Ontario schools. Trustees want to note that the use of “exclusions” as a temporary remedy to certain classroom circumstances should be defined and addressed as part of any regulation.

Other comments included the ongoing need to support students with the appropriate number and type of staff (e.g., are there sufficient numbers of Educational Assistants and/or Children and Youth Workers?). Funding sufficient numbers of support staff and professional student services personnel (PSSP) continues to be a challenge to many school boards.

### Online Learning – TVO/TFO (the Ontario Educational Communications Authority Act, 1990, and Ontario French-language Educational Communications Authority Act, 2008)

Trustees expressed concern over this proposed change mostly because few details have been provided. Our members would like to know which “education partners” the ministry plans to consult with over the summer and what role TVO/TFO will play in the expansion of online learning. Will TVO/TFO simply be providing a platform for online courses or are they to have responsibility for the development of content?

Our members are proud of the course development work and offerings that have been done to date by their local boards and consortiums. School boards want the ability to continue with these structures to identify and create any additional on-line courses. As the Ministry moves forward in their consultations, we ask that school board curricular and consortium staff/supervisors be part of the discussion about how TVO/TFO can support school boards and students.

OPSBA suggests that student trustees and student voice be integral to these discussions. Online courses and resources need to be accessible to all students.

In closing, we thank you for the consideration of our comments and feedback. OPSBA looks forward to the opportunity to be consulted during the process of developing specific regulations. We will follow up with ministry staff as to when we might expect to learn more about next steps for regulation and policy development.

Regards,

A handwritten signature in black ink that reads "Cathy Abraham". The signature is written in a cursive, flowing style.

Cathy Abraham  
President  
Ontario Public School Boards' Association

cc.  
Nancy Naylor, Deputy Minister of Education

*The Ontario Public School Boards' Association represents English public district school boards and public school authorities across Ontario, which together serve more than 1.3 million public elementary and secondary students. The Association advocates on behalf of the best interests and needs of the public school system in Ontario. OPSBA is seen as the credible voice of public education in Ontario and is routinely called on by the provincial government for input and advice on legislation and the impact of government policy directions.*