



Association des directions
et directions adjointes des
écoles franco-ontariennes



CATHOLIC
PRINCIPALS'
COUNCIL
ONTARIO



PRESENTATION TO THE STANDING COMMITTEE ON FINANCE AND ECONOMIC AFFAIRS

Bill 229, Protect, Support and Recover from COVID-19 Act (Budget Measures) 2020
Schedule 33, Ontario College of Teachers Act, 1996

Submission by the Ontario Principals' Council, the Catholic Principals' Council of Ontario and l'Associations des directions et directions-adjointes franco-ontariennes.

December 2, 2020

Thank you for the opportunity to make a submission to the legislative committee convened to consider Bill 229. The Ontario Principals' Council, the Catholic Principals' Council of Ontario and l'Associations des directions et directions-adjointes franco-ontariennes – together representing more than 7,500 principals and vice-principals working in Ontario's public schools – collectively wish to express our support for the bill, and to identify opportunities for improvement. We hope that simple improvements as outlined below will contribute to a more effective governance structure at the Ontario College of Teachers, and, as a result, greater protection for students and fairness for members of the College.

Our shared mission is to develop, support and promote exemplary leadership for student success in our schools. We provide public school principals and vice-principals with the professional services and supports they need to provide quality leadership in public education. Principals and vice-principals regularly interact with and positively influence students, staff, parents and the greater community.

Bill 229 substantially affects the governance structure of the Ontario College of Teachers (the College). The College regulates Ontario's teaching profession. It licenses teachers to work in publicly funded schools, sets ethical and practice standards for members and accredits the programs and courses that enable people to enter the education sector. It also enforces Ontario law with respect to matters of professional misconduct, incompetence and fitness to practise involving teachers.

Representation of Principals and Vice-Principals on Council and Committees

It is imperative that principals and vice-principals are represented not only on statutory Committees, but on Council and the Selection and Nominating Subcommittee. School leaders have additional qualifications (required by law), perform different statutory duties and stand in a supervisory relationship to teachers, including being responsible for implementing the employer's interpretation of collective agreement terms, as well as evaluating and disciplining

teachers. This makes the role performed by principals and vice-principals substantially different from that of teachers.

In Ontario, principals and vice-principals are mandated by statute to belong to the College and comprise about four per cent of the College's membership. Notwithstanding their small numbers, complaints against principals and vice-principals annually range between approximately 15 and 20 per cent of all complaints investigated by the College, many of which come from teacher complainants.

We appreciate and acknowledge recognition in Bill 229 of the importance of principals and vice-principals having their conduct judged by their peers – people who have “walked in their shoes” as a principal or vice-principal employed in the public system – subject to the same legislative duties and substantially similar working conditions.

College Council

Currently, the Council of the Ontario College of Teachers is comprised of 23 persons elected by the members of the College and 14 persons appointed by the Lieutenant Governor in Council. In this model, principals and vice-principals have only one representative on the 37-member Council. Bill 229 provides that the Council shall be comprised of nine members of the College appointed by the Council and nine non-members who will be appointed by the Lieutenant Governor in Council.

We are concerned this model does not ensure that the College benefits from the valuable perspective of school leaders. Without such representation, there are few opportunities for a principal or vice-principal representative to serve in a leadership capacity on the Council or the Adjudicative Body of Chairs.

As a result, we are requesting the following amendments:

Recommendation 1: Of the nine members appointed by Council, at least one individual will be required to be employed as a principal or vice-principal or be someone who was previously employed as a principal or vice-principal and is still a member of the College.

This change would assist in ensuring that the views and experience of the province's education leaders are reflected in College publications, the Standards of Practice, College Advisories as well as Council by-laws, policies and other decisions.

Standing and Nominating Subcommittee

Bill 229 provides that a Selection and Nominating Subcommittee be established. The subcommittee will have many important powers including

- reviewing and assessing applications of all persons seeking to be on the Council, a statutory or regulatory committee or the roster of eligible panelists, and preparing a list of nominees in each case

- considering specific competencies and criteria for these roles and
- recommending individuals for the positions of Chair of the Council, and Chair and Vice-Chair of regulatory and statutory committees.

The bill states that carrying out these duties will include consideration of any criteria prescribed in regulation. We note that there is no mention of leadership roles in these criteria and submit that it is critical to have principal/vice-principal representation in these roles.

Recommendation 2: At least one member of the Standing and Nominating Committee will be an individual who is employed as a principal or vice-principal or who was previously employed as a principal or vice-principal and is still a member of the College.

This would ensure that a broad range of perspectives, including a leadership lens, is brought to the important selection work of the Standing and Nominating Committee.

Public Register and College Website

Bill 229 removes Council's authority to make bylaws removing certain outcomes from the public register and College website. This modification would result in permanent notations on the public register and College website for lower end discipline matters including findings involving a reprimand, admonishment, counselling, a fine or the imposition of a term, condition or limitation on a certificate.

This change contradicts recommendations by Honourable Justice Patrick LeSage following his review of College processes. Justice LeSage recognized that, at the lower end of the discipline spectrum, members ought to be given the opportunity to resume their careers without negative information following them.

Recommendation 3: Status quo should be maintained with respect to current requirements arising from the Act, regulations and bylaws.

Conclusion

We appreciate the opportunity to present a written submission to the Standing Committee with respect to Bill 229. We support changes in legislation that focus on student safety, fairness to members and efficiency in governance. Principal/vice-principal representation on Council and Committees will increase confidence in the College's processes and enhance the credibility of decisions of the College Committees.

Should standing committee members require additional information or clarification, please contact Peggy Sweeney at the Ontario Principals' Council office at 416-322-6600 or psweeney@principals.ca