

**June 30, 2025**

## **OPSBA Submission re: Bill 33, Supporting Children and Students Act Regulatory Posting**

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The Ontario Public School Boards' Association (OPSBA) is pleased to provide initial thoughts on this current regulatory posting regarding matters contemplated in the *Supporting Children and Students Act, 2025* (Bill 33).

School board trustees take their roles as publicly elected representatives very seriously; they are dedicated to the service of students and families and to their community. Together with school board leaders, we are partners and share responsibility for maintaining confidence in public education in Ontario and Canada. We support the Minister of Education's priority of ensuring the success of our students and that they are prepared for any post-secondary plans.

OPSBA brought together members of its Education Program and Policy Development Work Groups, along with senior staff, to initially discuss the draft legislation and its potential impacts. This group includes trustees from all regions across the province and representatives from our Indigenous Trustees' Council, Black Trustees' Caucus, and Executive Council.

Our member boards agree that this proposed legislation will have a wide-ranging impact on Ontario's public education system. As one of the largest stakeholders in the Province dedicated to public education advocacy, we will work collaboratively with the Ministry of Education to identify and propose solutions: from co-creating and collecting best practice approaches, to co-developing minimum requirements for policies that would provide for province-wide consistency, to considering re-assigning some of the proposed amendments out of the *Education Act* into a more flexible legal instrument.

We also note that as addressed in the Ministry of Education's memo on May 29, 2025, there are to be additional policy changes that fall outside of the legislation regarding police record check standardization, organization of the elementary day, community involvement hours for students and Ontario Day milestone celebrations. We will follow up directly with the Ministry of Education about the consultation process and timing for those contemplated changes.

Our initial commentary and questions are provided below. We will conduct more extensive consultation with the governance groups within OPSBA and connect with other stakeholders.

### **ACCOUNTABILITY AND TRANSPARENCY**

#### **1. Ministerial oversight including supervision based on governance, financial or program concerns**

School boards are currently required to provide regular and ongoing reporting to the Ministry of Education. There are already many occurrences within a school year when data and reports are shared, ensuring open and transparent sharing of information.

- Trustees and school boards share the value of accountability and transparency with communities to build and maintain trust. We welcome a dialogue about any new concerns that the Ministry of Education has and hope that these expectations will be clearly communicated to school boards.
- Supervision by an individual removes open debate and dialogue among elected representatives, which may precipitate a reduction in public accountability. How might we work together to ensure we maintain public trust during supervision and transition smoothly in and out of supervision?

- Supervision does not currently consider the legal obligations of First Nations appointed trustees. How might we ensure that we uphold our commitments and respect of our First Nations partners?
- What consideration has been given to privacy matters as supervisors or auditors are given access to “all records”?

## 2. Establishment of policies for school board expenses

As elected officials, trustees are guardians of the public trust and have a fiduciary responsibility to the school board to which they are elected and, by extension, to the public interest. Most boards have Trustee Expense policies that are part of standard practice to enhance transparency, accountability and support public confidence. Boards are required to comply with existing provincial legislation including the *Education Act* and the *Broader Public Sector Accountability Act*, among others. As part of this strict compliance, existing measures include a board report and posting details on their public websites. OPSBA welcomes this requirement to publicly post expenses.

- Will there be guidelines and any consultation about this new requirement?
- How will these guidelines impact other existing legislation?
- Will the Ministry of Education consider balancing the cost to administer the posting such that the frequency and format of the posting provides both clear public information and ease of administration?

## 3. Allowance of school board audits, defining internal/external auditors and roles

All school boards are required to have an Audit Committee whose purpose is to provide oversight of the school board’s financial reporting and controls and risk management, pursuant to the *Education Act*. OPSBA welcomes continued support of this important work, and we reference the recent collaboration with the Ministry of Education and the co-development of Professional Development offerings that included the recently updated online modules on Education Finance, Audit and the Role of Audit Committee, and the webinar entitled, *Financial Management and Governance*.

- What qualifications would the Ministry of Education appointed auditors have?
- What is the purpose of these audits? What is the subject or area that is to be audited?
- Are the internal auditors new or considered part of the current Regional Internal Audit Team (RIAT) that have established relationships?
- How would objectivity and independence of RIAT be maintained?
- How would these new positions be funded?

## 4. Provincial Interest Regulation changes

The current *Education Act* requires the Ministry of Education to consult with school board/trustee associations regarding any provincial interest regulation, and we look forward to this direct consultation. The proposed changes not only increase the number and types of matters that would lead to a ministerial review but also includes many language references that appear open to subjective interpretation (i.e., appropriate manner, any other matter.)

- Who are the “other entities” considered along with parents in clause (g)?
- Supervision or recourse based on the assumption that a board, board member or director of education is “likely” to do or omit to do something is broad. Are there current examples of this behaviour that can serve as a reference?

## 5. Oversight for school naming (new or changing existing)

Most boards have school naming policies that support their board's Mission, Vision and/or Values, strongly consider Human Rights law, the Truth and Reconciliation Commission's Calls to Action, and the United Nations Declaration on the Rights of Indigenous Peoples. Their consultations may be broad and vary from community to community (taking into consideration geography, languages, cultures, accessibility, etc.). This is an important role for school boards and trustees who know their communities and are best placed to ensure all voices are included to build trust and belonging in the school community to set strong foundations for student achievement and wellbeing.

- Will there be guidelines and any consultation about this new requirement?

## SAFETY AND RIGHTS

### 1. Requiring boards to work with local police services and implement School Resource Officer (SRO) programs where offered

This topic has generated much discussion among our members and agreement that there should be substantial community involvement regarding this initiative. There are boards that made the decision to remove a police presence from their schools and end SRO programs for legitimate reasons in their communities. It will be important to understand the reasons why these decisions were made and consider the impacts to Black, Indigenous, LGBTQ2IA+, and other racialized or marginalized students. This work needs to be done together to ensure programs are effective and useful in schools.

- Who is responsible for program review and oversight? Is "School Resource Officer" the correct terminology and could alternative programs be considered?
- Who ultimately decides where an SRO program will be established – what data is used to support that decision? All schools or just those identified by who? When are programs to be in place? How are the programs funded?
- Will police and school board staff receive Professional Development? How can we work with local police forces to ensure effective programming in schools given the requirement and the diversity of programs across the province?
- Will communities and student voice be part of any consultation?
- Will there be guidelines and any consultation about this new requirement?

School boards bring the essential value of being able to respond meaningfully to the unique realities of their local communities. Trustees are elected local leaders who are directly accountable to voters with lived experience and deep community knowledge bringing unique and essential insights and relationships.

Thank you for your consideration of our initial commentary. We look forward to discussing this proposed legislation once it resumes debate in the fall. In the meantime, OPSBA will continue to connect with ministry and political staff.

*The Ontario Public School Boards' Association represents English public district school boards and public school authorities across Ontario, which together serve nearly 1.4 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.*