



**ONTARIO PUBLIC
SCHOOL BOARDS'
ASSOCIATION**

Leading Education's Advocates

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To: The Honourable Lisa Thompson, Minister of Education

Cc. Martyn Beckett, Assistant Deputy Minister, Student Achievement Division
Andrew Davis, Assistant Deputy Minister, Education Labour and Finance Division.

From: W.R. (Rusty) Hick, Executive Director

Subject: Class Size and Hiring Practices Regulation Engagement

The Ontario Public School Boards' Association represents English public school boards and 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 students in the English public school system in Ontario. OPSBA believes that the role of public education is to provide universally accessible education opportunities for students of all ethnic, racial or cultural backgrounds, social or economic status, individual exceptionality and faith. Under the *School Boards Collective Bargaining Act (SBCBA)*, OPSBA is the designated employer bargaining agent for all 31 English Public School Boards as well as the school authorities.

OPSBA appreciates this opportunity to engage with the Government in the consultation on Regulation 132/12 Class Size and Regulation 274/12 Teacher Hiring.

Background

Over the years that OPSBA has been advocating on behalf of English public school boards in Ontario there have been opportunities to engage in dialogue and consultation with previous governments regarding class size and teacher hiring. OPSBA has always provided considered feedback based on its own consultations with trustees and staff from member school boards. Since the introduction of Regulation 274/12, OPSBA's consultations have revealed the many challenges and inequities this regulation has created regarding the hiring of teachers in the province of Ontario.

Based on its previous consultations, OPSBA has held the view that the flexibility found in class size averages provides the best opportunity for school boards to meet the unique learning needs of each student. We will comment further on this position based on the most current consultation with member boards later in this report.

In order to ensure the feedback provided for this consultation is reflective of the current views of our member boards, on January 24, 2019, OPSBA consulted with school board's Senior Human Resources Officials. In addition, on January 25, 2019, OPSBA consulted with more than 300 elected school board trustees together with their Directors of Education who participated in OPSBA's *Public Education Symposium* (PES).

Class Size

Overall Class Size (K-12)

OPSBA's view is that board-wide class size averages, together with a designated count date (and in semestered secondary schools, two count dates), gives school boards much needed flexibility, allowing them to provide the best learning environments for students.

OPSBA is not advocating for increases in class size, but rather, that board-wide class averages provide much needed flexibility, which in one case might increase the size of a class, but would decrease the size of another class. Flexibility and full funding are the drivers that allow school boards to not only meet the needs of students but also manage their human and physical resources in an effective manner.

Class size averages allow school boards to:

- respond to fluctuations in student enrollment with minimal class disruption that, under class size caps, forces students to change teachers after school has begun,
- create learning environments to best meet individual student needs,
- provide an environment for instructional continuity in the classroom for both students and teachers,
- create the best learning and teaching environments for students and teachers based on local needs, and
- deploy their most valuable resources, educators, in the most effective way.

Secondary schools deliver a wide variety of programming choices that require flexibility in organization. A centrally determined rigid minimum or maximum number for class size in secondary schools fails to consider:

- the impact this would have on students' ability to earn the credits required for graduation,
- the availability of specialized facilities,
- the safety requirements in equipment based programs such as technical studies,
- a school boards need for flexibility to support varied program choices that actively engage students in their learning,
- that the widest variety of options are ensured to support students in their career choices, for example: specialist high skills major or skilled trade programming, and
- that one size fits all does not work for all school boards given the variation in size and geography across the province.

In summary, OPSBA believes that school boards require the flexibility that is afforded by class size averages to provide the best learning environment for all students.

Kindergarten Delivery Model:

OPSBA has consistently supported the current two-educator model for the delivery of the full day kindergarten program. The kindergarten program has evolved over time in its intentional play based instructional approach with targeted assessment practices to monitor and report on student progress. This support was reinforced in recent consultations because full day kindergarten supports positive student outcomes and levels the playing field for all students.

Since the introduction of the new kindergarten program, positive impact has been made on student readiness to learn as well as social and emotional learning and overall well-being. This program allows for early intervention to maximize the outcomes for all learners and early engagement of parents in their child's learning which is a key factor in long term student success.

