

Date: July 8, 2020

Subject: COVID-19 Economic Recovery Act: proposed legislative amendments related to education

Memorandum To: Chairs of District School Boards
Directors of Education
Secretary/Treasurers of School Authorities

From: Stephen Lecce
Minister of Education

Nancy Naylor
Deputy Minister

Thank you for everything you have done – and continue to do – to support students and families across Ontario during this challenging time. We appreciate the dedication, resourcefulness and flexibility you have shown in rising to these challenges.

Today, the government introduced the *COVID-19 Economic Recovery Act*, which includes proposed legislative amendments to the *Education Act, 1990*, *Ontario Educational Communications Authority Act, 1990*, and *Ontario French-language Educational Communications Authority Act, 2008*. The proposed amendments support the government's response to the COVID-19 pandemic, as well as the need to increase equitable access to education, and reduce red tape and administrative burden.

This memo outlines the major education-related amendments proposed in the *COVID-19 Economic Recovery Act*.

Reciprocal Education Approach

The ministry is committed to delivering equitable education opportunities to all students, including improving access to education for First Nation students.

The Reciprocal Education Approach (REA) was designed to prioritize First Nation student needs by supporting their choice to attend the school that best suits their learning needs and helping them reach their educational goals.

Currently, for a student to enroll in a school under the REA, the First Nation and a parent or guardian of a student must provide a written notice confirming the student's intention to attend. We have heard from our First Nation partners that this requirement has created an obstacle for students seeking to attend a school under the REA and has prevented access to school for some First Nation students.

The government is proposing amendments to the *Education Act* to allow for a prescribed non-parent/guardian adult to provide written notice which is required for a student to enroll in a school under the REA. This amendment would reduce barriers to education for First Nation students and reduce regulatory burdens for First Nation entities. If the proposed amendments are passed, a regulation would be made setting out who may provide written notice.

Demonstration Schools

The ministry recognizes that all students, including those with severe learning disabilities who were attending demonstration schools this year, have been impacted by the ordered school closures stemming from the pandemic.

Typically, students with severe learning disabilities attend ministry-operated demonstration schools for one year of residential programming, with the possibility for a second year under certain circumstances. Non-residential programming is not currently authorized under the *Education Act*.

To support students with severe learning disabilities who were impacted by school closures, the government is proposing an amendment to the *Education Act* to permit ministry-operated demonstration school programs to be provided, for the 2020-21 school year only, in both a residential setting and – for the first time – in a non-residential setting. This would allow demonstration schools to be able to serve both the cohort of students returning for a second year after the shortened 2019-20 school year and a full new cohort of incoming first year students.

For non-residential students, the ministry plans to offer an extended day program. The ministry would set out in policy the eligibility requirements for both residence and the non-residential extended day program.

Director of Education Qualifications

The provision of education has become increasingly complex as the world changes. We recognize the importance of leadership in education that is representative of the province's diverse student population.

Currently, the *Education Act* requires that all Directors of Education be supervisory officers who are qualified teachers. This requirement has not been updated since 1997.

The ministry is proposing to remove this requirement. This change would allow Ontario's school communities to choose from a wider pool of candidates with a broader skill set, and who are representative of Ontario's diverse population. This approach aligns with many other broader public sector organizations, such as hospitals and community-based social service providers. This change would not preclude school boards from hiring supervisory officers, including those qualified as teachers as a director of education.

In addition, proposed amendments would provide the Minister of Education with the authority to set out qualification requirements for Directors of Education in the future, if required.

Suspensions

Ontario is committed to supporting school boards in building and sustaining a positive school climate that is safe, equitable, inclusive, and accepting for all students in order to support their education and well-being.

The ministry is proposing amendments to the *Education Act* that would allow for regulations to be made to remove the discretionary powers of principals to suspend students from Junior Kindergarten to Grade 3. This would encourage a more supportive approach to discipline for these young students, allowing them to stay connected to school, learn from and socialize with their peers, and develop positive views about learning, school, and their community.

As a next step, we are looking forward to working with our education partners to develop regulations and implement a new disciplinary policy framework for Ontario schools. We will be embarking on discussions to support the development and implementation of this framework in the near future.

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

In November 2019, the ministry announced a plan to expand and modernize online learning for students across the province. To support the implementation of this approach, the ministry is proposing amendments to the *Ontario Educational Communications Authority Act, 1990* (OECAA) and the *Ontario French-language Educational Communications Authority Act, 2008* (OFLCAA) to broaden the mandates of both TVO and TFO to position them to provide centralized support for online learning in the English-language and French-language publicly-funded education systems, respectively.

Depending on the future consultations and policy development, these expanded roles may include developing new online course content and establishing a centralized course catalogue to allow students to easily access the online courses they need or wish to take. Through these new roles, TVO and TFO would reduce barriers for students and make it easier for them to access high-quality online learning opportunities no matter where they live or go to school.

Working with TVO and TFO, the ministry would be consulting with education partners beginning in the summer to develop a plan that will ensure that their expanded

mandates can support Ontario's transformation towards an education system that is more resilient and future-ready, with online learning as a core strategy.

Once again, we would like to thank you for your dedication to supporting Ontario's students and families. We look forward to continuing to work with you to provide educational opportunities for Ontario's students.

Sincerely,

Stephen Lecce
Minister of Education

Nancy Naylor
Deputy Minister

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