In 2009, a document entitled *With our Best Future in Mind* was released. It outlined the expansion of part time kindergarten programs to a delivery model that included the full day for junior and senior kindergarten students. OPSBA suggests the government should review this report together with more recent evidenced based research if it is considering changes to the current model to address identified local needs, such as the inclusion of indigenous elders.

Regulation 274/12 – Teacher Hiring Practices

Since the introduction of Regulation 274/12 in 2012, which favours seniority as the most important factor in teacher hiring, OPSBA has maintained that hiring is the responsibility of the employer and that fair, equitable hiring practices that reflect local needs are critical to improving student achievement and well-being.

There are many challenges that currently exist for school boards as a result of the introduction of Regulation 274/12. They include:

- an inability to address diversity and equity in hiring,
- the limitations on boards to hire the teachers that reflect the needs of the school community,
- providing instructional continuity in the classroom where multiple postings are required,
- the pressure occasional teachers feel to be on multiple school board lists,
- the inability of permanent teachers to seek employment at a different school board, and
- the restrictions for principals and vice-principals to return to teaching.

Seniority based hiring as required by Regulation 274/12 has created more inconsistencies in teacher hiring in Ontario rather than reducing them. For example, under the regulation there are different hiring requirements depending on the school board sector to which a teacher applies. In the case of English public school boards there are differences between being hired as an elementary teacher or secondary teacher even though the same individual may be qualified to be hired in either panel. Some of these inconsistencies were brought about by the five revisions (in 2013, 2015, 2016, June and November 2017) to the Regulation since 2012 which have essentially quadrified the regulation by sector. This regulation has also disadvantaged teachers who are new to the profession and has become a deterrent to entering the teaching profession. To become a teacher in Ontario you must first complete six years of post-secondary education followed by an additional 16 months to qualify for permanent employment as a teacher.

The many attempts to bring about improvements to Regulation 274/12 have been unsuccessful. OPSBA has participated in each and every opportunity that has been provided in an effort to bring about positive change. These opportunities have included: participating in committees with the Crown and teacher unions, participating in writing the resulting reports and recommendations from those committees, negotiated improvements, and ongoing dialogue with both the Crown and teacher unions regarding the challenges and barriers the Regulation has created. Local school boards have also attempted to bring refinements to their hiring processes under this regulation, but have largely been unsuccessful.

Given these attempts at improving the regulation have not addressed the challenges and inequities, OPSBA is not confident that further revisions to a fundamentally flawed regulation will bring about the desired changes the government and school boards are looking for, and would respectfully suggest that Regulation 274/12 be repealed. Instead all school boards should commit to transparent, fair and equitable hiring practices as outlined below.

Fair and Equitable Hiring Practices:

1. Ensure that every school board has a hiring policy, procedure and process that is equitable, transparent and monitored and must include the following principles:
 - A posting protocol for vacant positions, including timelines
 - Use of hiring teams that value equity and diversity
 - An interview process for every vacancy
 - Common and consistent set of questions and rubrics to evaluate applicants
 - Involvement of the Board Equity Officer/Board Integrity Officer/other appropriate staff in the development of policies and procedures
 - Candidate debriefing upon request
 - Periodic auditing of the process
2. Ensure that school boards have (and post on their websites) recruitment and hiring policies, procedures and practices that address:
 - Conflict of interest (that include reporting relationships with family members)
 - Whistleblowing
3. Other best practices that may be included in the establishment of a hiring policy include (but are not limited to):
 - Use of Central Hiring teams
 - Creating a system where anonymous evaluation of applicants is implemented in order to avoid bias, conscious or unconscious
 - Including all stakeholders in the development of the hiring policy/procedure

In summary, OPSBA continues to maintain that hiring is the responsibility of the employer and that fair, equitable hiring practices that reflect local needs are integral to a strong public education system that maximizes the opportunities for all learners.

Next Steps

OPSBA understands the fiscal challenges facing the province and appreciates the opportunity the government has provided to help find solutions that balance fiscal responsibility with supporting student achievement and well-being which is always the top priority for school boards.

OPSBA is available for clarification, additional comment and feedback should the government identify the need for further consultation on these matters.